

SECRETARY OF LABOR,

Complainant,

v.

GFW CONSTRUCTION,

Respondent.

Docket No. 02-1443

### ORDER

The Secretary filed a Motion for Sanctions to be imposed herein for Respondent's failure to comply with an Order of the undersigned dated February 21, 2003 directing the Respondent "to respond fully and completely to the interrogatories forwarded by the Secretary within five days of receipt of this order. Failure to comply literally with the order will result in the imposition of appropriate sanctions." The Respondent did not file a response to the motion.

The record demonstrates that after issue was joined herein the Secretary filed interrogatories on the Respondent which were not responded to, resulting in a motion filed with the undersigned on February 7, 2003 compelling a response to said discovery request. On February 21, 2003 the undersigned issued an order directing a full response to the interrogatories.

The Respondent's attorney was made aware of the importance of compliance with the February 21, 2003 order and completely disregarded it without any justifiable reason put forth. It is obvious that the refusal to answer the interrogatories, and the order issued was conscious and intentional.

The Secretary's motion for sanctions is GRANTED. The Respondent's notice of contest is DISMISSED, and the citation dated August 2, 2002 is AFFIRMED, as issued.

/s/

IRVING SOMMER

Chief Judge

DATED: April 7, 2003  
Washington, D.C.