



**In the Matter of:**

**LOSS PREVENTION, INC.,**

**ARB CASE NO. 06-116**

**PETITIONER,**

**ALJ CASE NO. 2003-SCA-02**

**v.**

**DATE: November 29, 2006**

**ADMINISTRATOR, WAGE AND  
HOUR DIVISION, UNITED STATES  
DEPARTMENT OF LABOR,**

**RESPONDENT.**

**BEFORE: THE ADMINISTRATIVE REVIEW BOARD**

**Appearances:**

***For the Petitioner:***

**Glen D. Crick, Esq., *Glen D. Crick, Ltd.*, Chicago, Illinois**

**ORDER GRANTING DISMISSAL OF APPEAL**

On January 28, 2004, a Department of Labor Administrative Law Judge (ALJ) issued a Recommended Decision and Order in this case arising under the McNamara-O'Hara Service Contract Act (SCA).<sup>1</sup> The ALJ found that the Petitioner, Loss Prevention, Inc., was properly debarred since it failed to carry its burden of establishing that "unusual circumstances" existed that justified waiver of the debarment penalty. Loss Prevention, Inc. did not file a timely appeal with the Administrative Review Board (ARB). On October 20, 2006, the ARB issued an Order to Show Cause for the petitioner to demonstrate circumstances justifying an untimely appeal.

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<sup>1</sup> 41 U.S.C.A. § 351 *et seq.* (West 1994).

On November 20, 2006, Loss Prevention, Inc. filed a withdrawal of Petitioner's Petition for Review. Accordingly, we **GRANT** Loss Prevention, Inc.'s request to withdraw its Petition for Review, and we **DISMISS** its appeal.

**SO ORDERED.**

**M. CYNTHIA DOUGLASS**  
**Chief Administrative Appeals Judge**

**DAVID G. DYE**  
**Administrative Appeals Judge**