

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

September 23, 2024

UNITED STATES OF AMERICA,	)	
Complainant,	)	
	)	
	)	8 U.S.C. § 1324a Proceeding
v.	)	OCAHO Case No. 2024A00094
	)	
	)	
TERRAPOWER, LLC,	)	
Respondent.	)	
_____	)	

Appearances: Margaret LaDow, Esq., for Complainant
Diane M. Butler, Esq., for Respondent

ORDER DENYING MOTION TO DISMISS

I. PROCEDURAL HISTORY

This case arises under the employer sanctions provisions of the Immigration and Nationality Act (INA), as amended, 8 U.S.C. § 1324a.

On November 8, 2023, Complainant (Department of Homeland Security, Immigration and Customs Enforcement) served on Respondent (an LLC located in Bellevue, WA)¹ a Notice of Intent to Fine (NIF). Compl. 3, Ex A. The NIF informs Respondent it has “a right to contest this Notice... [by] submit[ting] a written request for a hearing before an administrative law judge within 30 days from the service of this Notice.” *Id.*, Ex. A. The NIF also informs Respondent it may, in the alternative, directly “answer” the allegations in writing directly to ICE. *Id.*

¹ Because the allegations at issue in this case occurred in Washington State, the Court may look to the case law of the relevant United States Court of Appeals, here the Ninth Circuit. *See* 28 C.F.R. § 68.56.

On December 6, 2023, Respondent provided a letter to Complainant stating Respondent “contests the Notice and the Counts therein, and requests a hearing before an administrative law judge within the Office of the Chief Administrative Hearing Judge [sic] (OCAHO).” Compl., Ex. D.

On March 27, 2024, consistent with Respondent’s request for hearing, DHS filed a complaint alleging Respondent violated 8 U.S.C. § 1324a(a)(1)(B) based on two separate Counts. Complainant (DHS) requested, pursuant to 28 C.F.R. § 68.7, that OCAHO cause the Complaint to be served on the Respondent. Compl. at 53.

On April 22, 2024, the Chief Administrative Hearing Officer (CAHO) issued the Notice of Case Assignment (NOCA). Attached to the NOCA were a copy of the Complaint, the NIF, and Respondent’s request for a hearing. The NOCA detailed the undersigned as the presiding ALJ. NOCA 1. The NOCA also provided general information and references for the forum (including how to reference case law and the procedural regulations at 28 C.F.R. part 68). NOCA at 2-6.

On May 21, 2024, Respondent filed its Answer.

On July 9, 2024, the Court held an initial prehearing conference. 28 C.F.R. § 68.13(a).

On August 5, 2024, Respondent filed a Motion to Dismiss. On August 8, 2024, Complainant filed a Response.

II. FILINGS OF THE PARTIES

A. Motion to Dismiss

Respondent argues for dismissal under “Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6) for Lack of Subject Matter Jurisdiction and Failure to State a Claim Upon Which Relief Can Be Granted.” Mot. Dismiss 2. Respondent states “‘OCAHO is a forum of limited jurisdiction with only the jurisdiction Congress prescribed’ ... ‘The Administrative Law Judge has the authority to determine whether OCAHO has jurisdiction over a dispute’ ... ‘The party invoking jurisdiction has the burden to establish that OCAHO has subject matter jurisdiction.’” *Id.* at 3-4 (citing *Patel v. Boston*, 14 OCAHO no. 1353, 4 (2020) (internal citations omitted); *Zajradhara v. Costa World Corporation*, 19 OCAHO no. 1546, 2 (2020); and *Zajradhara v. HDH Co., Ltd.*, 16 OCAHO 1417, 2 (2022)). As to the statute, Respondent concedes:

Federal law requires employers like [Respondent] to verify a new employee’s identity and employment eligibility by completing a Form I-9, and then to retain the I-9’s for a statutory period. *See* 8 U.S.C. §§ 1324(a)(1), (b)(3). ICE, along with Homeland Security

Investigations [also within DHS], are agencies that investigate² compliance with these requirements.

Mot. Dismiss 3.

