



Issue Date: 28 November 2016

OALJ Case No.: 2017-TLC-00004
ETA Case No.: H- 300-16287--811350

In the Matter of:

P. MARIN HARVESTING, INC.,

Employer.

Certifying Officer: John Rotterman
Chicago National Processing Center

Before: Joseph E. Kane
Administrative Law Judge

ORDER REMANDING CLAIM

On November 2, 2016, P. Marin Harvesting, Inc. (“the Employer”) requested a de novo hearing regarding the Certifying Officer’s decision in the above-captioned H-2A temporary alien labor certification matter.¹ On November 7, 2016, this case was assigned to Administrative Law Judge Joseph E. Kane for hearing and decision. This Office received the Administrative File from the Certifying Officer on November 10, 2016.

The parties participated in a telephone conference on November 14, 2016. During the telephone conference the parties agreed that the matter should be remanded for additional processing and that the duplicate claim, 2017-TLC-00006, should be withdrawn by the Employer. On November 15, 2016, counsel for the Certifying Officer (the “Solicitor”) filed a motion requesting that this case be remanded to the Certifying Officer for additional processing pursuant to the agreement of the parties during the telephone conference.

¹ See 8 U.S.C. §§ 1101(a)(15)(H)(ii)(a), 1184(c)(1), and the implementing regulations promulgated at 20 C.F.R. Part 655.

In light of the foregoing, it is hereby **ORDERED** that this matter is **REMANDED** to the Certifying Officer for additional processing consistent with the agreement of the parties.

JOSEPH E. KANE
Administrative Law Judge