

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
OFFICE OF THE CHIEF ADMINISTRATIVE HEARING OFFICER

Martha Navarro Mata, Complainant v. Bear Creek Production Co.,
Respondent; 8 U.S.C. 1324b Proceeding; Case No. 89200024.

ERRATUM TO DECISION AND ORDER APPROVING SETTLEMENT AGREEMENT
CONTAINING CONSENT FINDINGS

In my September 18, 1990 Decision and Order Approving Settlement Agreement Containing Consent Findings. I inadvertently inserted an erroneous paragraph on page 4. Paragraph number 9 indicates, incorrectly, that ``[a]s provided in 28 C.F.R. Section 68.51, this Decision and Order shall become the final order of the Attorney General unless, within thirty (30) days from this date, the Office of the Chief Administrative Hearing Officer shall have vacated or modified it.''

That paragraph is erroneous since this case is a discrimination matter under Section 274B of the Immigration and Nationality Act. As such, the Chief Administrative Hearing Officer does not have jurisdiction to review my Decision and Order, pursuant to 28 C.F.R. Section 68.51.

The Decision and Order will be modified by removing paragraph 9 and renumbering paragraph 10 to number 9. Accordingly, I am issuing a corrected page 4 to the Decision and Order, which is attached.

IT IS SO ORDERED: This 24th day of September, 1990, at San Diego, California.

E. MILTON FROSBURG
Administrative Law Judge

the Complaint. The agreement was entered into as part of the settlement negotiations and for litigation purposes only. The parties agree that Respondent denies engaging in discriminatory conduct and nothing in the agreement shall be construed as an admission of liability or wrongdoing, or an admission of injury to any claimant.

Accordingly,

1. The Joint Motion for Approval of Stipulation of Settlement is granted.

2. The Stipulation of Settlement referred to above, including the recitation of facts contained therein, is adopted and made a part of this Decision and Order according to its terms as if fully set forth herein.

3. Respondent shall pay a civil money penalty in the amount of \$4,465.28 (less appropriate withholding), to Martha Navarro Mata, and shall deposit \$62,010.00 into a ``Class Claim FUnD'', payment to be made in the manner specified in the Stipulation of Settlement. Respondent shall also make a charitable donation of \$10,000.00 to El Concilio do Fresno.

4. Each party shall bear its own attorney fees, other expenses, and costs incurred in this proceeding.

5. This Decision and Order has the same force and effect as a Decision and Order made after a full administrative hearing.

6. The entire record on which this order is based consists solely of the Complaint, the Notice of Hearing, the previous orders of the Court, the Joint Motion for Approval of Stipulation of Settlement, and this Decision and Order.

7. The Parties waive any further procedural steps before the Administrative Law Judge.

8. The parties waive any right to challenge or contest the validity of this Decision and Order.

9. The hearing to be scheduled in or around Bakersfield, California is cancelled.