Despite being the entity which availed itself of a hearing at OCAHO, Respondent argues:

Complainant ... aims to subject [Respondent] to punitive proceedings before an Administrative Law Judge who is doubly insulated from removal by the President... [as] [n]o ALJ overseeing these proceedings may be removed by the Attorney General except ‘for good cause established and determined by the Merit Systems Protection Board.’ 5 U.S.C. § 7521(a). [MSPB] Board members, in turn, may be removed by the President ‘only for inefficiency, neglect of duty, or malfeasance in office.’ [5 U.S.C] at § 1202...

Congress may impose modest removal protections for those ‘with limited duties and no policymaking or administrative authority.’³ *Seila Law LLC v. CFPB*, 591 U.S. 197, 204, 214-18 (2020).... OCAHO’s ALJs fall well outside any exception.

Mot. Dismiss 4-5. Respondent then cites a case arising from the Southern District of Georgia, which is not dispositive.⁴

² Administrative Law Judges of OCAHO do not work for DHS; rather OCAHO is a component of the Department of Justice’s Executive Office for Immigration Review.

³ Curiously, at page 3 of the Motion, Respondent notes “Administrative Law Judges are neutral arbiters of facts and law presented by the parties.” Mot. Dismiss 3 (citing *United States v. A&D Maintenance Leasing and Repairs, Inc.*, 19 OCAHO no. 1568a, at 19, (2024) (internal citations omitted)). This observation is accurate; however, it seems to create some dissonance with the *Seila Law* arguments Respondent seeks to advance about the expansive policymaking scope of an ALJ’s authority. *Id.* at 5 (citing *Seila Law LLC v. CFPB*, 591 U.S. 197, 204, 214-18 (2020)).

In any event, the decision here does not turn on this dissonance, so it need not be analyzed further.

⁴ That decision has no nation-wide impact (i.e. did not result in a nationwide injunction), and has no bearing on matters arising in the Ninth Circuit. As an aside, there is Ninth Circuit precedent on this issue, but it is not favorable to Respondent’s position and is conspicuously absent from the motion. *See Decker Coal. Co. v. Pehringer*, 8 F.4th 1123 (9th Cir. 2021).

As an alternate theory, Respondent argues dismissal is warranted based on *SEC v. Jarkesy*, 144 S. Ct. 2117 (2024). Mot. Dismiss 7. Respondent characterizes the holding in *Jarkesy* as “recently [striking] down the SEC’s analogous adjudication system on similar grounds...[holding] that the Seventh Amendment requires that parties facing civil penalties from an agency have the right to a trial by jury, rather than an administrative proceeding, in all but fairly limited circumstances.” *Id.* at 7-8 (citing *Jarkesy*, 144 S.Ct. at 2127-28).

Finally, Respondent concludes “the remedy is dismissal” based on its “severability” analysis. Mot. Dismiss 9.

B. Response to Motion to Dismiss

On August 8, 2024, Complainant filed a response in which it highlights the limited applicability of the Southern District of Georgia decision cited by Respondent, noting that decision “is not a nationwide injunction... these proceedings are not located in the Southern District of Georgia (nor in the 11th Federal Judicial Circuit)... Therefore, [that] order is not precedential to this case.” Resp. Mot. Dismiss 1-2. Complainant also cites a Ninth Circuit precedential case which upheld the constitutionality of ALJ’s after a challenge on similar grounds. *Decker Coal Co. v. Pehringer*, 8 F. 4th 1123, 1133 (9th Cir. 2021).

III. LAW & ANALYSIS

A. Law - Failure to State a Claim

An OCAHO Administrative Law Judge (ALJ) may dismiss a complaint for failure to state a claim upon which relief may be granted. 28 C.F.R. § 68.10(b). This rule is modeled after Federal Rule of Civil Procedure 12(b)(6). *S. v. Discover Fin. Servs., LLC*, 12 OCAHO no. 1292, 7 (2016) (citing *United States v. Spectrum Tech. Staffing Servs., Inc.*, 12 OCAHO no. 1291, 8 (2016); and then citing 28 C.F.R. § 68.1).

“In considering a motion to dismiss, the court must limit its analysis to the four corners of the complaint.” *Udala v. New York State Dep’t Educ.*, 4 OCAHO no. 633, 390, 394 (1994). The complainant’s allegations of fact are accepted as true and all reasonable inferences derived therefrom are drawn in the complainant’s favor. *Id.*

OCAHO’s Rules of Practice and Procedure provide that complaints shall contain: (1) “A clear and concise statement of facts, upon which an assertion of jurisdiction is predicated”; (2) “The alleged violations of law, with a clear and concise statement of facts for each violation alleged to have occurred”; and (3) “A short statement containing the remedies and/or sanctions sought to be imposed against the respondent.” 28 C.F.R. § 68.7(b)(1)-(4).

