



**Issue Date: 17 October 2013**

**CASE NO.: 2013-LCA-00014**

**In the Matter of:**

**WAGE AND HOUR DIVISION,  
Complainant,**

**v.**

**SUPREME TECH SOLUTIONS, LLC,  
Respondent.**

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

The matter before the undersigned administrative law judge is the Joint Motion to Approve Settlement filed by the parties on September 12, 2013. For the reasons set forth below, the settlement agreement is approved and the case is dismissed with prejudice.

*Background.* A hearing in the instant case, which has been brought under the enforcement provisions of the Immigration and Nationality Act relating to labor condition applications for H1B visas (8 U.S.C. §1182(n), with regulations appearing at 20 C.F.R. Part 655, subparts H and I), was scheduled to be held on Tuesday, July 30, 2013 in Washington, DC. However, in an Order on Pending Motions of July 2, 2013, the undersigned administrative law judge noted that there was a pending dispositive motion filed by the Administrator and asked the parties provide a joint status report (or separate status reports) addressing the issue of whether the hearing set for July 30, 2013 should be canceled so that the parties would have additional time to conduct discovery and respond to (or file) dispositive motions. In a Joint Status Report of July 12, 2013, filed by facsimile, the parties jointly requested “that the July 30, 2013 hearing and the associated deadlines be cancelled until the Administrator’s motion for summary decision has been resolved.” Accordingly, the hearing was canceled by Order of July 18, 2013.

*Discussion.* On September 12, 2013, the parties submitted a Joint Motion to Approve Settlement. In the Joint Motion, the parties indicate that Respondent Supreme Tech had agreed to accept the March 13, 2013 determination letter (a copy of which was attached as Exhibit A), as amended to reflect that back wages had been assessed in the amount of \$62,700.23, and that Supreme Tech had paid those back wages (consisting of gross wages and fee reimbursements) in full (less tax withholding), together with the proposed civil money penalty of \$2,500. The period for approval of the agreement was tolled in view of the federal government shutdown. In response to an informal email inquiry from the undersigned of October 17, 2013, the parties

verified that Supreme Tech agreed to the debarment prescribed in the March 13, 2013 determination letter.

Having reviewed the settlement, which was reached by the parties after arms-length negotiations, and finding its terms to be fair, reasonable, and appropriate, the settlement agreement is being approved and this case is being dismissed. Accordingly,

**ORDER**

**IT IS HEREBY ORDERED** that the settlement entered into by the parties, as set forth in the Joint Motion to Approve Settlement and the annexed Exhibit A, be, and hereby is, **APPROVED** and the case be, and hereby is **DISMISSED WITH PREJUDICE**.

PAMELA J. LAKES  
Administrative Law Judge

Washington, D.C.