

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

April 17, 2025

UNITED STATES OF AMERICA,	)	
Complainant,	)	
	)	
v.	)	8 U.S.C. § 1324a Proceeding
	)	OCAHO Case No. 2025A00034
	)	
PROVEN PERFORMERS, INC., D/B/A	)	
HYR-UP SOLUTIONS, INC.,	)	
	)	
Respondent.	)	
_____	)	

Appearances: Trisha Lacey, Esq., for Complainant  
Tejas Shah, Esq., for Respondent<sup>1</sup>

ORDER GRANTING EXTENSION OF ANSWER DEADLINE

This case arises under the employer sanctions provisions of the Immigration and Nationality Act, as amended, 8 U.S.C. § 1324a. Complainant, the United States Department of Homeland Security, Immigration and Customs Enforcement (ICE), filed a complaint with the Office of the Chief Administrative Hearing Officer (OCAHO) on March 10, 2025. Complainant alleges that Respondent, Proven Performers, Inc., d/b/a Hyr-Up Solutions, Inc., violated 8 U.S.C. §§ 1324a(a)(1)(A), 1324a(a)(1)(B), and 1324a(a)(2).

On March 11, 2025, the Court sent Respondent a copy of the Complaint and a Notice of Case Assignment for Complaint Alleging Unlawful Employment (NOCA) via U.S. certified mail. According to United States Postal Service tracking information, the complaint package was served upon both Respondent's president and Respondent's counsel on March 18, 2025.

On April 16, 2025, Respondent filed an Agreed Motion for Extension of Time. Respondent states that the parties are discussing settlement and requests a 30-day extension of the answer deadline

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<sup>1</sup> Respondent's counsel signed the request for hearing appended to the Complaint. Compl, Ex. B. In accordance with 28 C.F.R. § 68.33(f), the Court considers the signed request for hearing to be his Notice of Appearance.

“to allow sufficient time for the parties to settle” the matter. Mot. Extension 2.<sup>2</sup> Respondent also indicates that the “request is not . . . for the purpose of delaying these proceedings and will not prejudice Complainant . . .” *Id.*

“OCAHO’s Rules of Practice and Procedure . . . do not provide specific standards for extensions, but the standard routinely applies is good cause.” *United States v. Patch Sub, LLC*, 18 OCAHO no. 1521, 2 (2024) (quoting *United States v. Space Exploration Techs.*, 18 OCAHO no. 1499, 5 (2023)). “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.’” *Ackermann v. Mindlance, Inc.*, 17 OCAHO no. 1462, 2 (2022) (quoting *Tingling v. City of Richmond*, 13 OCAHO no. 1324c, 2 (2021)).

Respondent indicates that the requested extension of time is to facilitate ongoing settlement negotiations. Respondent submitted the request for an extension prior to the answer deadline and indicates that Complainant does not object to the extension. Mot. Extension 2. Given the proffered reason, the timeliness of the request, and Complainant’s lack of opposition, the Court finds good cause for the requested extension of the Answer deadline.

The Court GRANTS Respondent’s Agreed Motion for Extension of Time. Respondent may file its answer no later than May 19, 2025.

If the parties finalize a settlement agreement before the May 19, 2025, Answer deadline, they should refer to 28 C.F.R. § 68.14(a) for how to seek dismissal pursuant to settlement. Any filing seeking to dismiss the matter under 28 C.F.R. § 68.14(a)(2) should indicate if the parties seek dismissal with or without prejudice.

SO ORDERED.

Dated and entered on April 17, 2025.

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Honorable Jean C. King  
Chief Administrative Law Judge

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<sup>2</sup> The motion states that “Complainant received the Notice of Case Assignment . . . on March 20, 2025.” Mot. Extension 1. The Court takes this as a typographical error and that March 20, 2025, is meant to indicate the date *Respondent* received the Complaint package. Although this date differs from the mail tracking information, the difference is ultimately irrelevant. Even if the Answer deadline was April 17, 2025 (based on the mail tracking information) rather than April 19, 2025, Respondent filed its Motion for Extension prior to the Answer deadline.