

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

February 27, 2025

US TECH WORKERS ET AL.,	)	
Complainant,	)	
	)	8 U.S.C. § 1324b Proceeding
v.	)	OCAHO Case No. 2024B00070
	)	
NORTHWESTERN MEMORIAL	)	
HEALTHCARE, D/B/A NORTHWESTERN	)	
MEDICINE,	)	
Respondent.	)	
	)	

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Appearances: John M. Miano, Esq., for Complainant  
 Michael P. Palmer, Esq., for Respondent

**ORDER GRANTING MOTION FOR EXTENSION**

This case arises under the antidiscrimination provisions of the Immigration and Nationality Act, as amended, 8 U.S.C. § 1324b. Complainant, US Tech Workers, et al., filed a complaint against Respondent, Northwestern Memorial HealthCare, d/b/a Northwestern Medicine, on March 19, 2024, alleging citizenship status discrimination in hiring.

On May 13, 2024, Complainant filed a Motion to Consolidate and for Leave to File a Consolidated Amended Complaint, to which Respondent filed an opposition on June 7, 2024. On June 24, 2024, Respondent filed a Motion to Dismiss and a Motion to Stay Answer Deadline and Further Proceedings. The Court granted Respondent's request for a stay of the answer deadline and further proceedings on July 11, 2024. *US Tech Workers v. Northwestern Memorial Healthcare*, 19 OCAHO no. 1566c (2024).<sup>1</sup>

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<sup>1</sup> Citations to OCAHO precedents in bound volumes one through eight 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>.

Complainant filed a Response to Respondent's Motion to Dismiss on July 12, 2024, to which Respondent filed its Reply.

On February 6, 2025, this Court issued an order denying Complainant's Motion to Consolidate, finding that the Complaint did not state a claim upon which relief can be granted, but deferred issuing a ruling on the motion to allow the Complainant to file a motion to amend the Complaint to correct the deficiencies identified by the Court. *US Tech Workers v. Northwestern Memorial Healthcare*, 19 OCAHO no. 1566e (2024). Complainant filed a Motion for Leave to File an Amended Complaint, and First Amended Complaint with exhibits on February 6, 2025.

On February 25, 2025, Respondent filed an Agreed Motion for Extension of Time to Respond to Complainant's Motion for Leave to File an Amended Complaint. In the motion, Respondent's counsel states that Respondent is seeking a two-week extension to respond to Complainants' motion due to his workload. Mot. 2. Respondent states that he contacted Complainant's counsel, and counsel agreed to the two-week extension, stating that the extension would not prejudice Complainant. Mot. 2. Respondent further represents that the motion is made in good faith and is not to delay proceedings. *Id.*

"OCAHO rules do not provide specific standards for granting extensions, but the standard routinely applied is good cause." *Tingling v. City of Richmond*, 13 OCAHO no. 1324c, 2 (2021) (citations omitted). Good cause requires "a demonstration of good faith on the part of the party seeking an enlargement of time and some reasonable basis for noncompliance with the time specified in the rule." *Id.* (citations omitted).

This is the third extension of time the Court has afforded Respondent, which would normally lead the Court to question whether Respondent is attempting to delay proceedings, and so good cause would not exist. However, because Respondent is only seeking a 14-day extension, and Complainant does not object, this Court will find good cause for the extension. *See, e.g., US Tech Workers v. Northwestern Memorial Healthcare*, 19 OCAHO no. 1566 (2024).

The motion is GRANTED, and Respondent's response is due March 13, 2025.

SO ORDERED.

Dated and entered on February 27, 2025.

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Honorable Jean C. King  
Chief Administrative Law Judge