

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

July 29, 2025

ZAJI OBATALA ZAJRADHARA,	)	
Complainant,	)	
	)	
v.	)	8 U.S.C. § 1324b Proceeding
	)	OCAHO Case No. 2024B00011
	)	
COSTA WORLD CORPORATION,	)	
Respondent.	)	
	)	

Appearances: Zaji O. Zajrdhara, pro se Complainant
Stephen J. Nutting, Esq., for Respondent

ORDER DENYING COMPLAINANT REQUESTS FOR SANCTIONS & NOTICE
REGARDING FUTURE MOTION PRACTICE

I. PROCEDURAL HISTORY

This case arises under the employment discrimination provisions of the Immigration and Nationality Act (INA), as amended, 8 U.S.C. § 1324b.

On October 17, 2023, Complainant, Zaji Obatala Zajradhara, filed a complaint with the Office of the Chief Administrative Officer (OCAHO), alleging Respondent discriminated against him and retaliated against him in violation of 8 U.S.C. § 1324b(a)(1) and (a)(5).

On April 17, 2025, Respondent filed Respondent’s Answer and Motion for Summary Decision.

Also on April 17, 2025, Complainant filed Complainant’s Response to Respondent’s Answer and Motion for Summary Decision. Within these filings, Complainant seeks sanctions against Respondent’s counsel because Respondent’s counsel represents other respondents in this forum (against this Complainant). Complainant also argues that Respondent’s counsel was aware of this case and late-filed the Answer. *Resp. Mot. Summ. Dec. 3*. Complainant requests sanctions against Respondent’s counsel on both grounds.

On the same day, Complainant submitted a “Supra Motion to Demonstrate . . . False Statements by Attorney Stephen J. Nutting.” Complainant claims Respondent’s counsel misstated

Respondent's number of employees during Quarter 2 of 2023 and Complainant's application history. Finally, Complainant requests that the Court take judicial notice of various documents, only one of which Complainant attaches.

Still on April 17, 2025, Complainant followed up with a "Second Supra Motion" arguing facts related to Respondent business' financials and employee count in Quarter 2 of 2023.

This Order will only address the Complainant's request for sanctions and provide him notice and a standing order going forward related to motion practice in the forum.

II. LAW & ANALYSIS

This Court has previously discussed the expectations around party conduct under OCAHO's Rules of Practice and Procedure, the applicability of state bar ethics rules, and how ABA Model Rule of Professional Conduct 1.7 works. *Zajradhara v. Jin Joo Corp.*, 19 OCAHO no. 1554f, 2-3 (2025); *see also Zajradhara v. Pure Water Corp.*, 20 OCAHO no. 1548e, 6-8 (2025).¹ The Court refers the parties to the discussions in those orders. Those orders likewise discussed the unusual sanction of disqualifying counsel and the caution with which the Court approaches such requests. *Jin Joo Corp.*, 19 OCAHO no. 1554f, at 3.

With regard to Complainant's request for sanctions pursuant to ABA Model Rule 1.7, the Court applies the same analysis as in *Zajradhara v. Jin Joo Corp.*, 19 OCAHO no. 1554f, at 3. Again, the Court finds no evidence that Respondent's counsel is representing clients in a way which contravenes the requirements of the Rule. Rule 1.7's informed consent requirements mandate that an attorney seek informed consent in writing from his affected client, not the opposing party or the Court.

Complainant also argues Respondent's counsel violated ABA Model Rule of Professional Conduct 1.9. Rule 1.9 specifies, in relevant part:

A lawyer who has formerly represented a client in a matter shall not thereafter represent another person in the same or a substantially related matter in which that person's interests are materially adverse to the interests of the former client unless the former client gives informed consent, confirmed in writing.

¹ Citations to OCAHO precedents reprinted in bound Volumes 1 through 8 reflect the volume number and the case number of the particular decision, followed by the specific page in that volume where the decision begins; the pinpoint citations which follow are thus to the pages, *seriatim*, of the specific entire volume. Pinpoint citations to OCAHO precedents subsequent to Volume 8, 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 in the Westlaw database "FIMOCAHO," or in the LexisNexis database "OCAHO," or on the website at <https://www.justice.gov/eoir/office-of-the-chief-administrative-hearing-officer-decisions>.

There is no indication Respondent's current or former clients' interests are materially adverse to one another. Even if that were the case, Respondent's counsel would need to seek informed consent in writing from the affected former client, not the opposing party or the Court.

While Complainant claims Respondent's counsel misrepresented facts, this factual disagreement is best considered when the Court adjudicates the motion for summary decision on the merits.

Respondent's Answer was timely. The Court specifically set April 18, 2025 as the Answer deadline after clarifying the claims in the Complaint. *Zajradhara v. Costa World Corp.*, 19 OCAHO no. 1546f, 2 (2025). Respondent filed its Answer on April 17, 2025.

As to discovery, when a party fails to provide properly requested information, the offended party may engage in appropriate motion practice (i.e. a motion to compel or other motions related to inclusion or exclusion of evidence or information from the record, among others). Complainant has not demonstrated that anything has transpired during discovery to merit the sanctions he requests.

Complainant's requests for sanctions against Respondent's counsel are DENIED.

Complainant is now ORDERED to abide by the following requirements related to motion practice. Failure to comply with these requirements may result in rejection of the filing.

1. Complainant may only address one request in any motion.
2. The title of the motion must conform to the request in the body of the motion.
3. Complainant is not permitted to file amendments or addenda (including his "supra" filings).

SO ORDERED.

Dated and entered on July 29, 2025.

Honorable Andrea R. Carroll-Tipton
Administrative Law Judge