

UNITED STATES OF AMERICA  
OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

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SECRETARY OF LABOR,	:	
	:	
Complainant,	:	
	:	
v.	:	Docket No. 03-1949
	:	
BARN HILL CARE CENTER,	:	
	:	
Respondent.	:	
	:	

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APPEARANCES:

Margaret A. Temple, Esq.  
For the Secretary

Richard D. Wayne, Esq.  
For the Respondent

Before: Chief Judge Irving Sommer

**DECISION AND ORDER**

This proceeding is before the Occupational Safety & Health Review Commission (“the Commission”) pursuant to section 10 of the Occupational Safety & Health Act of 1970, 29 U.S.C. sec. 651 et seq. (“the Act”).

The Occupational Safety & Health Administration (“OSHA”) conducted an inspection of a work site of the Respondent located in Newton, N.J. in July 2003. As a result of the inspection Respondent was issued one serious and one “other” citation. Respondent timely contested the citations, and on March 25, 2004 this matter came on to be heard in New York, N.Y. No jurisdictional issues are in dispute.

At the hearing, the Secretary's counsel informed the Court that the parties had arrived at a settlement, which was read into the record. The parties have now submitted an executed written agreement incorporating the terms of the settlement. The written settlement agreement submitted by the parties disposes of this case in its entirety.

**ORDER**

The stipulated settlement, the terms and conditions of which are incorporated herein is  
APPROVED. SO ORDERED.

/s/ \_\_\_\_\_  
IRVING SOMMER  
Chief Judge

DATED: April 22, 2004  
Washington, D.C.