

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 01 March 2013

Case No: 2013-WIA-00001

In the Matter of:

THE NATIONAL ASIAN PACIFIC CENTER ON AGING,

Complainant

v.

UNITED STATES DEPARTMENT OF LABOR,

Respondent

ORDER GRANTING MOTION TO DISMISS WITH PREJUDICE

This matter arises under the Workforce Investment Act (WIA), 29 U.S.C. § 2801 *et seq.*, and the implementing regulations at 20 C.F.R. Parts 660 through 670.

On November 13, 2012, this Office issued a Notice of Receipt of Request for Hearing and Prehearing Order instructing the parties to file Prehearing Exchange information within forty-five (45) days. The parties then filed a joint motion on December 13, 2012 requesting an extension of the deadline for filing Prehearing Exchange information. The parties stated that more time was needed to conduct an outside audit, the results of which might reveal adjustments that offset the \$276,601.00 in allegedly questionable costs. I therefore granted the parties' request in an order dated December 21, 2012 and set the deadline to file Prehearing Exchange information for February 26, 2013.

On February 26, 2013, Complainant filed a Joint Stipulation for Dismissal with Prejudice. The parties stated that the Grant Officer has reviewed the Final Determination against Respondent and issued a Revised Final Determination. The Revised Final Determination states that all of the questioned costs are allowed and not subject to Federal Debt Collection. Therefore, the parties agree that this case should be dismissed.

In light of the foregoing, the Motion to Dismiss with Prejudice is hereby GRANTED.

SO ORDERED.

STEPHEN L. PURCELL
Chief Administrative Law Judge