

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

February 24, 2026

MICHAEL BROWNE,	)	
Complainant,	)	
	)	
	)	
v.	)	8 U.S.C. § 1324b Proceeding
	)	OCAHO Case No. 2026B00004
	)	
	)	
UBER TECHNOLOGIES, INC.,	)	
Respondent.	)	
	)	

Appearances: Daniel Low, Esq., and Lindsey M. Grunert, Esq., for Complainant
Molly Jennings, Esq., and April N. Williams, Esq., for Respondent

ORDER GRANTING LEAVE TO FILE REPLY

This matter arises under the antidiscrimination provisions of the Immigration and Nationality Act, as amended by the Immigration Reform and Control Act of 1986 (IRCA), 8 U.S.C. § 1324b.

On November 14, 2025, Complainant filed a complaint with the Office of the Chief Administrative Hearing Officer (OCAHO) against Respondent.

On February 6, 2026, Respondent filed its Answer and a Motion to Dismiss.

On February 11, 2026, Complainant filed its Opposition to the Motion.

On February 24, 2026, Respondent filed a Motion Seeking Leave to Reply (and included the Reply should the Motion be granted). In its Motion, Respondent states a reply filing would address more fully issues raised in the Opposition filing (including cases referenced in the Opposition).

“OCAHO’s Rules of Practice and Procedure for Administrative Hearings do not allow parties to file replies or sur-replies unless the Court provides otherwise.” *United States v. Space Expl. Techs. Corp.*, 18 OCAHO no. 1499a, 4 (2023) (citing 28 C.F.R. § 68.11(b)). “A party must seek leave of Court before filing a reply . . . and the decision whether to allow a reply or sur-reply ‘is solely

within the judge’s discretion.” *Id.* (citing *Hsieh v. PMC-Sierra, Inc.*, 9 OCAHO no. 1093, 7 (2003), and then citing *Diaz v. Pac. Mar. Assoc.*, 9 OCAHO no. 1108, 3 (2004)).

The Court will exercise its discretion to accept Respondent’s Reply, as it would “further record development and provide an opportunity for parties to be heard on novel issues or argument.” *See Sharma v. NVIDIA Corp.*, 17 OCAHO 1450j, 3 (2023) (citing *Heath v. Ameritech Global*, 16 OCAHO 1435, 3 (2022)); *see also United States v. Walmart Inc. (Bethlehem)*, 17 OCAHO no. 1475d, 7 (2023) (accepting reply brief addressing which “portions of the response the Court should consider”).

SO ORDERED.

Dated and entered on February 24, 2026.

Honorable Andrea R. Carroll-Tipton
Administrative Law Judge