



**Issue Date: 26 November 2013**

Case No.: 2013-LCA-00037

In the Matter of:

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

v.

**DR. LOUIS P. BUCKY**  
Respondent

**DECISION AND ORDER APPROVING SETTLEMENT  
AND DISMISSING CASE**

The above-captioned matter arises under the Immigration and Nationality Act of 1952, as amended by the Immigration Act of 1990 and the Miscellaneous and Technical Immigration and Naturalization Amendments of 1991. 8 U.S.C. §§ 1101 *et seq.*; 8 U.S.C. § 1101(a)(15)(H)(i)(b).

On November 21, 2010, this office received the Administrator’s “Motion to Amend Determination Letter,” or “Motion to Amend,” along with fully executed Consent Findings resolving all of the issues in contest between the Administrator and Respondent in the instant matter. The Administrator’s Motion to Amend states that Respondent does not oppose it. *See* Administrator’s Motion to Amend, ¶ 5.

The Administrator’s Motion to Amend seeks to amend the Administrator’s August 29, 2013 determination letter as to reflect a reduction in the amount of back wages to \$8,813.19 from \$13,121.51 owed by Respondent for failure to pay the required wage to one of its H-1B employees. While I find the authority cited, i.e., 20 C.F.R. § 18.5(e), to support allowance of the determination letter amendment sought not particularly applicable, I will nonetheless grant the Administrator’s Motion to Amend as it is unopposed by Respondent.<sup>1</sup>

I have reviewed the terms of the parties’ settlement agreement as set forth in the Consent Findings included with the Administrator’s Motion to Amend. That settlement agreement complies with the relevant regulations, and settles all remaining issues between the parties. *See*

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<sup>1</sup> I do not consider the Administrator’s August 29, 2013 determination letter to constitute a complaint or other pleading.

20 C.F.R. § 655.700 *et seq.*; 29 C.F.R. § 18.9(b). Accordingly, the Consent Findings are therefore APPROVED and adopted as part of this Decision And Order. The parties will comply with the terms of their settlement agreement.

This matter is DISMISSED. The prehearing conference scheduled for February 7, 2014, and the hearing scheduled for February 21, 2014, are CANCELED.

IT IS SO ORDERED.

**LYSTRA A. HARRIS**  
Administrative Law Judge

Cherry Hill, New Jersey