

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

August 11, 2025

ZAJI ZAJRADHARA,	)	
Complainant,	)	
	)	
v.	)	8 U.S.C. § 1324b Proceeding
	)	OCAHO Case No. 2024B00013
JIN JOO CORPORATION,	)	
Respondent.	)	
_____	)	

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

NOTICE OF ERRATA

This notice serves to correct the title of the Court’s July 14, 2025 Order issued in this matter and to fix other typographical errors. The Order was incorrectly titled “Order Denying Complainant’s Motion to Reconsider Dismissal of National Origin Claim and Citizenship Status Claim.” That title is hereby changed to “Order Denying Complainant’s Motion to Reconsider Dismissal of National Origin Claim and Retaliation Claim.” The body of the Order is reproduced in its entirety below.

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) against Respondent, Jin Joo Corporation.

On April 30, 2024, the Court issued an Order to Show Cause – Jurisdiction, in which it ordered Complainant to show cause as to why his national origin discrimination claim should not be dismissed for lack of subject matter jurisdiction and why his retaliation claim should not be dismissed for failure to state a claim upon which relief can be granted. *Zajradhara v. Jin Joo Corp.*, 19 OCAHO no. 1554 (2024).

Complainant filed a Response to Court’s Order on Jurisdiction on June 12, 2024, and the Court issued an Order Granting Complainant Leave to Amend His Complaint & Dismissing Retaliation Claim. *Zajradhara v. Jin Joo Corp.*, 19 OCAHO no. 1554a (2025). The Court gave Complainant leave to amend his Complaint to cure the jurisdictional deficiency of his national origin claim because he stated that Respondent employs between 4 and 14 employees. *Id.* at 2. However, the Court dismissed without prejudice Complainant’s retaliation claim because he “[did] not adequately address issues related to his retaliation claim.” *Id.*

Because Complainant failed to file an Amended Complaint curing the jurisdictional deficiency in his national origin discrimination claim, the Court dismissed the claim and then set a new answer deadline for Respondent. *Zajradhara v. Jin Joo Corp.*, 19 OCAHO no. 1554b (2024).

On January 20, 2025, Complainant filed his Amended Response to Court Order and Amended Claim for Employment Discrimination. Complainant argued that his dismissed national origin discrimination claim “has merit,” is “supported [by] evidence,” and should not have been dismissed by the Court. Resp. Order 1. Complainant did not, however, submit an amended complaint curing the jurisdictional deficiency. Complainant also argued that “Respondent engaged in unlawful retaliation against [Complainant]” for “[f]il[ing] complaints with the CNMI Department of Labor regarding discriminatory practices” and “[c]ontact[ing] and communicat[ing] with federal agencies regarding . . . human trafficking, visa fraud, and illegal practices.” *Id.* at 5.

On March 30, 2025, Respondent filed a Response to Petitioner’s January 20, 2025 Filing and Motion for Summary Decision. Respondent argues that Complainant’s filing “fails to remedy the . . . deficiencies underlying the original filing” and “contains no newly discovered facts or legal authority to justify reconsideration of the[] dismissals” of Complainant’s national origin and retaliation claims. Resp. Petitioner’s Filing 1, 2.

II. LEGAL STANDARDS AND DISCUSSION

The Court interprets Complainant’s January 20, 2025 filing a motion to reconsider its dismissals of Complainant’s national origin discrimination and retaliation claims, because it contains arguments about both dismissed claims.

“OCAHO’s Rules of Practice and Procedure do not contemplate motions for reconsideration of interlocutory orders,” but the Court may turn to the Federal Rules of Civil Procedure for guidance. *A.S. v. Amazon Web Servs.*, 14 OCAHO no. 1381l, 5 (2021); 28 C.F.R. § 68.1. “The ‘power to modify an interlocutory order is authorized by . . . Federal Rule 54(b).’” *Zajradhara v. LBC Mabuhay (Saipan) Inc.*, 16 OCAHO no. 1423d, 4 92023) (quoting *United States v. Rose Acre Farms, Inc.*, 12 OCAHO no. 1285a, 1 n.1 (2018)). “Reconsideration is an ‘extraordinary remedy, to be used sparingly in the interests of finality and conservation of judicial resources.’” *Sharma v. NVIDIA Corp.*, 17 OCAHO no. 1450g, 3 (2023) (quoting *Adidas Am., Inc. v. Payless Shoesource, Inc.*, 540 F.Supp. 2d 1176, 1179 (D. Or. 2008)).

Reconsideration is warranted where:

- (1) material differences in fact or law from that presented to the Court and, at the time of the Court's decision, the party moving for reconsideration could not have known of the factual or legal differences through reasonable diligence;
- (2) new material facts that happened after the Court's decision;
- (3) a change in the law that was decided or enacted after the Court's decision; or
- (4) the movant makes a convincing showing that the Court failed to consider material facts that were presented to the Court before the Court's decision.

Zajradhara v. Manbin Corp., 19 OCAHO no. 1553f, 3 (2025) (citing *Sharma*, 17 OCAHO no. 1450g, at 3)).

Here, as Respondent argues, none of the traditional grounds for reconsideration exist. Complainant cites no new material facts or change of law.

Moreover, Complainant again failed to cure the jurisdictional deficiency in his national origin claim by failing to submit an amended complaint alleging that Respondent has between 4 and 14 employees. With regard to retaliation, Complainant also still failed to plead any protected activity related to his rights under 8 U.S.C. § 1324b. As previously explained, “[a]ttempts to expose visa fraud do not constitute protected activity.” 19 OCAHO no. 1554a at 3. Similarly, retaliation for filing a complaint with the CNMI Department of Labor is not cognizable at OCAHO and should be brought elsewhere. *See Ndzerre v. Wash. Metro. Area Transit Auth.*, 13 OCAHO no. 1306, 5 (2017) (noting that retaliation for filing an EEOC charge is not cognizable before OCAHO and should be referred to the EEOC).

For the above reasons, Complainant's Motion for Reconsideration is DENIED.

SO ORDERED.

Dated and entered on August 11, 2025.

Honorable Andrea R. Carroll-Tipton
Administrative Law Judge