

ZAJI ZAJRADHARA,
 Complainant,

 v.

 ALIA DELOS SANTOS OLARTE-ESTRELLADO,
 d/b/a PROPHET MANPOWER SERVICES,
 Respondent.

Appearances: Zaji Zajradhara, pro se Complainant
Janet H. King, Esq., for Respondent

I. PROCEDURAL HISTORY

On March 11, 2025, this Court issued an Order that took official notice of Respondent's death, granted Respondent's Motion for Stay, and directed Respondent to identify a party to substitute

for Respondent. *Zajradhara v. Olarte*, 21 OCAHO no. 1622a (2025).¹ Respondent did not respond to the Court's Order and accordingly, on May 13, 2025, the Court issued an Order to Show Cause to Respondent to submit a filing articulating the appropriate party, and ordered Respondent to demonstrate good cause for failing to respond to the Court's March 11, 2025, Order.

Respondent filed a response on May 27, 2025, and on June 25, 2025, this Court discharged the show cause order, ordered the substitution of the named party, lifted the stay and ordered Respondent to file an Answer by July 24, 2025. Order Substituting Party. This Court warned that "should Respondent fail to file an answer, the Court may enter default judgment against it pursuant to 28 C.F.R. § 68.37(b)(1),"² citing to *Zajradhara v. Taga Inc.*, 19 OCAHO no. 1577b, 2 (2024). Respondent did not file an answer.

II. ORDER TO SHOW CAUSE

Per OCAHO rules, a "[f]ailure of the respondent to file an answer within the time provided may be deemed to constitute a waiver of his or her right to appear and contest the allegations of the complaint. The Administrative Law Judge may enter a judgment by default." 28 C.F.R. § 68.9(b). "If a default judgment is entered ... judgment is entered for the complainant without a hearing." *United States v. Cabello Recovery and Auction Servs., Inc.*, 18 OCAHO no. 1514, 2 (2024) (quoting *Nickman v. Mesa Air Grp.*, 9 OCAHO no. 1106, 1 (2004)); *United States v. Glen Echo Pharmacy, Inc.*, 18 OCAHO no. 1520, 2 (2024) (same).

This Court has made it a practice to issue an order to show cause before entering default judgment against a party. *See Taga Inc.*, 19 OCAHO no. 1577b at 2; *United States v. Shine Auto Serv.*, 1 OCAHO no. 70, 444 (1989) (Vacating Order Denying Default Judgement). Given the strong policy in favor of resolving cases on the merits, this Court will abide by this practice. *See Eitel v. McCool*, 782 F.2d 1470, 1471–72 (9th Cir. 1986). The Court notes, however, that this is the second Order to Show Cause this Court has issued to Respondent seeking a response to a court order. The Court had previously warned Respondent that it could enter a default judgment against it if it did not file the answer. The court now informs Respondent that it *will* enter a default judgment if it does not file an answer and explain why it did not timely respond to this Court's order. An explanation that the Court's staff simply missed the deadline will not suffice.

¹ 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 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>.

² OCAHO's Rules of Practice and Procedure, 28 C.F.R. pt. 68 (2024).

The Court therefore ORDERS Respondent to file an answer that satisfies 28 C.F.R. § 68.9(c). The answer is due on **August 15, 2025**. This answer should include (1) “[a] statement that the respondent admits, denies, or does not have and is unable to obtain sufficient information to admit or deny each allegation” and (2) “[a] statement of the facts supporting each affirmative defense.” 28 C.F.R. § 68.9(c)(1)-(2).

The Court FURTHER ORDERS Respondent to demonstrate good cause for not timely filing an answer. *See United States v. ALCO Constr., Inc.*, 18 OCAHO no. 1517, 4 (2024) (requiring a showing of good cause for failure to timely file an answer). The filings are due **August 15, 2025**.

SO ORDERED.

Dated and entered on August 5, 2025.

Honorable Jean C. King
Chief Administrative Law Judge