



**Issue Date: 08 August 2011**

CASE NO.: 2011-LCA-00047

In the Matter of

**ADMINISTRATOR,  
WAGE AND HOUR DIVISION**  
Prosecuting Party

v.

**AEQUOR TECHNOLOGIES, INC.**  
Respondent

**ORDER CANCELLING HEARING; AND DISMISSING MATTER**

This matter arises under the Immigration and Nationality Act, as amended, 8 U.S.C. § 1182(n) and the regulations promulgated thereunder at 20 C.F.R. Part 655, Subparts H and I, C.F.R. § 655.700 *et seq.* Per my Notice of Hearing dated July 14, 2011, a hearing was scheduled for August 15, 2011, in New York City.

By notice dated July 21, 2011, through counsel, the Complainant withdrew his request for a hearing.

I construe the Complainant's submission as a Motion. In addition, on July 19, 2011, the Administrator filed a Motion to Dismiss the Administrator as Prosecuting Party. No objection to either Motion has been received, and the time for filing a response has passed. See 29 C.F.R. § 18.6(b).

There being no objection or opposition, I GRANT the Complainant's Motion. The hearing is CANCELLED. Pursuant to 20 C.F.R. § 655.815(c)(3), the Administrator's Determination (as set forth in the Determination Letter, dated May 31, 2011), as to the Complainant, is final.<sup>1</sup> Accordingly, this matter before the Office of Administrative Law Judges is dismissed.

Because this matter is dismissed, the Administrator's Motion is now moot.

---

<sup>1</sup> The only individual to whom this Order applies is the Complainant. The Administrator's Determination letter states that the Respondent was responsible to pay a total of \$189,597.00 to six H-1B nonimmigrant workers, but does not name any of the individuals. I presume that the Complainant is one of the individuals concerned.

SO ORDERED.

**A**

Adele H. Odegard  
Administrative Law Judge

Cherry Hill, New Jersey