“Statements made in the complaint only need to be ‘facially sufficient to permit the case to proceed further,’ . . . as ‘[t]he bar for pleadings in this forum is low.’” *Sharma v. NVIDIA Corp.*, 17 OCAHO no. 1450, 3 (2022) (citing *United States v. Mar-Jac Poultry, Inc.*, 10 OCAHO no. 1148, 10 (2012), and then citing *United States v. Facebook, Inc.*, 14 OCAHO no. 1386b, 5 (2021)). “OCAHO’s pleading standard does not require a complainant [to] proffer evidence at the pleadings stage . . . Rather, pleadings are sufficient if ‘the allegations give adequate notice to the respondents of the charges made against them.’” *Id.* (quoting *Santiglia v. Sun Microsystems, Inc.*, 9 OCAHO no. 1097, 10 (2003)); *see also Mar-Jac Poultry, Inc.*, 10 OCAHO no. 1148, at 9.

B. Analysis - Failure to State a Claim

Although Respondent references Federal Rule 12(b)(6), its motion raises no arguments as to why: (1) the pleadings are insufficient; (2) Complainant failed to meet the requirements of 28 C.F.R. § 68.7(a)-(b); or (3) why or how the Complainant gave Respondent insufficient notice of the charges (especially when considered in the context of § 1324a proceedings, where a complaint is only filed when a respondent asks that it be filed (i.e. requesting a hearing)). *United States v. Zarco Hotels, Inc.*, 18 OCAHO no. 1518b, 5 (2024).

Complainant in this case does state a claim upon which relief can be granted. Respondent is on notice of the charges against it, and Complainant alleged the elements of a claim under § 1324a. Specifically, Complainant alleges that Respondent: (1) failed to prepare and/or present the Form I-9 for three individuals; and (2) failed to ensure that the employee properly completed Section 1 or failed to properly complete Section 2 or 3 of the Form I-9 for 248 individuals. Compl., Ex. A. Complainant also served Respondent with a table outlining the specific violations in each relevant Form I-9. *Id.*, Ex. B.

In motions to dismiss for failure to state a claim, “[u]ltimately, the burden is on the moving party to prove that no legally cognizable claim for relief exists.” 5B Charles Alan Wright & Arthur R. Miller, *Federal Practice and Procedure* § 1357 (4th ed. 2024). Here, Respondent failed to meet its burden and the Court will not dismiss the Complaint on this on this ground.

C. Law - Subject Matter Jurisdiction

As OCAHO precedential decisions make clear, OCAHO is a forum of limited jurisdiction, and jurisdiction must be pled by the party asserting its existence. *Zajradhara v. Costa World Corp.*, 19 OCAHO no. 1546, 2 (2024) (citing 28 C.F.R. § 68.9(b)); *see generally* Fed. R. Civ. P. 8(a).⁵

Invoking FRCP 12(b)(1) is, in essence, an assertion or defense related to subject matter jurisdiction and whether it has been pled or could ever be pled by the complainant. “Subject-matter jurisdiction

⁵ *See* 28 C.F.R. § 68.1 (“The Federal Rules of Civil Procedure may be used as a general guideline . . .”).

... ‘refers to a tribunal’s power to hear a case.’” *Morrison v. Nat’l Austl. Bank Ltd.*, 561 U.S. 247, 254 (2010) (quoting *Union Pacific R. Co. v. Locomotive Eng’rs*, 558 U.S. 67, 81 (2009) (internal citations omitted)).

As an administrative forum, this Court’s authority is derived exclusively from the INA at sections 1324a – 1324c. This case arises under section 1324a, which covers unlawful employment of non-citizens. Specifically, “it is unlawful for a person or other entity... to hire for employment in the United States an individual without complying with subsection (b) [which is the statutory framework for the Form I-9 and requirements surrounding completion and retention].” 8 U.S.C. § 1324a(a)(1)(B).

