



In the Matter of:

SLOAT & ASSOCIATES, INC.

ARB Case No. 99-018

**In re: Contract No. 10-335974 for
installation of landscape irrigation systems,
and landscape planting for California
Department of Transportation,
Stockton, California.**

DATE: Nov. 30, 1999

Appearances:

For the Complainant:

Donald W. Sloat, *pro se*, President, Sloat & Associates, Inc., Roseville, California

For the Respondent:

Steven J. Mandel, Esq., Douglas J. Davidson, Esq., Lois R. Zuckerman, Esq., U.S.
Department of Labor, Washington, DC

ORDER OF DISMISSAL

Pursuant to the Davis-Bacon Act ("DBA"), as amended, 40 U.S.C. §276a et seq.; the DBA-related Acts, *see* 29 C.F.R. §5.1, and 29 C.F.R. Part 7, Sloat & Associates, Inc. ("Sloat") filed a Petition for Review with the Administrative Review Board, United States Department of Labor, seeking review of a November 25, 1998 final determination issued by the United States Department of Labor's Wage and Hour Division. In this determination, the Wage and Hour Division's National Office Program Administrator affirmed the Division's refusal to add three work classifications and corresponding wage determinations to General Wage Determination No. CA950029.^{1/}

^{1/} General Wage Determination No. CA950029 was incorporated into Contract No. 10-335974.

In a letter dated November 2, 1999, Sloat states, "Sloat & Associates. Inc., is hereby withdrawing its appeal with prejudice. We have directed the California Department of Transportation to distribute the funds." We treat this letter as a motion to dismiss Sloat's petition for review with prejudice. Accordingly, for good cause shown, Sloat's motion is **GRANTED**, and the petition is **DISMISSED WITH PREJUDICE**.

SO ORDERED.

PAUL GREENBERG
Chair

E. COOPER BROWN
Member

CYNTHIA L. ATTWOOD
Member