



In the Matter of:

**ACONI CONSTRUCTORS, INC.,
WILLIAM H. PADILLA,
JUAN F. YDROVO,
A/K/A JOHN F. YDROVO,
AND THEVARAJAH
KANDAVANAM,
DEFENDANTS.**

ARB CASE NO. 97-126

ALJ CASE NO. 90-CRA-1

DATE: July 23, 1997

BEFORE: THE ADMINISTRATIVE REVIEW BOARD^{1/}

ORDER OF REMAND

This matter is before the Administrative Review Board pursuant to an Order of Remand issued by a federal district court. On September 18, 1995, the Secretary of Labor issued a Final Decision and Order in the captioned matter. Review of the Secretary's Decision was sought in the United States District Court for the Southern District of Florida. On March 19, 1997, the district court entered an Order of Remand (copy attached), directing that this matter be remanded to the United States Department of Labor for further proceedings in accordance with the court's Order and the incorporated portion of the Magistrate Judge's Report and Recommendation (copy attached).

^{1/} On April 17, 1996, a Secretary's Order was signed delegating jurisdiction to issue final agency decisions under various statutes and an executive order to the Administrative Review Board. 61 Fed. Reg. 19978 (May 3, 1996). Secretary's Order 2-96 contains a comprehensive list of the statutes, executive order, and regulations under which the Administrative Review Board now issues final agency decisions. Final procedural revisions to the regulations implementing this reorganization were also promulgated on that date. 61 Fed. Reg. 19982.

Accordingly, this matter is hereby **REMANDED** to the United States Department of Labor's Office of Administrative Law Judges for further proceedings in accordance with the district court's Order of Remand.

SO ORDERED.

DAVID A. O'BRIEN
Chair

KARL J. SANDSTROM
Member

JOYCE D. MILLER
Alternate Member