Section 1324a(e) provides the framework for compliance, detailing initial complaints and investigations into alleged violations of the section. Most germane to a discussion of what power an OCAHO administrative law judge has is section 1324a(e)(3), where Congress states:

Before imposing an order... against a person or entity for a violation of subsection (a) [to include (a)(1)(B) as referenced above], the Attorney General shall provide the person or entity with... a hearing respecting the violation... Any hearing so requested **shall** be conducted before an administrative law judge... in accordance with the requirements of section 554 of title 5.... If the administrative law judge determines, upon the preponderance of the evidence received, that a person or entity named in the complaint has violated subsection (a)... the administrative law judge shall state [her] findings of fact and issue and cause to be served on such person or entity an order described [in the statute below]. (emphasis added).

This is all the authority Congress has vested OCAHO ALJs with relative to 1324a – nothing more.

A proper evaluation of subject matter jurisdiction then, would necessitate a review of the Complaint to determine whether the Court’s authority has been expressly articulated.

D. Analysis - Subject Matter Jurisdiction

While a Complainant bears the burden to plead jurisdiction, a court also has an independent obligation to ensure it has jurisdiction over the matter brought before it. *United States v. Facebook*, 14 OCAHO no. 1386b, 6 (2021) (quoting *Henderson v. Shinseki*, 562 U.S. 428, 434 (2011)).

The Respondent does not direct the Court’s attention to a particular part of the Complaint or explain what about the Complaint renders it deficient from a subject matter jurisdictional standpoint. However, review of the Complaint reveals inclusion of the following language:

This cause of action arises, and jurisdiction of [OCAHO] is invoked, pursuant to section 274A of the Immigration and Nationality Act of 1952, as amended, 8 U.S.C. section 1324a. The Complainant, DHS/ICE, is authorized to enforce section 274A of the Immigration and Nationality Act [8 U.S.C. section 1324a], relating to laws requiring employers to comply with employment eligibility verification requirements....

Based upon the allegations contained in the Notice of Intent to Fine [attached to the Complaint], incorporated herein as though fully set forth, it is alleged that the Respondent has violated the following provisions of law: ...8 U.S.C. section 1324a(a)(1)(B).

Compl. 1-2.

Based on the express language in the Complaint, the Court is unable to ascertain what a proposed jurisdictional deficiency might be. The allegations and assertions made in the Complaint (i.e. jurisdiction over a Complaint brought by DHS/ICE following issuance of a NIF, for an alleged violation of 1324a (a)(1)(B)) all seem to demonstrate that this is precisely the type of case Congress expects an OCAHO ALJ to adjudicate.

While Respondent's arguments may not merit dismissal based on the analysis above, the Court deems it prudent to consider Respondent's additional arguments, which do not squarely fit into the rubric of subject matter jurisdiction outlined above. As is further explained below, Respondent's additional arguments also fail to demonstrate the propriety of dismissal.

E. Law & Analysis – Limitations on Administrative Courts to Resolve Structural Constitutional Questions or Otherwise Interpret Statutes Generally

Statutes are presumed constitutional. *SeaRiver Mar. Fin. Holdings, Inc. v. Mineta*, 309 F.3d 662, 669 (9th Cir. 2002) (citing *Heller v. Doe*, 509 U.S. 312, 320 (1993)). Further, “[u]nder Supreme Court... precedent, agencies generally do not have authority to declare a statute unconstitutional.” *Mobility Workx, LLC v. Unified Patents, LLC*, 15 F.4th 1146, 1150 (Fed. Cir. 2021) (citing *Oestereich v. Selective Serv. Sys. Local Bd. No. 11*, 393 U.S. 233, 242 (1968) (Harlan, J., concurring in result) (“Adjudication of the constitutionality of congressional enactments has generally been thought beyond the jurisdiction of administrative agencies.”); *Thunder Basin Coal Co. v. Reich*, 510 U.S. 200, 215 (1994) (agreeing with Justice Harlan’s statement in *Oestereich*); *Riggin v. Off. of Senate Fair Emp. Pracs.*, 61 F.3d 1563, 1569 (Fed. Cir. 1995) (noting the “general rule that administrative agencies do not have jurisdiction to decide the constitutionality of congressional enactments”)).

