

**U.S. Department of Labor**

Office of Administrative Law Judges  
800 K Street, N.W.  
Washington, D.C. 20001-8002



Date Issued: JUL 3 I 1992  
Case Number: 90-JTP-17

In the Matter of

PHOENIX INDIAN CENTER INC.  
Complainant

**v.**

U.S. DEPARTMENT OF LABOR  
Respondent

**ORDER TO SHOW CAUSE**

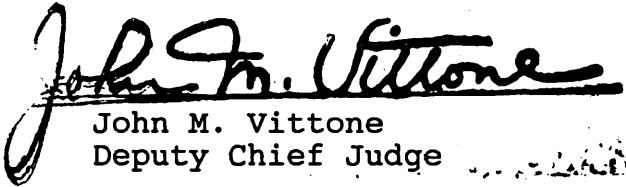
This case arises under the Job Training Partnership Act (JTPA) (29 U.S.C. § 1579 et seq.) and the applicable regulations issued at 20 C.F.R. Part 636.'

On March 2, 1990 the Department of Labor (DOL) notified Complainant of a disallowance in the amount of **\$14,304.00** as a result of DOL's audit of Complainant's programs under JTPA. On March 22, 1990 Complainant filed a request for a hearing on the final determination. On April 6, 1990 this office issued a Notification of Receipt of Request for Hearing and Pre-Hearing Order which required both parties to furnish information regarding this case. On May 7, 1990 Complainant filed a Notice of Intent to Participate. On May 25, 1990 DOL filed the Grant Officer's Administrative file as required. Another copy of the Administrative file, which appears to be identical to the first, was filed on June 12, 1990. On June 20, 1990 DOL filed a **Pre-Hearing Statement** in this case. To date, Complainant has failed to file a pre-hearing statement as required by the Pre-Hearing Order.

The regulations issued at 29 C.F.R. **§18.6(d)(2)** provide that where a party fails to comply with an order the administrative law judge may:

(v) Rule that a pleading, or part of a pleading, or a motion or other submission by the non-complying **party**, concerning which the order or subpoena was issued, be stricken, or that a decision of the proceeding be rendered against the non-complying party, or both.

Complainant is hereby ORDERED to show cause within thirty (30) days from the date of this Order why a default judgment should not be entered in this case. Entry of a default judgment will result in an assessment of disallowed costs in the amount of \$14,304.00.

  
John M. Vittone  
Deputy Chief Judge

JMV/lmr

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SERVICE SHEET

Case Name: Phoenix Indian Center Inc.  
Case Number: **90-JTP-17**  
Title: Order to Show Cause

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