



**Issue Date: 16 April 2019**

Case No.: 2019-TAE-00007

*In the Matter of*

**KEMMERER FARMS, LLC**  
Respondent

**DECISION AND ORDER APPROVING CONSENT FINDINGS**

This proceeding arises from the H-2A provisions of the Immigration and Nationality Act, (“INA”), 8 U.S.C. § 1101(a)(15)(H)(ii)(a), 1184(c), and 1188 and the applicable regulations issued there under at 20 C.F.R. Part 655, *et seq.* The Administrator, United States Department of Labor, Wage and Hour Division (“Administrator”), and Respondent, Kemmerer Farms, LLC, have filed Consent Findings resolving all issues in dispute in this case relating to Respondent’s contest of Administrator’s August 20, 2018, Determination Letter (“Determination Letter”) regarding its compliance with the H-2A provisions of the INA. The Consent Findings, marked for identification as ALJ Exhibit No. 1, are attached hereto and made a part hereof. The undersigned has examined the stipulations of fact and conclusions of law contained therein and concludes that all issues in contest between Administrator and Respondent are resolved.

Respondent has withdrawn its request for hearing; agreed that the entire record upon which any final order may be based will, pursuant to 29 C.F.R. § 18.71(b)(2) and 29 C.F.R. § 501.40(b)(2), consist solely of the Determination Letter and the Consent Findings; and waived all further procedural rights as provided in 29 C.F.R. § 18.71(b)(3),(4) and 29 C.F.R. § 501.40(b)(3), (4).

Accordingly, IT IS ORDERED that the Consent Findings (ALJ Exhibit No. 1) are approved in full and incorporated herein by reference. The Consent Findings will constitute the findings of fact and conclusions of law in this matter, will constitute full, final and complete adjudication of this proceeding, and will have the same force and effect as an order made after full hearing.

The hearing previously scheduled for April 18, 2019 is CANCELED.

**SO ORDERED.**

**LYSTRA A. HARRIS**  
Administrative Law Judge

Cherry Hill, New Jersey