

U.S. Department of Labor

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Issue Date: 21 December 2010

CASE NO.: 2011-LCA-00002

In the Matter of

**ADMINISTRATOR, WAGE AND
HOUR DIVISION**

Complainant

v.

ATCHISON & ASSOCIATES, P.C.

Respondent

**DECISION AND ORDER APPROVING
CONSENT FINDINGS**

This case involves violations of the H-1B provisions of the Immigration and Nationality Act of 1952, as amended by the Immigration Act of 1990, the Miscellaneous and Technical Immigration and Naturalization Amendments of 1991, and the American Competitiveness and Workforce Improvement Act of 1998 ("ACWIA")(Title IV of Pub.L. 105-277, Oct. 21, 1998; 112 Stat. 2681) found at 8 U.S.C. § 1101, *et seq.* ("INA") and 8 U.S.C. § 1101(a)(15)(H)(i)(b). Consent Findings and Order signed by the Parties (designated as Joint Exhibit 1) has been presented to the undersigned and the parties have requested that the Consent Findings be approved.

I have carefully considered the facts involved in this case and the difficult legal and factual questions in dispute, as well as the criteria set forth in 29 CFR §18.9. Upon careful evaluation of same, I conclude that the Consent Findings are fair, in the best interest of both parties and were arrived at without duress and only after full exploration by the parties of all issues in dispute and the difficult legal and factual questions involved.

ORDER

IT IS ORDERED THAT the Consent Findings are hereby **APPROVED**.

IT IS FURTHER ORDERED THAT the hearing scheduled for December 28, 2010 in New York City is **CANCELED**.

A

Ralph A. Romano
Administrative Law Judge

Cherry Hill, New Jersey