

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

December 24, 1997

UNITED STATES OF AMERICA)	
Complainant,)	
)	8 U.S.C. § 1324C Proceeding
v.)	
)	OCAHO Case No. 95C00153
FELIPE DE LEON-VALENZUELA)	
Respondent.)	

MEMORANDUM OF CASE MANAGEMENT CONFERENCE
AND PRELIMINARY SCHEDULING ORDER

On December 18, 1997 at 3 p.m. Eastern Standard Time, a telephonic case management conference was held in this matter. Appearing on behalf of the complainant was Mr. John Donovan, and on behalf of the respondent, Mr. Adan Vega. Issues related to scheduling a hearing and remaining pre-hearing actions were discussed. The hearing will be held in Houston, Texas on Tuesday, March 17, 1997.

Respondent was given an additional ten days in which to file his preliminary witness and exhibit lists; a prehearing brief is optional.

The only outstanding discovery is the deposition of the respondent which should be taken within 30 days from the date of the conference. The parties are encouraged to inform my office of the date and time of the deposition, so that I can be available to rule on any objections raised during the deposition. The parties are advised that some of the objections raised to complainant's First Set of Interrogatories are improper and will not be entertained; for example, attorney work product objections to factual inquiries and objections on the basis that the questions are leading. It was agreed that the complainant will not use the occasion of the deposition to serve any other notices upon the respondent. Either party may supplement its witness or exhibit list if necessary within 10 days after the deposition.

The parties are encouraged to meet after the deposition to stipulate to uncontroverted facts, to identify such factual issues as are genuinely in dispute, and to formulate their own proposed joint prehearing order. A final telephonic prehearing conference will be set for early February.

SO ORDERED.

Dated and entered this 24th day of December, 1997.

Ellen K. Thomas
Administrative Law Judge

CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of December, 1997, I have served copies of the foregoing Memorandum of Prehearing Conference and Scheduling Order on the following persons at the addresses indicated:

Dea Carpenter, Esquire
Associate General Counsel
Immigration and Naturalization Service
425 "I" Street, N.W., Room 6100
Washington, D.C. 20536

John Donovan, Esquire
Assistant District Counsel
Immigration and Naturalization Service
Houston District Office
509 N. Sam Houston Pkwy. E.
Houston, TX 77060

Adan G. Vega, Esquire
2918 Bagby, Suite 200
Houston, TX 77006-3392

Office of the Chief Administrative Hearing Officer
5107 Leesburg Pike, Suite 2519
Falls Church, VA 22041

Cynthia A. Castañeda
Legal Technician to
Ellen K. Thomas
Administrative Law Judge
Office of the Chief Administrative
Hearing Officer
5107 Leesburg Pike, Suite 1905
Falls Church, VA 22041
(703) 305-1742