

**U.S. Department of Labor**

Office of Administrative Law Judges  
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**Issue Date: 25 July 2017**

**OALJ Case Nos.: 2017-TLC-00023  
2017-TLC-00024**

**ETA Case No.: H-300-17184-145668  
H-300-17184-496290**

*In the Matter of:*

**JOHN B. MARTIN & SON FARMS INC.**

Appearance: Leon R. Sequeira, Esquire  
11205 Highway 329  
Prospect, KY 40059  
*For the Employer*

Jeffrey L. Nesvet, Associate Solicitor for  
Employment & Training Legal Services  
And  
Micole Allekotte, Attorney Advisor,  
Office of the Solicitor  
U.S. Department of Labor  
Washington, D.C.  
*For the Certifying Officer*

Before: Richard A. Morgan  
Administrative Law Judge

**ORDER OF REMAND**

On July 11, 2017, John B. Martin & Son Farms, Inc., d/b/a Martin Farms, (“the Employer”) filed a request for de novo hearing in the above-captioned H-2A temporary alien labor certification matter. A hearing was scheduled for July 25, 2017 before the undersigned Administrative Law Judge. On July 25, 2017, the undersigned received, by email communication, the Certifying Officer’s Motion for Remand and request that the scheduled hearing be cancelled. Said motion states, “[t]he Certifying Officer and the Employer have reached an agreement in the above-referenced case and have determined that the Employer’s H-2A application for temporary labor certification should be remanded to the agency for further processing.” It further states that the Employer has no objection to the motion to remand.

In light of the foregoing, it is hereby **ORDERED** that this matter is **REMANDED** to the Certifying Officer for additional processing and the July 25, 2017 hearing is **CANCELLED**.

**IT IS SO ORDERED.**

RICHARD A. MORGAN  
Administrative Law Judge