

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

January 28, 2025

ZAJI ZAJRADHARA,	)	
Complainant,	)	
	)	
v.	)	8 U.S.C. § 1324b Proceeding
	)	OCAHO Case No. 2024B00013
	)	
JIN JOO CORPORATION,	)	
Respondent.	)	
_____	)	

Appearances: Zaji O. Zajradhara, pro se Complainant  
Stephen J. Nutting, Esq., for Respondent

ORDER ACCEPTING LATE-FILED ANSWER

This case arises under the employment discrimination provisions of the Immigration and Nationality Act (INA), as amended, 8 U.S.C. § 1324b. On October 17, 2023, Complainant, Zaji Obatala Zajradhara, filed a complaint with the Office of the Chief Administrative Officer (OCAHO), alleging that Respondent, Jin Joo Corporation, discriminated against him and retaliated against him in violation of 8 U.S.C. § 1324b(a)(1) and (a)(5).

On October 30, 2023, OCAHO sent Respondent a Notice of Case Assignment for Complaint Alleging Unfair Immigration-Related Employment Practices (NOCA) and a copy of the Complaint (collectively the Complaint package), via certified U.S. mail. The NOCA directed an answer be filed within 30 days of receipt of the Complaint; failure to answer could lead to default; and proceedings are governed by U.S. Department of Justice regulations.<sup>1</sup>

The Complaint package was served on Respondent on November 15, 2023, making Respondent’s answer due no later than December 15, 2023. *See* 28 C.F.R. §§ 68.3(a), 68.9(a).

On August 7, 2024, the Court issued an Order Granting Complainant Leave to Amend His Complaint & Dismissing Retaliation Claim. *Zajradhara v. Jin Joo Corp.*, 19 OCAHO no. 1554a (2024). The Court gave Complainant the opportunity to file an Amended Complaint by October 15, 2024, to preserve a national origin claim. *Id.* at 2. The Court separately dismissed Complainant’s retaliation claim without prejudice for failure to state a claim. *Id.* at 2-3.

<sup>1</sup> OCAHO Rules of Practice and Procedure, 28 C.F.R. pt. 68 (2024).

On November 14, 2024, the Court issued an Order Dismissing National Origin Discrimination Claim and Order to Show Cause – Answer. *Zajradhara v. Jin Joo Corp.*, 19 OCAHO no. 1554b (2024). The Court ordered Respondent file an answer and submission demonstrating good cause for its failure to timely file an answer. *Id.* at 3. The Respondent’s deadline was January 21, 2025.

On January 8, 2025, Respondent filed a Motion to Allow Late Filing of Answer to Complaint and to Show Good Cause, accompanied by supporting declarations, an Entry of Appearance, and Answer. In its Motion to Allow Late Filing, Respondent explains that its registered agent, who accepted service on behalf of the company, does not have the authority to make representations to the forum. Mot. Allow 2. Through its recently obtained counsel, Respondent explained decisions related to litigation are to be made by Respondent employees located in South Korea, who may not have understood the deadlines or requirements of the forum. *Id.* at 2-3.

Here, the Court finds that Respondent has demonstrated the requisite good cause for its late-filed answer. Respondent may have, understandably, been confused by the answer requirement in light of its pro se status and the procedural history of the case (i.e. multiple orders issued by the Court related to the contours of the Complaint). The Court also considered the propriety of treating both parties equitably, as Complainant in this case has had an notice and an extended period of time to cure deficiencies in his Complaint. Indeed, despite the delay, the Court also finds no prejudice to Complainant, as the case continued to progress even prior to Respondent’s participation.

The Order to Show Cause – Answer is DISCHARGED and the Answer is ACCEPTED.

Case schedule information shall follow in a separate order.

SO ORDERED.

Dated and entered on January 28, 2025.

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Honorable Andrea R. Carroll-Tipton  
Administrative Law Judge