

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

January 15, 2025

ZAJI OBATALA ZAJRADHARA,)	
Complainant,)	
)	8 U.S.C. § 1324b Proceeding
v.)	OCAHO Case No. 2024B00064
)	
TAGA INC., D/B/A EZ OUTLET,)	
Respondent.)	
)	

NOTICE & ORDER – COMPLAINANT’S REQUEST FOR DAMAGES MAY BE WAIVED

I. PROCEDURAL HISTORY

On March 7, 2024, Complainant, Zaji Obatala Zajradhara, filed a complaint with the Office of the Chief Administrative Hearing Officer (OCAHO) against Respondent, Taga, Inc., d/b/a EZ Outlet (“Taga, Inc.”). Complainant alleges that Respondent engaged in citizenship status discrimination, national origin discrimination, and retaliation in violation of the antidiscrimination provisions of the Immigration and Nationality Act, as amended, 8 U.S.C. §§ 1324b(a)(1) and (a)(5).

On October 22, 2024, the undersigned entered default judgment against Respondent and found it liable for citizenship status discrimination in violation of 8 U.S.C. § 1324b(a)(1)(B). Order of Dismissal – National Origin Discrimination & Retaliation and Order Entering Default – Citizenship-Status Discrimination. *Zajradhara v. Taga Inc.*, 19 OCAHO no. 1577b, 2-3 (2024).¹ The Court dismissed the national origin discrimination claim for lack of subject matter jurisdiction and failure to state a claim, and the retaliation claim for failure to state a claim. *Id.* at 3-5.

To determine the remedy for the violation, the undersigned ordered Complainant “to submit a written affidavit or declaration supporting an award of backpay damages related to his claim of

¹ Citations to OCAHO precedents after volume eight, where the decision has not yet been reprinted in a bound volume, include the volume and case number of the particular decision. Pinpoint citations to OCAHO precedents 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 through the Westlaw database “FIM OCAHO,” the LexisNexis database “OCAHO,” and on the United States Department of Justice’s website: <https://www.justice.gov/eoir/office-of-the-chief-administrative-hearing-officer-decisions>.

citizenship-status discrimination.” *Zajradhara*, 19 OCAHO no. 1577b, at 10. This submission was due no later than December 20, 2024. To date, the Court has not received a submission from Complainant.

II. NOTICE – COMPLAINANT’S DAMAGES CALCULATION REQUIRED

Through its previous order, the Court stated the following:

This Decision and Order provides an opportunity for Complainant to show the amount of back wages that would compensate him for earnings he lost, reduced by any interim earnings, or demonstrate efforts he has made to find employment since he was not hired for the position. . . . In order to make this showing, Complainant must file an affidavit in support of his demand for back pay. That affidavit should recite: (a) the rate of pay, gross and net, he would have earned with Respondent had he been hired; (b) interim earnings, i.e., money earned from September 27, 2023, until the date of his response to this Order; (c) identify all employers by address and pay rate, the dates of each employment and the amount of pay received; (d) specify any periods of unemployment; (e) state efforts in obtaining other employment; and (f) specify any unemployment compensation received. Complainant must also state that the information is the truth and nothing but the truth, and Complainant must sign it.

Zajradhara, 19 OCAHO no. 1577b, at 7.

As Complainant did not respond to this order, the Court now affords him a final opportunity to submit a filing in accordance with the above parameters. The Court must receive Complainant’s filing by **February 24, 2025**. If Complainant does not submit a response, the Court will deem his request for damages waived and will issue a cease and desist order and impose an appropriate civil penalty against Respondent. Respondent may file a response to any filing by Complainant by March 18, 2025.

SO ORDERED.

Dated and entered on January 15, 2025.

Honorable Jean C. King
Chief Administrative Law Judge