

U.S. Department of Labor

Board of Alien Labor Certification Appeals
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Issue Date: 31 October 2016

OALJ Case No.: 2016-TLC-00075

ETA Case No.: H-300-16180-749790

In the Matter of:

ALEWELT CONCRETE, INC.,
Employer.

ORDER OF DISMISSAL

This matter arises under the temporary agricultural guest worker provisions of the Immigration and Nationality Act (INA), 8 U.S.C. §§ 1101(a)(15)(H)(ii)(a), 1184 and 1188, and the implementing regulations set forth at 20 C.F.R. Part 655, Subpart B (collectively, H-2A program).

On October 17, 2016, I held a pretrial conference call with the parties as a follow-up to their discussions towards resolution. While the matter was not resolved, the parties agreed to prepare a joint statement of stipulated facts, along with the legal issues to be determined in this matter. I set the submission date for November 1, 2016.

On October 28, 2016, I received a Motion to Withdraw Appeal (“Motion”) from Employer’s counsel. The Motion indicated that “Opposing Counsel has communicated to Appellant that they support the motion to withdraw.” As the Motion is unopposed by the Certifying Officer, I hereby grant Employer’s Motion.

It is therefore **ORDERED** that this matter be **DISMISSED**.

TIMOTHY J. McGRATH
Administrative Law Judge

Boston, Massachusetts