At the heart of Respondent's contentions is a request to this administrative court to invalidate (on constitutional grounds) various provisions of different statutes. Respondent, as the moving party,

has not demonstrated the undersigned has the authority to take such action, especially in light of the clear signalling from the Supreme Court to exercise something akin to either extreme caution or total restraint in this area. Each statute referenced by Respondent will be discussed below.

F. Law & Analysis – 5 U.S.C. § 7521(a) and 5 U.S.C. § 1202(d)

While Respondent styles its first argument as an Appointments Clause issue, a closer look reveals it to more accurately be described as a request to consider whether certain statutory provisions, working in tandem, violate the Appointments Clause.

By way of background, Title 5 covers government agencies, civil service, employees, and federal government ethics. “OCAHO’s Administrative Law Judges (ALJs) are ‘appointed pursuant to 5 U.S.C. [§] 3105.’” *Sharma v. NVIDIA Corp.*, 17 OCAHO no. 1450h, 2 (2023) (quoting 28 C.F.R. § 68.2). Specific to ALJs, a removal action “may be taken against an [ALJ] appointed under [5 U.S.C. § 3015] . . . only for good cause established and determined by the Merit Systems Protection Board [commonly referred to as the Board.]” 5 U.S.C. § 7521(a).⁷ Members of the Board, in turn, “may be removed by the President only for inefficiency, neglect of duty, or malfeasance in office.” 5 U.S.C. § 1202(d). These two provisions, when read together, form the “double insulation from removal” referred to by Respondent. Mot. Dismiss 4.

In considering whether an Administrative Law Judge vested with authority under Title 8 should opine on the constitutionality of provisions of Title 5, it seems quite clear the undersigned should stay her hand. The plain language of §1324a(e) provides no additional authority to opine on the constitutionality of other statutes, and Respondent provides no argument or insight as to how an OCAHO ALJ could sidestep the long-standing precedent⁸ which seems to unequivocally demand

⁶ “Each agency shall appoint as many administrative law judges as are necessary for proceedings required to be conducted in accordance with section 556 and 557 of this title. Administrative law judges shall be assigned to cases in rotation so far as practicable, and may not perform duties inconsistent with their duties and responsibilities as administrative law judges.” 5 U.S.C. § 3105.

⁷ The removal provisions in 5 U.S.C. § 7521 apply not only to OCAHO ALJs, but also to ALJs at the Social Security Administration, the Department of Labor, the Federal Trade Commission, and other agencies. *See Shapiro v. Social Sec. Admin.*, 800 F.3d 1332, 1336 (Fed. Cir. 2015) (identifying 5 U.S.C. § 7521 as the source of good-cause removal requirements for Social Security Administration administrative law judges); *see also Decker Coal Co.*, 8 F.4th at 1130; *Axon Enter., Inc. v. Fed. Trade Comm’n*, 598 U.S. 175, 181 (2023). According to the tally compiled by the Ninth Circuit in 2021, there are approximately 2000 administrative law judges across the executive branch. *Decker Coal Co.*, 8 F.4th at 1129.

⁸ *See Mobility Workx, LLC v. Unified Patents, LLC*, 15 F.4th 1146, 1151 (Fed. Cir. 2021) for a full discussion of the precedential cases making this very point.

restraint from administrative adjudicators when they are faced with a parties' request to declare a statute unconstitutional.

Ultimately, because Respondent, the moving party, has failed to demonstrate how the authority vested under 1324a(e) would permit an administrative law judge to invalidate provisions of Title 5, no further analysis should be executed by the undersigned. The Respondent cannot succeed in obtaining dismissal based on this argument.

G. Law & Analysis – 8 U.S.C. § 1324a(e)(3)

Respondent next argues the Seventh Amendment of the Constitution requires a “trial by jury,” and the proceedings before an administrative law judge are unconstitutional in light of Respondent’s interpretation of *SEC v. Jarkesy*, 144 S. Ct. 2117 (2024). Stated a different way, the Respondent argues the INA at Section 1324a(e) is unconstitutional, and an OCAHO ALJ has the authority to invalidate this part of the statute.

