



Issue Date: 25 March 2020

Case No.: 2018-SCA-00012

In the Matter of:

ADULT DAY CENTER OF VIRGINIA, L.L.C. and
GERRY RAWLINSON, individually and as president,

Respondents.

ORDER GRANTING MOTION TO DISMISS

ORDER DISMISSING COMPLAINT

This action was filed pursuant to the McNamara-O'Hara Service Contract Act (SCA) of 1965, as amended, U.S. Code, Title 41, § 351 et seq. and the Contract Work Hours and Safety Standards Act (CWHSSA), as amended, 40 U.S.C. § 327, et seq. It is governed by the implementing regulations found at Code of Federal Regulations, Title 29, Parts 4, 6 and 18. This court has jurisdiction of this action under § 4(a) of SCA, 41 U.S.C. § 353(a), § 104(a) of CWHSSA, 40 U.S.C., § 330(a), and regulations found at 29 C.F.R. §§ 4.189 and 6.15. The proceedings will be held in a manner consistent with the procedural rules set forth in federal regulations at 29 C.F.R. §§ 18.10-18.95.

On March 20, 2020, the Administrator, U.S. Department of Labor, Wage and Hour Division, by counsel, filed a Motion to Withdraw Complaint. In this Motion, the Administrator stated that the parties had resolved this matter and there was no need for further action. The Administrator requested the court allow it to withdraw its May 15, 2018 Complaint and close the case. Respondent consented to this motion.

Accordingly, IT IS ORDERED that the Administrator's May 15, 2018 Complaint is withdrawn and this matter is dismissed without further proceedings.

ORDER

It is hereby **ORDERED** that:

1. The Administrator's Motion to Withdraw Complaint is **GRANTED**.
2. The Complaint filed on May 15, 2018 is **DISMISSED**.

The court requests that this Order be served on the following parties by email: (1) Ryan M. Kooi, Esq., counsel for the Administrator, United States Department of Labor, Wage and Hour Division, at kooi.ryan.m@dol.gov and (2) Mr. Gerry Rawlinson, *pro se*, at adc99@gmail.com.

DO NOT E-MAIL OR RESPOND TO THE SENDER'S E-MAIL ADDRESS.

E-MAILS SENT TO THE NEWPORT NEWS OFFICE OF ADMINISTRATIVE LAW JUDGES' E-MAIL ADDRESS (OALJ-NewportNews@DOL.GOV) WILL ONLY BE ACCEPTED DURING THE COVID-19 PANDEMIC.

SO ORDERED.

DANA ROSEN
Administrative Law Judge

DR/TRL