

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 06 April 2010

In the Matter of

CITIES OF KINGSTON AND NEWBURGH,
NEW YORK (Audit Report No. 02-07-201-03-390)
Complainants

v.

UNITED STATES DEPARTMENT OF LABOR
Respondent

Case No. 2008-WIA-00003

ORDER OF DISMISSAL

This case was docketed in this Office on May 19, 2008 in response to Complainants' appeal of the Grant Officer's disallowance of \$253,192.00 in costs. By letter dated April 1, 2010, the parties have submitted a *Stipulation of Dismissal*. The parties state that all of the costs disallowed in the Grant Officer's March 31, 2008 *Final Determination* have now been allowed. Accordingly, the Complainants have withdrawn their appeal of that *Final Determination*, and the parties request that the case be dismissed with prejudice. Therefore,

IT IS ORDERED that this case is dismissed with prejudice.

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JEFFREY TURECK
Administrative Law Judge

NOTICE OF APPEAL RIGHTS: To appeal, you must file exceptions ("Exception") with the Administrative Review Board ("Board") within twenty (20) days of the date of issuance of the administrative law judge's decision. *See* 20 C.F.R. § 667.830. The Board's address is: Administrative Review Board, U.S. Department of Labor, Suite S-5220, 200 Constitution Avenue, NW, Washington, DC 20210. Your Exception must specifically identify the procedure, fact, law, or policy to which exception is taken. You waive any exceptions that are not specifically stated. Any request for an extension of time to file the Exception must be filed with the Board, and copies served simultaneously on all other parties, no later than three (3) days

before the Exception is due. *See* 20 C.F.R. § 667.830; Secretary's Order 1-2002, ¶4.c.(42), 67 Fed. Reg. 64272 (2002).

A copy of the Exception must be served on the opposing party. *See* 20 C.F.R. § 667.830(b). Within forty-five (45) days of the date of an Exception by a party, the opposing party may submit a reply to the Exception with the Board. Any request for an extension of time to file a reply to the Exception must be filed with the Board, and a copy served on the other party, no later than three (3) days before the reply is due. *See* 20 C.F.R. § 667.830(b).

If no Exception is timely filed, the administrative law judge's decision becomes the Final Decision and Order of the Secretary of Labor pursuant to 20 C.F.R. § 667.830(b) unless the Board notifies the parties within thirty (30) days of the date of issuance of the administrative law judge's decision that it will review the decision. Even if an Exception is timely filed, the administrative law judge's decision becomes the final order of the Secretary of Labor unless the Board issues an order within thirty (30) days of the filing of the Petition notifying the parties that it has accepted the case for review. *See* 20 C.F.R. § 667.830(b).