

**U.S. Department of Labor**

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**Issue Date: 19 August 2016**

**BALCA Case No.: 2016-TLC-00062**  
**ETA Case No.: H-300-14293-847620**

*In the Matter of:*

**J&M FARMS, INC.,**  
*Employer*

Chicago National Processing Center

**ORDER OF DISMISSAL**

On July 15, 2016, J&M Farms, Inc. (“the Employer”) filed a request for de novo hearing in the above-captioned temporary alien labor certification matter. On July 21, 2016, the Office of Administrative Law Judges received the Administrative File from the Certifying Officer (“the CO”). The Employer did not request that the hearing be scheduled within five days of receipt of the Administrative File, and with the parties’ assent, formal hearing was scheduled to commence at 2:00 p.m. EDT on Tuesday, August 9, 2016. On August 8, 2016, the Employer requested that the Court cancel the hearing scheduled for August 9, 2016, so that the parties could continue discussions aimed at resolving this matter. The request was granted and the hearing was canceled.

On August 18, 2016, the Employer filed a Motion to Dismiss, requesting “voluntary dismissal of this matter” based upon “an agreement between the parties as to the CO’s withdrawal” of the Notice of Special Procedures. The Employer’s motion represents that counsel for the CO has no objection to Employer’s request.

Upon consideration, the Employer’s motion to dismiss is **GRANTED** and this matter is **DISMISSED**.

**SO ORDERED.**

**MONICA MARKLEY**  
Administrative Law Judge

Newport News, VA