

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

September 11, 2024

US TECH WORKERS, ET AL.,	)	
Complainant,	)	
	)	
	)	8 U.S.C. § 1324b Proceeding
v.	)	OCAHO Case No. 2024B00088
	)	
	)	
CAST 21,	)	
Respondent.	)	
	)	

---

Appearances: John Miano, Esq., for Complainant  
Jason Keck, Esq., for Respondent

ORDER GRANTING EXTENSION OF ANSWER DEADLINE

This case arises under the antidiscrimination provisions of the Immigration and Nationality Act (INA), 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 March 19, 2024, against Respondent, Cast 21. Complainant alleges Respondent engaged in discrimination based on citizenship status, in violation of 8 U.S.C. § 1324b(a)(1).

On July 25, 2024, the Court served Respondent with the Complaint.<sup>1</sup>

On August 22, 2024, the parties filed an Agreed Motion to Stay Proceedings to Effectuate Settlement and Dismissal. The parties “have resolved this case in principle,” and request a stay pending a joint motion to dismiss pursuant to settlement. *Id.* at 1, 2.

Under OCAHO’s Rules of Practice and Procedure, an Administrative Law Judge is permitted to exercise “all appropriate powers necessary to conduct fair and impartial hearings.” 28 C.F.R. § 68.28(a). This includes the authority to “regulate” and, thus, stay proceedings. *United States v.*

---

<sup>1</sup> For additional procedural history surrounding service, please reference *US Tech Workers, et al. v. Cast 21*, 19 OCAHO no. 1571 (2024); *US Tech Workers et al. v. Cast 21*, 19 OCAHO no. 1571a, 2 (2024); and *US Tech Workers et al. v. Cast 21*, 19 OCAHO no. 1571b, 2 (2024).

*Black Belt Sec. & Investigations*, 17 OCAHO no. 1456b, 2 (2023) (internal citations omitted). The Court does not find good cause for a stay under the circumstances, parties have instead articulated good cause for only an extension of the answer deadline. Such an approach will provide parties some limited time to focus efforts on resolving the case, but still provide sufficient motivation to keep the case appropriately prioritized.

Respondent's Answer is now due October 14, 2024. No other deadlines shall be impacted by this Order. See 28 C.F.R. § 68.11(b) ("Within ten . . . days after a written motion is served . . . any party . . . may file a response in support of, or in opposition to, the motion . . .").

If the parties execute a settlement agreement, they should consult 28 C.F.R. § 68.14 for guidance on how to exit the forum.

SO ORDERED.

Dated and entered on September 11, 2024.

---

Honorable Andrea R. Carroll-Tipton  
Administrative Law Judge