

**U.S. Department of Labor**

Board of Alien Labor Certification Appeals  
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**Issue Date: 20 June 2017**

BALCA Case No.: 2017-TLN-00055  
ETA Case No.: H-400-17048-333159

*In the Matter of:*

**NORTHEASTERN HOSPITALITY MANAGEMENT LLC,**  
*Employer.*

**ORDER OF DISMISSAL**

This case arises from Northeastern Hospitality Management LLC's ("Employer") request for review before the Board of Alien Labor Certification Appeals of the denial by a Certifying Officer for the Employment and Training Administration of its application for H-2B temporary labor certification. *See* 8 U.S.C. §§ 1101(a)(15)(H)(ii)(b), 1103(a), 1184(a)(c); 8 C.F.R. § 214.2(h); 20 C.F.R. Part 655, Subpart A.<sup>1</sup>

On June 8, 2017, I issued a Notice of Docketing setting the parties' briefing deadline. On June 16, 2017, I received a motion from Employer requesting to withdraw its appeal ("Motion"). In the Motion, Employer stated:

Due to prohibitive costs in connection with the administrative review process, as well as the passing of the employer's date of need and lack of movement on the H-2B process by the U.S. Department of Homeland Security, our client, Northeastern Hospitality Management LLC., has decided to withdraw[] from the H-2B process, including our Request for Administrative Review.

Based on the foregoing, I hereby grant Employer's Motion.

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

**SO ORDERED.**

**TIMOTHY J. McGRATH**  
Administrative Law Judge

Boston, Massachusetts

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<sup>1</sup> On April 29, 2015, the Department of Labor ("DOL") and the Department of Homeland Security jointly published an Interim Final Rule ("2015 IFR") amending the standards and procedures that govern the H-2B temporary labor certification program. *See* 80 Fed. Reg. 24042 (Apr. 29, 2015).