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

August 14, 2024

US TECH WORKERS ET. AL.,)	
Complainant,)	
)	8 U.S.C. § 1324b Proceeding
V.)	OCAHO Case No. 2024B00103
)	
SHARMA STRATEGY GROUP,)	
Respondent.)	
)	

Appearances: John M Miano, Esq., for Complainant

Jeffrey J. Ansley, Esq., and Jessica A. Patrick, Esq., for Respondent

ORDER GRANTING CONTINUANCE OF PREHEARING CONFEFERENCE

This case arises under the antidiscrimination provisions of the Immigration and Nationality Act, as amended, 8 U.S.C. § 1324b. Complainant, US Tech Workers, et al., filed a Complaint with the Office of the Chief Administrative Hearing Officer (OCAHO) on April 23, 2024, against Respondent, Sharma Strategy Group. Complainant alleges that Respondent engaged in discrimination based on citizenship status in hiring, in violation of 8 U.S.C. § 1324b(a)(1).

On July 31, 2024, the Court issued a General Litigation and Electronic Filing Order, scheduling an initial prehearing conference for August 27, 2024, and ordering the parties to file their initial prehearing statements by August 21, 2024. Gen. Lit. Order 1-2.

On August 7, 2024, Respondent filed Respondent's Unopposed Request for a Continuance, requesting a "60 day continuance of the deadline to file a prehearing statement and the prehearing conference" because Respondent's counsel is "currently preparing for . . . an approximate two-week complex federal criminal jury trial" Request Continuance 1. Respondent states that it "has good cause to request a continuance," because of the difficulty in properly preparing a prehearing statement given Respondent's counsel's trial schedule. *Id.* at 2-3. Respondent also states that "there is no prejudice to Complainant, who has agreed to this request." *Id.* at 3.

Under OCAHO's Rules of Practice and Procedure, "[c]ontinuances shall only be granted in cases where the requester has a prior judicial commitment or can demonstrate undue hardship, or a showing of other good cause." 28 C.F.R. § 68.27(a). Here, Respondent seeks a continuance due

20 OCAHO no. 1589a

to an existing trial obligation. Request Continuance 2. Respondent stated it has obtained Complainant's consent to the proposed continuance. *Id.* at 3.

The Court finds that a continuance is appropriate under these circumstances. Given Respondent's trial schedule, and the Complainant's consent to the continuance, the Court finds no prejudice to the Complainant would result. The Court GRANTS Respondent's Request for a Continuance.

The parties' prehearing statements are now due on October 10, 2024. The rescheduled prehearing conference will be held on October 17, 2024, at 3:00 p.m. EST.

SO ORDERED.

Dated and entered on August 14, 2024.

Honorable Jean C. King Chief Administrative Law Judge