

U.S. DEPARTMENT OF LABOR

**SECRETARY OF LABOR
WASHINGTON, D.C.**

In the Matter of)	
)	
ILLINOIS MIGRANT COUNCIL)	
)	
v.)	Case No. 84-JTP-10
)	
U.S. DEPARTMENT OF LABOR)	

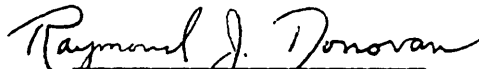
ORDER

Now before me are a "Grant Officer's Notice of Request for Review," and a subsequently sent "Grant Officer's Request for a Stay of Discovery and an Expedited Review by the Secretary of the Final Decision of the ALJ Denying the Department's Assertion of the Deliberative Process/Predecision Privilege." The first of those two pleadings asserts that a "Statement in Support of this Request will follow;" the second pleading presumably is intended to serve in part as that "Statement in Support."

Upon threshold examination of those pleadings and the Administrative Law Judge's (ALJ's) July 6, 1984, "Interlocutory Order," I understand 1) that in the above-captioned matter the ALJ has permitted discovery procedures sought by Illinois Migrant Council (IMC) (including depositions of the members of a "grant evaluation panel," scheduled to commence August 7, 1984), and rejected the Grant Officer's claim of privilege with respect to those discovery procedures; and 2) that the Grant Officer requests (a) that I reverse the ALJ's rulings regarding discovery procedures sought by the IMC and opposed by the Grant Officer and regarding the claim of privilege submitted to him by the Grant Officer; and

(b) that, if such action is not taken by August 3, I issue an order staying discovery pending my issuance of an order regarding those ALJ rulings.

Upon consideration of the foregoing (including the imminence of the first scheduled deposition), it is Ordered that implementation of discovery procedures in the above-captioned matter IS STAYED to allow me time to consider whether to intervene at this time in this case in the manner requested.

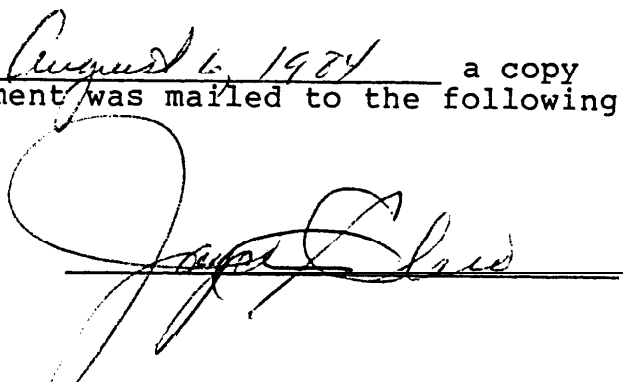

Secretary of Labor

Dated: 1984
Washington, D.C.

CERTIFICATE OF SERVICE

Case Name: Illinois Migrant Council
Case No.: 84-JTP-10
Document: Interlocutory Order Denying the Grant Officers
Motion to Dismiss and Motion to Stay Discovery

This is to certify that on August 6, 1984 a copy
of the above-referenced document was mailed to the following
parties:



CERTIFIED MAIL

Mr. David O. Williams
Office of Special Counsel
U.S. Department of Labor, ETA
Room 5100, Patrick Henry Bldg.
601 D Street, N.W.
Washington, D.C. 20213

Douglas Cochenour, Director
Division of Financial Policy
Audit & Closeout/ETA/USDOL
601 D Street, N.W.
Washington, D.C. 20213

Mr. Edward Tomchick
Grant Officer/ETA/USDOL
601 D Street, N.W.
Washington, D.C. 20213

Michael R. Gottfried, Esq.
Thompson, Hine & Flory
1920 N Street, N.W.
Washington, D.C. 20036

Arturo Lopez, Executive Dir.
Illinois Migrant Council
) 202 S. State Street,
15th Floor
Chicago, IL 60604

"Marcia A. Lurensky, Esq.
Office of the Solicitor
Employment and Training
Legal Services
Suite N-2101
200 Constitution Ave., N.W.
Washington, D.C. 20210

William DuRoss
Associate Solicitor for
Employment & Training
200 Constitution Ave., N.W.
Room N-2101
Washington, D.C. 20210

Marshal Harris, Esq.
Regional Solicitor/USDOL
Room 14480, Gateway Bldg.
3535 Market Street
Philadelphia, PA 19104

Honorable Charles P. Rippey
Office of Administrative Law
Judges
Suite 624
1111 20th Street N.W.
Washington, D.C. 20036