

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

CASSANDRA MONTY,	)	
Complainant,	)	
	)	8 U.S.C. § 1324b Proceeding
v.	)	
	)	OCAHO Case No. 2021B00036
USA2GO QUICK STORES,	)	
Respondent.	)	
	)	

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Appearances: Cassandra Monty, pro se Complainant  
Jenna H. Sheena, Esq., and Tad T. Roumayah, Esq., for Respondent  
Sam Shirazi, Esq., for the United States

ORDER ON HEARING LOCATION

This action arises under the unfair immigration-related employment practices provisions of the Immigration and Nationality Act (INA), as amended by the Immigration Reform and Control Act of 1986 (IRCA), 8 U.S.C. § 1324b. On June 2, 2021, Complainant Cassandra Monty filed a complaint alleging that Respondent USA2GO Quick Stores violated § 1324b. Respondent filed its answer on September 7, 2021.

On April 23, 2024, the Court held a telephonic status conference in this matter. After hearing from the parties, the Court set a revised case schedule for Complainant’s remaining retaliation claim, with a hearing scheduled for June 26, 2024 through June 28, 2024.

The Court next addressed the location of the anticipated hearing. 28 C.F.R. § 68.5<sup>1</sup> directs that “in [INA] section 274B cases, pursuant to section 554 of title 5, United States Code, due regard shall be given to the convenience of the parties and the witnesses in selecting a place for a hearing.” Accordingly, the Court inquired to the parties concerning their preferences.

Respondent expressed a preference for a hearing location near Detroit, Michigan, given that counsel, witnesses, and the events giving rise to this matter occurred there. Complainant stated that she had moved to Tennessee, arguing that a hearing in Michigan would be burdensome. The parties also discussed conducting a hearing through videoconferencing

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<sup>1</sup> OCAHO Rules of Practice and Procedure, 28 C.F.R. pt. 68 (2022).

equipment. Complainant expressed some preference for that method. Respondent indicated that it did not object. The Court took the parties' representations under advisement and informed that it would issue an order identifying the hearing location shortly.

At this time, the Court informs the parties that the hearing will take place virtually through the Cisco WebEx platform. The Court will send the parties further instructions regarding how to access this remote hearing in a later order.

Finally, during the status conference Complainant expressed some interest in ending her litigation. Complainant is reminded that she may move for voluntary dismissal of her Complaint by filing a written motion. Alternatively, the parties may work to settle this matter. The parties should inform the Court expeditiously if Complainant seeks voluntary dismissal or if the parties seek dismissal based on settlement pursuant to 28 C.F.R. § 68.14.

SO ORDERED

Dated and entered on May 16, 2024.

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John A. Henderson  
Administrative Law Judge