

8 U.S.C. § 1324b Proceeding  
OCAHO Case No. 2025B00048

Appearances: Mikhail Nazarenko, pro se Complainant  
Stephanie Generotti, Esq., for Respondents

ORDER GRANTING RESPONDENT'S MOTION TO STAY ANSWER DEADLINE

On July 16, 2025, Respondents filed a Motion to Dismiss, along with a Motion to Stay Deadline to Respond to Complainant’s Complaint (Motion to Stay). As Respondents note in their Motion to Stay, their deadline to file an answer to the complaint was on July 16, 2025; nevertheless, Respondents request the Court stay that deadline until it has resolved Respondents’ Motion to Dismiss. Mot. Stay 2. In Respondents’ view, “[s]hould the Court grant [their] Motion to Dismiss, no answer or responsive pleading will be necessary given that the Court would dismiss Complainant’s Complaint with prejudice or enter Judgment for Respondents.” Mot. Stay 2. Further, Respondents argue the stay will promote judicial economy, as the Court would not need to schedule and hold an initial prehearing conference before potentially resolving this matter on the Motion to Dismiss. Mot. Stay 3.

Respondents correctly note that this Court has previously ordered a stay of answer deadlines where the respondent files a potentially case-dispositive motion. *See US Tech Workers v. Fifth Third Bank*, 19 OCAHO no. 1550, 2 (2024) (recognizing the Administrative Law Judge’s “power to issue stays of proceedings . . . when dismissal may be imminent”).<sup>1</sup> The Court will do the same

<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

in this case. Because Respondents have filed a potentially case-dispositive motion, their deadline to file an answer to the complaint is hereby STAYED pending adjudication of their Motion to Dismiss.

The Court is also aware of Complainant's pro se status and the fact that he currently resides in Greece. Compl. 1. Accordingly, the Court will allow him until September 2, 2025, to file a response to Respondents' Motion to Dismiss. The Court will provide a courtesy copy of this order by email to Complainant.

SO ORDERED.

Dated and entered on July 17, 2025.

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Honorable Jean C. King  
Chief Administrative Law Judge

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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>.