

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 31 January 2006

CASE NO.: 2005-LCA-00039

In the Matter of

**DEPUTY ADMINISTRATOR,
WAGE AND HOUR DIVISION**

Prosecuting Party,

v.

**CYBERTECH SYSTEMS, INC. (SUCCESSOR IN INTEREST
TO CYBERTECH INTERNATIONAL CORP.)**

Respondent.

DECISION AND ORDER APPROVING SETTLEMENT

This case involves violations of the H-1B provisions of the Immigration and Nationality Act of 1952, as amended by the Immigration Act of 1990, the Miscellaneous and Technical Immigration and Naturalization Amendments of 1991, and the American Competitiveness and Workforce Improvement Act of 1998 ("ACWIA")(Title IV of Pub.L. 105-277, Oct. 21, 1998; 112 Stat. 2681) found at 8 U.S.C. § 1101, *et seq.* ("INA") and 8 U.S.C. § 1101(a)(15)(H)(i)(b). A detailed settlement agreement signed by the Deputy Administrator, Wage and Hour Division, United States Department of Labor, and opposing counsel (designated as Joint Exhibit 1) has been presented to the undersigned and the parties have requested that the settlement agreement be approved.

I have carefully considered the facts involved in this case and the difficult legal and factual questions in dispute, as well as the criteria set forth in 29 CFR §18.9 and, upon careful evaluation of same, I conclude that the settlement is fair and in the best interest of both parties. Moreover, I find that the Settlement was arrived at without duress and only after full exploration by the parties of all issues in dispute and the difficult legal and factual questions involved.

ORDER

IT IS ORDERED THAT the settlement be, and hereby is **APPROVED**.

A

PAUL H. TEITLER
Administrative Law Judge

Cherry Hill, New Jersey