

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
STATESBORO DIVISION

NICOLAS RAMOS-BARRIENTOS, et al.,

Plaintiffs,

v. 606CV089

DELBERT C. BLAND, et al.,

Defendants.

ORDER

Before the Court is Plaintiffs' "Motion to Stay Action for 120 Days Pending APA Review of Outgoing U.S. Secretary of Labor's Interpretation of H-2A Regulations and *Arriaga* Decision." Doc. # 130.

On 12/18/08, the Department of Labor (DOL) opined that the Fair Labor Standards Act (FLSA) did not require employers to reimburse H-2A workers for relocation expenses, even when such expenses resulted in the workers being paid less than the FLSA minimum wage rate. Temporary Agricultural Employment of H-2A Aliens in the United States, 73 Fed. Reg. 77110, 77149 (12/18/08). The DOL has since withdrawn that opinion. Withdrawal of Interpretation of the FLSA Concerning Relocation Expenses, 74 Fed. Reg. 13261 (3/26/09).

Accordingly, Plaintiffs' motion to stay action is ***DENIED AS MOOT***. Doc. # 130.

This day of 16 November 2009



B. AVANT EDENFIELD, JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA