

US TECH WORKERS ET AL.,)	
Complainant,)	
)	
v.)	8 U.S.C. § 1324b Proceeding
)	OCAHO Case No. 2024B00102
)	
UL SOLUTIONS, INC.,)	
Respondent.)	
)	

ORDER GRANTING RESPONDENT'S MOTION FOR EXTENSION OF DEADLINES

“OCAHO’s Rules of Practice and Procedure for Administrative Hearings¹ do not provide specific standards for granting extensions, but the standard routinely applied is good cause.” *United States v. Space Expl. Techs. Corp.*, 18 OCAHO no. 1499, 5 (2023).² This includes a request to modify a discovery date. *See R.S. v. Nvidia Corp.*, 17 OCAHO no. 1450a, 3 (2022) (citations omitted).

² 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>.

However, where an extension request “is untimely made, the showing that must be made includes both good cause and excusable neglect.” *United States v. G-Net Construction*, 21 OCAHO no. 1625, 2–3 (2024) (citations omitted). A showing of good cause “requires a demonstration of good faith on the party seeking an enlargement of time and some reasonable basis for noncompliance within the time specified[.]” *United States v. Zarco Hotels, Inc.*, 18 OCAHO no. 1518c, 1–2 (2024). “Factors to consider in applying the excusable neglect standard are (1) the danger of prejudice to the non-movant, (2) the length of the delay and its impact on the judicial proceedings, (3) the reason for the delay (including whether the delay was within the control of the movant), and (4) the movant's good faith.” *US Tech Workers v. Oak Street Health*, 19 OCAHO no. 1574, 2 (2024).

Respondent cited an injury to its counsel that “requires surgery and a period [of] leave.” Mot. Ext. 1. The discovery period has closed, and it appears that Respondent did not begin discovery until the day discovery closed, despite instructions that discovery had to be filed with time for the party to respond within the deadline. Order Resetting Case Schedule 2.³ However, as this is counsel’s first request to extend time, and the opposing party has not objected, the Court will find good cause. Similarly, Respondent cites good faith and the avoidance of prejudice to both parties in seeking to complete discovery. Mot. Ext. 1–2. The reason appears to be out of Respondent’s control and the delay is not lengthy, therefore the Court finds excusable neglect. Respondent’s motion is accordingly GRANTED. The revised case schedule is as follows:

- Discovery closes: June 18, 2025
- Dispositive motions due: July 18, 2025
- Opposition to dispositive motions: August 18, 2025
- Replies in support of dispositive motions: September 1, 2025
- Tentative Final Hearing: November 2025

SO ORDERED.

Dated and entered on April 2, 2025.

Honorable Jean C. King
Chief Administrative Law Judge

³ The Court reminds the parties to refrain from filing requests for discovery, answers or responses thereto with the Administrative Law Judge. 28 C.F.R. § 68.6(b).