

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

October 29, 2024

ARTIT WANGPERAWONG,	)	
Complainant,	)	
	)	
	)	
v.	)	8 U.S.C. § 1324b Proceeding
	)	OCAHO Case No. 2024B00124
	)	
	)	
META PLATFORMS, INC.,	)	
Respondent.	)	
	)	

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Appearances: Artit Wangperawong, pro se Complainant  
Eliza A. Kaiser, Esq., Matthew S. Dunn, Esq., and Amelia B. Munger, Esq., for  
Respondent

AMENDED ORDER  
GRANTING MOTION REQUESTING EXTENSION OF TIME TO FILE ANSWER

The Court issued an Order Granting Motion Requesting Extension of Time to File Answer on October 28, 2024. This Order serves only to amend an error appearing in the original order (date).

This case arises under the antidiscrimination provisions of the Immigration and Nationality Act, as amended, 8 U.S.C. § 1324b. On August 19, 2024, Complainant, Artit Wangperawong, filed a Complaint with the Office of the Chief Administrative Hearing Officer (OCAHO) alleging Respondent, Meta Platforms, Inc., discriminated on basis of citizenship status and retaliated against him, in violation of 8 U.S.C. §§ 1324b(a)(1) and (a)(5).

On September 23, 2024, the Chief Administrative Hearing Officer mailed a Notice of Case Assignment for Complaint Alleging Unfair Immigration-Related Employment Practices and a copy of the Complaint (Complaint Package) to Respondent. It was delivered on September 30, 2024. Thus, Respondent's Answer is due by October 30, 2024.

On October 25, 2024, Respondent filed a Motion Requesting Extension of Time to Answer and Respond to Complaint (Motion for Extension). Respondent requested the Court extend the October 30, 2024 deadline by 21 days. Respondent provides several arguments in support of its request: additional time is needed for Respondent to investigate the Complaint and additional time

is needed to determine whether to file a motion to dismiss; and, separately, a motion to consolidate is currently pending before the Court, which, if granted, would change “the contours of the Complaint and of Respondent’s answer [in this case].” Mot. Extension, 4.

“OCAHO’s Rules of Practice and Procedure for Administrative Hearings do not provide specific standards for granting extensions, but the standard routinely applied is good cause.” *United States v. Space Exploration Techs. Corp.*, 18 OCAHO no. 1499, 5 (2023) (collecting cases and citing, inter alia, FED. R. CIV. P. 6(b)(1) (“When an act may be or must be done within a specified time, the court may, for good cause, extend the time . . . .”)).<sup>1</sup>

On balance, the Respondent provides sufficient good cause to justify the requested extension. While Respondent’s counsel could, absent unique circumstances, file a timely motion to dismiss, Respondent cites additional reasons for a proposed 21-day extension, namely a need to gather information in order to provide an accurate answer, and its pending motion to consolidate this case with another matter before the undersigned. These additional reasons constitute good cause for the short delay requested.

Accordingly, Respondent’s Motion for Extension of Time is GRANTED. An Answer addressing the Complaint’s allegations must be filed by **November 20, 2024**. Failure to file an Answer within the prescribed timeframe may result in the Court entering a default judgment against Respondent. See, e.g., *United States v. Koy Chinese & Sushi Rest.*, 16 OCAHO no. 1416, 2 (2022).

SO ORDERED.

Dated and entered on October 29, 2024.

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Honorable Andrea R. Carroll-Tipton  
Administrative Law Judge

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<sup>1</sup> Citations to OCAHO precedents reprinted in bound Volumes 1 through 8 reflect the volume number and the case number of the particular decision, followed by the specific page in that volume where the decision begins; the pinpoint citations which follow are thus to the pages, seriatim, of the specific entire volume. Pinpoint citations to OCAHO precedents subsequent to Volume 8, where the decision has not yet been reprinted in a bound volume, are to pages within the original issuances; the beginning page number of an unbound case will always be 1 and is accordingly omitted from the citation. Published decisions may be accessed in the Westlaw database “FIMOCAHO,” or in the LexisNexis database “OCAHO,” or on the website at <http://www.justice.gov/eoir/OcahoMain/ocahosibpage.htm#PubDecOrders>.