

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

April 15, 2024

UNITED STATES OF AMERICA,)	
Complainant,)	
)	
v.)	8 U.S.C. § 1324a Proceeding
)	OCAHO Case No. 2023A00075
)	
SUNRISE PRODUCE LLC,)	
Respondent.)	
_____)	

Appearances: Ariel Chino, Esq., for Complainant
Scott Davidson, Esq., for Respondent

ORDER SETTING CASE SCHEDULE

This case arises under the employment discrimination provisions of the Immigration and Nationality Act (INA), as amended, 8 U.S.C. § 1324a. Complainant, the Department of Homeland Security, Immigration and Customs Enforcement, filed a complaint against Respondent, Sunrise Produce LLC, on July 6, 2023. Respondent filed an answer on August 15, 2023.

On November 21, 2023, the Court received the parties' Joint Motion For and Consent to Referral to Settlement Officer Program. On November 29, 2023, the Court referred this case to the Settlement Officer Program for a period of sixty days, beginning December 4, 2023. The Settlement Officer Program referral period ended on February 2, 2024.

On February 6, 2024, the Court requested a status report due on or before March 1, 2024.

To date, the parties have ignored the court's order to provide a status report. In failing to meet the expectations of the forum, the parties also lost their opportunity to be heard on the case schedule.

The Court now sets the following revised case schedule:

Dispositive motions due: May 6, 2024
Responses to dispositive motions due: 30 days after the filing of dispositive motion
Tentative hearing: Fall 2024
Hearing location: Harlingen, TX

If the parties have reached a settlement agreement, or do so before the due date for dispositive motions, they should consult 28 C.F.R. § 68.14(a)(2) for guidance on how the parties should notify the court of their settlement agreement and jointly move to dismiss the case.¹ The filing should also indicate whether the parties would like the case dismissed with or without prejudice.

SO ORDERED.

Dated and entered on April 15, 2024.

Honorable Andrea R. Carroll-Tipton
Administrative Law Judge

¹ Please note joint motions must contain compliant certificates of service. *See* 28 C.F.R. § 68.6(a).