

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

January 6, 2026

MARIA BENABIDES,)	
Complainant,)	
)	
)	8 U.S.C. § 1324b Proceeding
v.)	OCAHO Case No. 2025B00037
)	
)	
MP WEST, LLC,)	
Respondent.)	
)	

Appearances: Maria Benabides, pro se Complainant
Rafael G. Nendel-Flores, Esq., for Respondent

NOTICE & ORDER – SETTLEMENT OFFICER PROGRAM PARTICIPATION AND
REVISED CASE SCHEDULE

This case arises under the antidiscrimination provisions of the Immigration and Nationality Act, as amended, 8 U.S.C. § 1324b.

On July 15, 2025, the Court held an initial prehearing conference, which was later summarized in an Order. In that Order, the Court provided information about the Court’s free mediation service, known as the Settlement Officer Program (SOP), along with a case schedule.

On December 16, 2025, Respondent submitted a written request seeking referral to the Settlement Officer Program, and a stay of deadlines pending completion of the Program.

On December 31, 2025 Complainant, who is pro se, submitted a “response” to Respondent’s referral request. In this filing, Complainant states she is “unsure” about “participat[ing] in the Settlement Officer Program.” She also raises unrelated concerns in her filing.¹

¹ Complainant expresses reservation surrounding use of email as a method of correspondence with Respondent.

Written communication tends to minimize confusion, and preserves what was said and to whom it was said. Email is a form of written communication that is instant, usually free, and allows for electronic storage of communication. Email is a routine method of communication between parties, and is not (in and of itself) a cause for concern. With that in mind, parties must work together to select a method of communication between them. The Court does not generally get involved in the manner in which parties communicate with one another.

SOP is a free mediation service offered to parties. When cases enter SOP mediation, parties meet with a mediator to discuss resolving their case “out of court.” The mediator is often a different administrative law judge who can assist the parties in evaluating different options to resolve the case.² Parties are under no obligation to “settle,” and when no settlement is reached, a case simply returns to the presiding administrative law judge who then sets revised deadlines. Mediation and settlement generally provide parties with a faster resolution, and in some instances a “better” (according to the parties) resolution than one crafted by an adjudicator. For these reasons, the Court encourages parties to consider mediation. No party is ever forced to participate, and declining to participate does not adversely impact a party or the proceedings in any way.

To participate, both parties must consent in writing. At present, only Respondent has consented in writing.

If Complainant would like to participate in the free mediation program (i.e. the Settlement Officer Program), she must provide a written response to this Order expressing her desire to participate.

Because there appears to be some confusion surrounding mediation and when a stay of deadlines is triggered, the Court now turns to the case schedule. To ensure parties participation in the Settlement Officer Program is most likely to be fruitful, the Court will exercise its discretion to *sua sponte* revise the schedule as follows:

Dispositive motions deadline:	March 27, 2026
Responses to dispositive motions due:	30 days after motion is filed
Tentative Hearing Timeframe:	Summer 2026

With this revision, Respondent must understand that it shall file its motion for summary decision by March 27, 2026. This date allows for potential referral to mediation (and a stay of deadlines) before motion drafting begins in earnest. Similarly, Complainant should be aware that it would be prudent to inform the Court (in writing) as soon as possible as to her interest in mediation, as the Respondent could, at any time, provide a filing seeking to withdraw its referral request.

SO ORDERED.

Dated and entered on January 6, 2026.

Honorable Andrea R. Carroll-Tipton
Administrative Law Judge

² Here, according to the Complaint, the Complainant is seeking the following to resolve this case: “back pay,” and removal of a “false performance review or false warning document in a personnel file.” Compl. 11. Settlement discussions would likely include discussions surrounding these requests.