

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 24 August 2005

Case Number: 2005-JTP-00002

In the Matter of:

COMMONWEALTH OF PUERTO RICO,
DEPARTMENT OF EDUCATION,
Complainant

v.

U.S. DEPARTMENT OF LABOR,
Respondent.

ORDER APPROVING SETTLEMENT AGREEMENT

This case arises under the Job Training Partnership Act (JTPA), 29 U.S.C. § 1579(a) and the applicable regulations at 20 C.F.R. Part 626.

After an audit of Grant Number 22-02-509-03-340, the Employment and Training Administration of the United States Department of Labor (Respondent) notified the Commonwealth of Puerto Rico Department of Education (Complainant) of questionable costs in the Grant. On September 29, 2004, Respondent issued a Final Determination (FD) to recover the disallowed amount in the audit.

On October 25, 2004, Complainant filed a request for an administrative hearing on the findings in the FD with the Office of Administrative Law Judges (Office). This Office issued a Notification of Receipt of Request for Hearing and Prehearing Order (Prehearing Order) on November 3, 2004. The parties were instructed to file a Notice of Intent to Participate within thirty days of the Notice. Respondent filed the Administrative File and Prehearing Exchange information on March 14, 2005, and April 4, 2005, respectively. Due to Complainant's failure to comply with the Prehearing Order, an Order to Show Cause was issued on May 25, 2004. Therein, Complainant was ordered to explain why a default decision should not be entered in this matter. On June 6, 2005, Complainant informed this Office that the parties were engaged in settlement discussions.

Subsequently, on July, 8, 2005, the parties filed a Settlement Agreement and Request for Dismissal. Therein, the parties stated that they have resolved all issues and request that this matter be dismissed with prejudice.

In light of the foregoing, the Settlement Agreement is hereby APPROVED and the case is hereby DISMISSED with prejudice.

SO ORDERED,

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THOMAS M. BURKE
Associate Chief Judge

Washington, D.C.

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