

**U.S. Department of Labor**

Office of Administrative Law Judges  
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**Issue Date: 03 March 2011**

**OALJ Case No.: 2011-TLC-00303**

**ETA Case No.: C-11027-27149**

*In the Matter of*

**ITZ GARDENS,**  
*Employer*

Certifying Officer: William L. Carlson  
Chicago Processing Center

**ORDER OF DISMISSAL**

On February 16, 2011, ITZ Gardens (“the Employer”) filed a request for review in the above-captioned temporary alien labor certification matter. On March 3, 2011, BALCA received notice from the Certifying Officer (“CO”) that based on documentation submitted by the Employer and a re-evaluation of the outstanding issues, the CO determined that the Employer’s H-2A application should be certified. Accordingly, the CO requested dismissal of this appeal on the grounds that it is moot.

Therefore, in light of the foregoing, it is **ORDERED** that this matter is hereby **DISMISSED**.

For the Board:

**A**

**DANIEL A. SARNO, JR.**

District Chief Administrative Law Judge

DAS, JR./jcb  
Newport News, Virginia