



Issue Date: 26 March 2014

**BALCA Case No.:** 2014-TLN-00019  
**ETA Case Nos.:** H-400-14031-306291

*In the Matter of:*

**HORIZON FORESTRY, LLC.,**  
*Employer.*

Before: DANA ROSEN  
Administrative Law Judge

### ORDER OF REMAND

This case involves the labor certification for temporary employment of nonimmigrant foreign workers (H-2B workers) under the Immigration and Nationality Act (INA), as amended, 8 USC 1101, et seq., and its implementing regulations at 20 CFR Part 655, Subpart B. The Employer filed a timely request for formal hearing before an Administrative Law Judge of the Certifying Officer's actions in the Notice of Deficiencies issued February 28, 2014, pursuant to 20 CFR §655.1(b) and as related to the Employer's application for temporary employment certification filed under the H-2B program.

On March 24, 2014 counsel for the Solicitor filed correspondence with the Board in which he indicated the Certifying Officer (CO) requested that the three above-referenced case be remanded for certification. Counsel for the CO notified the employer's counsel who agrees to the request to remand. The parties have reached a settlement agreement and request a remand to the Certifying Officer.

In view of all the foregoing, **this case is hereby REMANDED to the Certifying Officer pursuant to 20 CFR §655.171 for action pursuant to 20 CFR Part 655, Subpart B.**

DANA ROSEN  
Administrative Law Judge