

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

December 19, 2024

UNITED STATES OF AMERICA,)	
Complainant,)	
)	
v.)	8 U.S.C. § 1324b Proceeding
)	OCAHO Case No. 2024A00057
)	
G-NET CONSTRUCTION CORP.,)	
Respondent.)	
_____)	

Appearances: Nancy Torrellas, Esq., for Complainant
Robert Fileccia, Esq., for Respondent

ORDER DENYING MOTION FOR REFERRAL TO SETTLEMENT OFFICER PROGRAM

This case arises under the employer sanctions provisions of the Immigration and Nationality Act, as amended, 8 U.S.C. § 1324a. Complainant, the U.S. Department of Homeland Security, Immigration and Customs Enforcement, filed a complaint with the Office of the Chief Administrative Hearing Officer (OCAHO) on March 5, 2024. Complainant alleges that Respondent violated 8 U.S.C. § 1324a(a)(1)(B). On April 19, 2024, Respondent filed an answer.

Complainant filed a motion requesting that the case be referred to the Settlement Officer Program (SOP) on December 11, 2024. The motion is presumably in response to a footnote in this Court's December 5, 2024, Order granting an extension of the discovery period where this Court noted that Complainant had not agreed to participate in SOP. Order Granting Extension 2 n.2.¹ This, in turn, was in response to Respondent's request that the Court order a settlement conference between the parties with the Court. *Id.* at 2.

Respondent filed a response on December 15, 2024, stating that "it will take part in the voluntary settlement officer program **after** depositions." Consent to Petitioner's Mot. 1 (emphasis in original).

As noted previously, enrollment in the voluntary SOP requires written agreement from both parties. OCAHO Practice Manual, Chapter 4.7 (Mar. 13, 2023). The Court DENIES Complainant's Motion to Refer the Case to the Voluntary Settlement Officer Program, as

¹ The Court issued an Amended Order correcting typos in the case deadlines on December 9, 2024.

Respondent has not consented to a referral at this time. If both parties desire a referral at a future date, they may submit a joint filing indicating so. Parties may request a referral to the Settlement Officer Program at any time up to 30 days prior to the date of hearing. *Id.*

SO ORDERED.

Dated and entered on December 19, 2024.

Honorable Jean C. King
Chief Administrative Law Judge