

JUDGE HALTS IMMIG PROBE SEZ WORKERS' STATUS IRRELEVANT

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Body

A MANHATTAN **judge** quashed subpoenas the city issued to a consulting firm - and slammed investigators for grilling **workers** about their immigration **status**.

Justice Barbara Jaffe said she found evidence employees of Future Technology Associates were harassed by the school system's special commissioner of investigation.

She approved a motion by FTA to toss the city's subpoenas, calling them "fishing expeditions."

The city launched a **probe** of the Department of Education's contract with FTA in 2009 after Daily News columnist Juan Gonzalez raised questions about the Florida firm's use of foreign **workers** here on non-immigrant visas.

FTA lawyer Jim Walden argued the city probers couldn't ask the **workers** about their immigration **status** under an executive order signed by Mayor Bloomberg that prohibits such questioning.

The **judge** did not rule on whether the questions violated the law, but was skeptical the questions were relevant.

"There is considerable doubt as to whether the inquires into immigration **status** have a reasonable relationship to what is allegedly being investigated," she wrote.

In a sworn affidavit, Walden said a high-ranking lawyer in the special commissioner's office declared: "Immigration is a central part of this investigation. Get used to it."

A spokeswoman for special commissioner Richard Condon declined to comment yesterday.

FTA, which currently has a three-year, \$43.2 million contract with the Education Department, has denied any wrongdoing in connection with the visas.

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