The Supreme Court’s recent decision in *Jarkesy* discusses ALJ’s and administrative proceedings before the ALJ’s of the Securities and Exchange Commission.⁹ The Supreme Court characterized the case as one “pos[ing] a straightforward question: whether the Seventh Amendment entitles a defendant to a jury trial when the SEC seeks civil penalties against him for securities fraud.” *Jarkesy*, 144 S.Ct. at 2127. In answering this question, the majority concluded “The SEC’s antifraud provisions replicate common law fraud, and it is well established that common law claims must be heard by a jury.” *Id.*

After concluding the case implicated the Seventh Amendment, the Supreme Court “next consider[ed] whether the ‘public rights’ exception to Article III jurisdiction applies.” *Id.* at 2127. The majority defined the “public rights” as an “exception [that] has been held to permit Congress to assign certain matters to agencies for adjudication even though such proceedings would not afford the right to a jury trial... [This exception may apply when the case involves] distinctive areas involving governmental prerogatives¹⁰ where the Court has concluded that a matter may be resolved outside of an Article III court, without a jury.” *Id.*

⁹ “[T]he Securities and Exchange Commission initiated an enforcement action against respondents... The SEC chose to adjudicate the matter in house before one of its administrative law judges, rather than in federal court where respondents could have proceeded before a jury. [The Supreme Court] consider[ed] whether the Seventh Amendment permits the SEC to compel respondents to defend themselves before the agency rather than before a jury in federal Court.” *Jarkesy*, 144 S.Ct. at 2124-25.

¹⁰ Stated a different way, “[s]uch matters ‘historically could have been determined exclusively by the [executive and legislative] branches,’ even when they were ‘presented in such a form that the

As it relates to the case here at OCAHO, it is not entirely clear that there is sufficient parity between the SEC matter outlined in *Jarkesy* and Section 1324a cases – Respondent’s sweeping conclusions that these two are “analogous” does not necessarily make it so. Further, and more critically, the Respondent fails to convincingly argue (or even argue at all), how the authority vested in an OCAHO administrative law judge to conduct a hearing could be expanded to also include deeming a statute unconstitutional.¹¹

In parallel to the analysis of the Title 5 issue above, the undersigned is once more left to conclude the prudent response is to stay her hand, and the case will not be dismissed for this reason.

IV. CONCLUSION

Because the Court does not reach Respondent’s desired conclusion (that the proceedings are unconstitutional), it need not address Respondent’s arguments pertaining to its rationale for the remedy of dismissal (i.e. its severability analysis). Mot. Dismiss 9.

With the Motion to Dismiss DENIED, this case’s posture is status quo. As a courtesy to the parties, below is the case schedule (previously provided during the July 9, 2024 prehearing conference).

judicial power [wa]s capable of acting on them.” *Id.* at 2132 (citing *Murray’s Lessee v. Hoboken Land & Improvement Co.*, 59 U.S. 272, 18 How. 272, 284, 15 L. Ed. 372 (1856)).

By way of further explanation, the majority chose to highlight a case involving immigration. Specifically, that immigration-based case did fall under the public rights exception. In that case, the Supreme Court stated “[p]ursuant to its plenary power over immigration, Congress excluded immigration by [non-citizens] afflicted with ‘loathsome or dangerous contagious diseases,’ and it authorized customs collectors to enforce the prohibition with fines... When a steamship company challenged the penalty under Article III, [the Supreme Court] upheld it.” *Jarkesy*, 144 S.Ct. at 2132 (citing *Oceanic Steam Navigation Co. v. Stranahan*, 214 U. S. 320, 331-34 (1909)).

¹¹ Here, the Respondent’s request is to consider the constitutionality of OCAHO’s own statute. A declination to take such an action is consistent with other administrative adjudicatory agencies’ decisions when faced with similar requests. *Davis-Clewis v. VA*, 2024 MSPB 5, 3 (2024) (“Thus, the appellant is asking the Board to invalidate one or more provisions of the statute that created it. However, the Board has held that it lacks the authority to adjudicate the constitutionality of statutes.”).

The Court set the following case schedule:

Discovery closes:	October 7, 2024
Dispositive motions due:	November 6, 2024
Responses to dispositive motions due:	30 days from the filing of dispositive motions
Tentative hearing:	March 2025
Hearing location:	Seattle, WA

SO ORDERED.

Dated and entered on September 23, 2024.

Honorable Andrea R. Carroll-Tipton
Administrative Law Judge