

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

| | | |
|----------------------------|---|-----------------------------|
| ALI TALEBINEJAD, |) | |
| Complainant, |) | |
| |) | |
| |) | 8 U.S.C. § 1324b Proceeding |
| v. |) | OCAHO Case No. 2023B00002 |
| |) | |
| MASSACHUSETTS INSTITUTE OF |) | |
| TECHNOLOGY, |) | |
| Respondent. |) | |
| |) | |

Appearances: John J. McGivney, Esq., and David B. Stanhill, Esq., for Complainant
Antonio Morello, Esq., Leon Rodriguez, Esq., and Edward North, Esq., for
Respondent

ORDER GRANTING SECOND JOINT REQUEST
FOR REFERRAL TO SETTLEMENT OFFICER PROGRAM

On December 3, 2024, the Court issued an Order Referring Case to Settlement Officer Program, through which it referred this matter to OCAHO’s Settlement Officer Program (SOP) for an initial period of 60 days, beginning on December 9, 2024, and continuing through February 7, 2025. Talebinejad v. MIT, 17 OCAHO no. 1464f (2024).¹ The Court later extended the initial referral period by 30 days, concluding on March 10, 2025. Jan. 16, 2025 Order Granting Ext. of SOP Referral.

On March 11, 2025, the parties filed a Renewed Joint Request for Second Referral to a Settlement Officer for Mediation and to Stay Proceedings for 30 Days. Through the Joint Request, the parties indicate they “have achieved considerable progress [towards a settlement agreement] but require time to negotiate specific details of the agreement.” Sec. Joint Request for SOP 1. Further, “[i]t is the view of both parties that participation in the Settlement Officer program will

¹ Citations to OCAHO precedents in bound volumes 1 through 8 include the volume and case number of the particular decision followed by the specific page in the bound volume where the decision begins; the pinpoint citations which follow are to the pages, seriatim, of the specific entire volume. Pinpoint citations to OCAHO precedents after volume eight, 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 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>.

aid them in reaching final resolution of this case,” and as a result, the parties request another referral to the program for a period of 30 days.

Based on the parties’ written indication that further participation in the Settlement Officer Program would facilitate the resolution of this case, the undersigned finds that referral of this matter to the program is appropriate. *See* OCAHO Practice Manual, Ch. 4.7(b) (authorizing an Administrative Law Judge to refer matter to program upon written consent of both parties and a determination that the case is otherwise appropriate for referral). Accordingly, the Court ORDERS that the matter be referred to the Settlement Officer Program for a period of 30 days, beginning on March 17, 2025, and continuing through April 17, 2025.

The Court redesignates the Honorable Andrea Carroll-Tipton as the Settlement Officer for this case and offers the Court’s thanks for Judge Carroll-Tipton’s past efforts and her continued willingness to facilitate the parties’ settlement discussions. Should the parties reach a settlement, they shall inform the undersigned of such settlement and provide the appropriate filing. *See* 28 C.F.R. § 68.14.² During the referral period, these proceedings will remain stayed.

SO ORDERED.

Dated and entered on March 12, 2025.

Honorable John A. Henderson
Administrative Law Judge

² OCAHO’s Rules of Practice and Procedure, 28 C.F.R. pt. 68 (2025).