

U.S. Department of Labor

Office of Administrative Law Judges
800 K Street, NW, Suite 400-N
Washington, DC 20001-8002

(202) 693-7300
(202) 693-7365 (FAX)



Issue Date: 10 June 2015

OALJ Case No.: 2014-TNE-00020

In the Matter of:

ALLEN CONSTRUCTION COMPANY, INC.,
Respondent.

ORDER OF DISMISSAL

On August 25, 2014, Allen Construction Company, Inc. filed a request for a *de novo* hearing in the above-captioned H-2B program matter. On June 9, 2015, Wage and Hour Division filed a Motion for Voluntary Dismissal without prejudice, in light of the new interim final rule that the Department of Labor and Department of Homeland Security promulgated jointly for the H-2B program, following the decision in *Perez v. Perez*, No. 14-cv-682 (N.D. Fla. March 4, 2015) to vacate the 2008 regulations at 20 C.F.R. Part 655, subpart A. Both parties agreed on a conference call that this matter should be dismissed without prejudice. In light of the foregoing, it is hereby **ORDERED** that this matter is **DISMISSED** without prejudice.

WILLIAM S. COLWELL
Associate Chief Administrative Law Judge