



**In the Matter of:**

**MUHAMMAD REHAN PURI,**

**ARB CASE NO. 13-022**

**COMPLAINANT,**

**ALJ CASE NOS. 2012-LCA-010,  
2008-LCA-038  
2008-LCA-043**

**v.**

**UNIVERSITY OF ALABAMA  
BIRMINGHAM HUNTSVILLE,**

**DATE: February 12, 2015**

**RESPONDENT.**

**BEFORE: THE ADMINISTRATIVE REVIEW BOARD**

**Appearance:**

***For the Complainant:***

**David E. Larson, Esq.; Altick & Corwin Co., L.P.A.; Dayton, Ohio**

**BEFORE: E. Cooper Brown, Deputy Chief Administrative Appeals Judge; Joanne Royce, Administrative Appeals Judge, and Lisa Wilson Edwards, Administrative Appeals Judge**

**ORDER DENYING MOTION FOR PANEL RECONSIDERATION**

This case arises under the H-1B provisions of the Immigration and Nationality Act (INA), as amended, 8 U.S.C.A. §§ 1101-1537 (Thomson Reuters 2015), as implemented by 20 C.F.R. Part 655, Subparts H and I (2014). Muhammad Rehan Puri filed a complaint with the Wage and Hour Division, alleging that his former employer, the Respondent, violated the provisions of the INA. A U.S. Department of Labor Administrative Law Judge (ALJ) issued a decision from which Puri appealed. The Administrative Review Board vacated that decision and remanded the case to the ALJ for further proceedings. *Puri v. University of Ala. Birmingham Huntsville*, ARB No. 10-004, ALJ Nos. 2008-LCA-038, -043, 2012-LCA-010 (ARB Nov. 30, 2011). The ALJ awarded Puri additional back pay and compensation. Puri appealed. The Board affirmed the ALJ's decision. *Puri v. University of Ala. Birmingham Huntsville*, ARB No. 10-004, ALJ Nos. 2008-LCA-038, -043, 2012-LCA-010 (ARB Sept. 17, 2014).

On October 20, 2014, Puri filed a motion for panel reconsideration.<sup>1</sup> The Board generally applies the following criteria to determine whether the movant has shown:

- (i) material differences in fact or law from that presented to the Board of which the moving party could not have known through reasonable diligence, (ii) new material facts that occurred after the Board's decision, (iii) a change in the law after the Board's decision, and (iv) failure to consider material facts presented to the Board before its decision.

*Friedman v. Columbia Univ.*, ARB No. 12-089, ALJ No. 2012-ERA-008, slip op. at 2 (ARB Jan. 22, 2014) (Order Denying Reconsideration). On review of Puri's motion, we fail to find that he has shown that the panel decision warrants reconsideration. As the ARB determined in its September 17, 2014, Decision and Order in this case, the ALJ's decision is amply supported by the evidence of record and is consistent with applicable law.

#### CONCLUSION

The motion for panel reconsideration is **DENIED**.

**SO ORDERED.**

**JOANNE ROYCE**  
**Administrative Appeals Judge**

**E. COOPER BROWN**  
**Deputy Chief Administrative Appeals Judge**

**LISA WILSON EDWARDS**  
**Administrative Appeals Judge**

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<sup>1</sup> By that same motion, Puri requested that the full Board grant en banc review. The Board's decision on Puri's request for en banc review is set out by separate Order. *See Puri v. University of Ala. Birmingham Huntsville*, ARB No. 13-022, ALJ Nos. 2008-LCA-38, -43, 2012-LCA-010 (ARB Feb. 12, 2015) (Order Denying Request for *En Banc* Review).