



Issue Date: 01 June 2011

In the Matter of:

**ADMINISTRATOR, WAGE AND HOUR DIVISION,
UNITED STATES DEPARTMENT OF LABOR,
Complainant**

v.

2011 LCA 00020

**VANDERBILT LANDSCAPING, L.L.C.
Respondents**

ORDER

APPROVING STIPULATION

This case was brought pursuant to 20 C.F.R. § 655.820 et seq., as amended by the interim final regulations published by the Department of Labor on December 20, 2000, 65 Fed. Reg. 80110 et seq. (2000) to implement the H-2B provisions of the Immigration and Nationality Act (INA), 8 U.S.C. §§ 1101(a)(15)(H)(ii)(B) and 1182(n), and in accordance with 29 C.F.R. Part 18 of the Rules of Practice and Procedure of the Office of Administrative Law Judges.

The case was rescheduled to September 9, 2011, but a consent order was sent to me received May 31, 2011.

By entering into consent findings, the parties have accepted certain obligations and agreed to specific actions which resolve all existing issues. Having carefully considered the provisions of the Consent Findings, I conclude that the resolution is fair and legally sufficient.

Accordingly, after having been fully advised in these premises, I approve the Settlement Agreement. The Approved Settlement Agreement shall constitute the final administrative order in this case.

ORDER

The terms and conditions set forth in the Consent Findings are **AFFIRMED**.

This action is **DISMISSED WITH PREJUDICE**; and each party shall bear his or its own costs, expenses, and attorney fees incurred in connection with this action.

The hearing is **CANCELLED**.

A

DANIEL F. SOLOMON
Administrative Law Judge

NOTICE OF APPEAL RIGHTS: To appeal, you must file a Petition for Review (“Petition”) that is received by the Administrative Review Board (“Board”) within thirty (30) calendar days of the date of issuance of the administrative law judge’s decision. *See* 20 C.F.R. § 655.845(a). The Board’s address is: Administrative Review Board, U.S. Department of Labor, Room S-5220, 200 Constitution Avenue, NW, Washington, DC 20210. Once an appeal is filed, all inquiries and correspondence should be directed to the Board.

At the time you file the Petition with the Board, you must serve it on all parties as well as the administrative law judge. *See* 20 C.F.R. § 655.845(a).

If no Petition is timely filed, then the administrative law judge’s decision becomes the final order of the Secretary of Labor. Even if a Petition is timely filed, the administrative law judge’s decision becomes the final order of the Secretary of Labor unless the Board issues an order within thirty (30) days of the date the Petition is filed notifying the parties that it has accepted the case for review. *See* 29 C.F.R. § 655.840(a).