

**U.S. Department of Labor**

Office of Administrative Law Judges  
11870 Merchants Walk - Suite 204  
Newport News, VA 23606

(757) 591-5140  
(757) 591-5150 (FAX)



**Issue Date: 13 December 2012**

**OALJ Case No: 2013-TLC-00010**  
**ETA Case No: C-12300-35873**

*In the Matter of:*

**TBT LAND COMPANY, LLC,**  
*Employer*

Certifying Officer: William L. Carlson  
Chicago Processing Center

**ORDER OF DISMISSAL  
AND  
ORDER CANCELLING SCHEDULED HEARING**

This case involves the labor certification for temporary and seasonal agricultural employment of nonimmigrant foreign workers (H-2A workers) under the Immigration and Nationality Act (INA), as amended, 8 USC 1101, et seq., and its implementing regulations at 20 CFR Part 655, Subpart B. The Employer filed a timely request for an expedited administrative review of the Certifying Officer's actions in the Notice of Deficiencies issued pursuant to 20 CFR §655.141 as related to the Employers' respective application for temporary employment certification filed under the H-2A program. A formal hearing is scheduled to commence at 10:00 AM EST, Friday, December 14, 2012.

On December 12, 2012, the Employer filed written notice "that after some consideration TBT Land Company, LLC has decided to withdraw their appeal of the decision on the labor certification."

In that the Employer has withdrawn the request for de novo hearing prior to a formal hearing, the request for de novo hearing is **DISMISSED WITH PREJUDICE**, pursuant to 5 U.S.C. §556(c) and 29 CFR §18.29, and the scheduled **formal hearing is CANCELLED**.

ALAN L. BERGSTROM  
Administrative Law Judge