

U.S. Department of Labor

Office of Administrative Law Judges
2 Executive Campus, Suite 450
Cherry Hill, NJ 08002

(856) 486-3800
(856) 486-3806 (FAX)



Issue Date: 11 April 2014

Case No.: 2012-TAE-00009

In the Matter of

BARTON NURSERY, INC.
Respondent

**FINAL ORDER APPROVING THE PARTIES’
CONSENT FINDINGS**

This matter arises under the Immigration and Nationality Act, Temporary Alien Employment H-2A visa program, 8 U.S.C. §§ 1101(a)(15)(H)(ii)(a), 1188(c), as implemented by regulations at 29 C.F.R. Part 501 and 20 C.F.R. Part 655. A hearing is scheduled for May 1, 2014 at 9:30 a.m. in Cherry Hill, New Jersey.

On April 2, 2014, the original Consent Findings submitted jointly by the parties were received in the Cherry Hill, New Jersey Office of Administrative Law Judges for my approval. All of the consent findings, consisting of paragraphs I through XII, are hereby incorporated by reference. The consent findings were signed by counsel for the Respondent and by the Administrator’s representative.

The Acting Administrator of the Wage and Hour Division, U.S. Department of Labor, and Respondent, Barton Nursery, Inc., agree that an Order disposing of this proceeding against Respondent in accordance with these Consent Findings and Order shall have the same force and effect as an order made after full hearing pursuant to 29 C.F.R. § 5.11 and in accordance with 29 C.F.R. §18.9(b)(1).

The Consent Findings appear to be fair and reasonable, and reflect a fair and reasonable settlement.

Accordingly, I hereby **APPROVE** the parties’ Consent Findings.

The parties are advised that the hearing scheduled for May 1, 2014 at 9:30 a.m. in Cherry Hill, New Jersey is **CANCELLED**.

Adele H. Odegard
Administrative Law Judge

Cherry Hill, New Jersey