

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

COMITÉ DE APOYO A LOS
TRABAJADORES AGRÍCOLAS, et al.,

Plaintiffs,

v.

HILDA SOLIS, et al.,

Defendants.

CIVIL ACTION

No. 09-240

ORDER

AND NOW, this 27th day of October, 2010, it is hereby **ORDERED** as follows:

On September 10, 2010, plaintiffs filed a motion to add additional relief under Federal Rule of Civil Procedure 59(e) (Docket No. 82). That motion is DENIED IN PART, as follows:

(1) The motion is denied insofar as it asks this court to order the Department of Labor (“DOL”) to promulgate rules that are effective December 28, 2010. This court’s August 30, 2010 order (Docket No. 81) mandates only that the DOL publish new rules concerning the calculation of the prevailing wage rate in the H-2B program by December 28, 2010.

(2) The motion is denied insofar as it asks this court to vacate portions of 20 C.F.R. § 655.10(b)(2).

(3) Plaintiffs’ request that this court order the DOL to issue conditional labor certifications will be addressed in a subsequent order.

In a supplemental response to plaintiffs’ motion for additional relief (Docket No. 93), the DOL requested an extension of time to comply with this court’s August 30 order (Docket No. 82). That request is GRANTED IN PART, and it is hereby ordered that the DOL comply with

this court's August 30 order by January 18, 2011.

BY THE COURT:

/s/ Louis H. Pollak
Pollak, J.