

¹ If Complainant is represented, that representative must submit a Notice of Appearance. *See* 28 C.F.R. § 68.33(f) (“Except for a government attorney filing a complaint . . . each attorney shall file a notice of appearance. Such a notice shall indicate the name of the case or controversy, the case number . . . and the party on whose behalf the appearance is made.”).

II. MOTION TO STAY ANSWER DEADLINE GRANTED

In this case, the Answer is due March 17, 2025. *See* 28 C.F.R. § 68.5(a); *see also* 28 C.F.R. § 68.8(c)(1). OCAHO’s Rules of Practice and Procedure, 28 C.F.R. pt. 68 (2024), “vest the Administrative Law Judge (ALJ) with all appropriate powers necessary to regulate the proceedings.” *US Tech Workers v. Boston Consulting Grp., Inc.*, 20 OCAHO no. 1580, 3 (2024) (citations omitted).² This includes the power to issue stays of proceedings. *United States v. Black Belt Sec. & Investigations*, 17 OCAHO no. 1456b, 2 (2023). “Judicial economy, fairness, lack of prejudice, and potentially dispositive case developments [can] justify a stay of proceedings.” *US Tech Workers v. Vivid Seat*, 20 OCAHO no. 1593, 2 (2024).

A stay in this instance promotes judicial economy (as it may avert what could be unnecessary discovery and other prehearing litigation), and does not prejudice the Complainant who certainly retains his opportunity to respond to Respondent’s Motion to Dismiss.³ Further, Respondent requests this stay in advance of the deadline, which promotes efficient case processing. The Respondent’s Answer deadline is STAYED pending adjudication of the Motion to Dismiss. If the Motion to Dismiss is denied, parties can anticipate a revised answer deadline at such time.

III. ELECTRONIC FILING

Complainant resides outside the continental United States (according to the Complaint). This is likely to result in significant mail delays, which would frustrate efficient case processing. For this reason, the Court now enrolls, sua sponte, this matter into its “e-filing” program.⁴ Both parties provided email addresses in various filings and the Complaint. If parties wish to be heard on the Court’s decision to enroll this matter in the “e-filing” program, they may file a Motion requesting inclusion of mail service in addition to electronic service of motions and orders. *See Nazarenko v. SupportYourApp, Inc.*, 19 OCAHO no. 1532b, 3-4 (2024).

SO ORDERED.

Dated and entered on March 10, 2025.

Honorable Andrea R. Carroll-Tipton
Administrative Law Judge

² OCAHO Rules of Practice and Procedure, 28 C.F.R. pt. 68 (2024). The rules are also available through OCAHO’s webpage on the United States Department of Justice’s website. *See* <https://www.justice.gov/eoir/office-of-the-chief-administrative-hearing-officer-regulations>.

³ Such a response may be filed electronically.

⁴ Please further information on the Department of Justice’s website here: <https://www.justice.gov/eoir/ocaho-filing>. Court staff is also available to answer questions related to e-filing at #####.