

**U.S. Department of Labor**

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**Issue Date: 14 October 2014**

Case No.: 2014-TNE-00008

In the Matter of

**ADMINISTRATOR, WAGE AND HOUR DIVISION,  
U.S. DEPARTMENT OF LABOR**  
Prosecuting Party

v.

**MT. ST. HELENS REFORESTATION, INC.**  
Respondent

**ORDER OF DISMISSAL**

This matter arises under the Immigration and Nationality Act (INA) of 1952, codified at 8 U.S.C. § 1101 et seq., authorized a temporary foreign worker program referred to as the H-2 program, which covered both agricultural and nonagricultural workers. The 1986 Immigration Reform and Control Act (IRCA) amended the INA and divided the H-2 program into the current H-2A and H-2B programs on the basis of whether the temporary labor involved an agricultural position (H-2A) or a nonagricultural position (H-2B).

On October 8, 2014, pursuant to 29 C.F.R. § 18.1(a) and Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, the Administrator of the Wage and Hour Division of the United States Department of Labor and Mt. St. Helens Reforestation, Inc. filed its Stipulated Dismissal in which it advises each party shall bear its own attorneys' fees, costs, and other expenses incurred in connection with any stage of this claim, including but not limited to any fees, costs, or other expenses that may be available under the Equal Access to Justice Act.

Accordingly, I hereby **GRANT** the request and **ORDER** this matter **DISMISSED**.

SO ORDERED.

**SCOTT R. MORRIS**  
Administrative Law Judge

Cherry Hill, New Jersey