

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

May 21, 2026

RAVI SHARMA,	)	
Complainant,	)	
	)	
	)	
v.	)	8 U.S.C. § 1324b Proceeding
	)	OCAHO Case No. 2026B00017
	)	
CISCO SYSTEMS, INC.,	)	
Respondent.	)	
	)	

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Appearances: Ravi Sharma, pro se Complainant  
K. Edward Raleigh, Esq., and Anna Perina, Esq., for Respondent<sup>1</sup>

ORDER SUMMARIZING INITIAL PREHEARING CONFERENCE

On May 19, 2026, the Court conducted an initial prehearing conference. During the conference, the Court covered the following:

**Settlement Officer Program:** OCAHO’s Settlement Officer Program is a free mediation service available to parties.<sup>2</sup> Both parties must consent in writing before the case can enter the program. Parties may make a request for referral “at any time while proceedings are pending up to 30 days prior to the date scheduled for a hearing in the matter.” OCAHO Practice Manual Ch. 4.7(b)(4)(A).

**Notice of EOIR Policy Memorandum 25-50:** As the Director notes in this Policy Memorandum, OCAHO proceedings “shall be conducted expeditiously, and the parties shall make every effort at each stage of a proceeding to avoid delay.” EOIR PM 25-50 (quoting 28 C.F.R. § 68.1). To that end, “[n]inety-five percent (95%) of immigration-related unfair employment practice cases under INA § 274B should be completed within 510 days of filing.”

<sup>1</sup> The Court has not yet received a Notice of Appearance for Ms. Ceaser (although the Court recognizes it may have been submitted during a time of technical issues with the Portal). The Court requests Ms. Ceaser file (or refile) her appearance if she desires to formally appear in this case.

<sup>2</sup> Rules regarding enrollment and participation in the Settlement Officer Program can be found in Chapter 4.7 of OCAHO’s Practice Manual. Chapter 4.7 of the Practice Manual can be found here: <https://www.justice.gov/eoir/policy-manual-eoir/part-IV/ocaho/chapter-4-7>.

**“Initial Disclosures” Shall Be Required:** With the above goal in mind, and after consultation with the parties, the Court determined the parties shall exchange (not file with the Court) initial disclosures using Federal Rule of Civil Procedure 26(a)(1)<sup>3</sup> and Federal Rule of Civil Procedure 26(a)(2)<sup>4</sup> as guidelines. Disclosures shall be exchanged within 28 days of the date of this Order. Specifically, parties shall follow these instructions and requirements:

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<sup>3</sup> The Federal Rules of Civil Procedure (including the referenced rule here) are available at: <https://www.uscourts.gov/file/78323/download>. The text of the Rule 26(a)(1) is provided below (note that, as explained in this Order, disclosure of 26(a)(1)(A)(iv) information is not to be required):

(1) Initial Disclosure.

(A) In General. Except as exempted by Rule 26(a)(1)(B) or as otherwise stipulated or ***ordered by the court***, a party must, without awaiting a discovery request, provide to the other parties:

(i) the name and, if known, the address and telephone number of each individual likely to have discoverable information—along with the subjects of that information—that the disclosing party may use to support its claims or defenses, unless the use would be solely for impeachment;

(ii) a copy—or a description by category and location—of all documents, electronically stored information, and tangible things that the disclosing party has in its possession, custody, or control and may use to support its claims or defenses, unless the use would be solely for impeachment;

(iii) a computation of each category of damages claimed by the disclosing party—who must also make available for inspection and copying as under Rule 34 the documents or other evidentiary material, unless privileged or protected from disclosure, on which each computation is based...; and

(iv) for inspection and copying as under Rule 34, any insurance agreement under which an insurance business may be liable to satisfy all or part of a possible judgment in the action or to indemnify or reimburse for payments made to satisfy the judgment.

Fed. R. Civ. Proc. 26(a)(1)(A) (emphasis added).

<sup>4</sup> The text of Rule 26(a)(2) is provided below:

(2) Disclosure of Expert Testimony.

(A) In General. In addition to the disclosures required by Rule 26(a)(1), a party must disclose to the other parties the identity of any witness it may use at trial to present evidence under Federal Rule of Evidence 702, 703, or 705.

(B) Witnesses Who Must Provide a Written Report. Unless otherwise stipulated or ***ordered by the court***, this disclosure must be accompanied by a written report—prepared and signed by the witness...

(C) Witnesses Who Do Not Provide a Written Report. Unless otherwise stipulated or ***ordered by the court***, if the witness is not required to provide a written report, this disclosure must state: (i) the subject matter on which the witness is expected to present evidence under Federal Rule of Evidence 702, 703, or 705; and (ii) a summary of the facts and opinions to which the witness is expected to testify.

Fed. R. Civ. Proc. 26(a)(1)(B) (emphasis added).

Parties shall provide:

1. The name, address, and telephone number of each individual who may have discoverable information, along with the subject of that information. This includes any individual and subject that would or could support (for Complainant) his claim or (for Respondent) its “defense.”<sup>5</sup>
2. A copy of each document, or the description and location of each document (which includes electronically stored information or tangible things), that the disclosing party has in its possession, custody or control that would or could support (for Complainant) his claim or (for Respondent) its “defense.”<sup>6</sup>
3. A computation of damages claimed by the disclosing party. (Stated a different way, if the Complainant is seeking monetary damages, he must disclose how he calculated his proposed monetary damages.) That party must make available any document or evidentiary material,<sup>7</sup> on which the computation is based, available for inspection.
4. The identity of an individual who may testify as a witness at hearing (or provide an affidavit in summary decision) when that individual has “expertise”<sup>8</sup> in a certain topic or area (whether that witness is providing factual information or an opinion) and just a summary of the topic areas of expertise (no written reports by or about this individual and/or the topic is/ are required).

Parties may stipulate to the modification of this guidance. Such an agreement must be memorialized in writing and signed by both parties. It need not be provided to the Court.

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<sup>5</sup> Unless either side determines the identity and information are for impeachment purposes.

<sup>6</sup> Unless either side determines the identity and information are for impeachment purposes.

<sup>7</sup> Provided it is not privileged or otherwise protected.

<sup>8</sup> Expertise, in this context, is defined as someone whose “scientific, technical, or other specialized knowledge will help [the judge] understand [other evidence presented in the case].” Fed. R. Evid. 702(a).

Additionally, some witnesses with expertise may be able to provide an opinion based on their expertise under certain conditions – the identity of such an individual should also be disclosed. *See* Fed. R. Evid. 703.

Some individuals with expertise who testify at a hearing may provide both facts surrounding the underlying claim at issue (i.e. in a non-selection case, facts pertaining to the hiring process and the position at issue), and they may also have helpful expertise about a technical topic. Even in such an instance, Federal Rule of Evidence 702 is likely triggered and disclosure is required. *See generally Goodman v. Staples The Office Superstore, LLC*, 644 F.3d 817 (9th Cir. 2011).

More germane to the likely issues here, this guidance could apply to an interviewer, hiring manager, or candidate for a technical position. Again, parties should carefully consider the Court’s guidance when they make their initial disclosures.

Parties must provide these disclosures in writing and must sign the disclosures. The signature constitutes a certification that the disclosure is complete and accurate. *See* Fed. R. Civ. Proc. 26(g)(1).

While not expressly contained in the Court's regulations at 28 C.F.R. part 68, the Court places the parties on notice it shall treat these disclosures as part and parcel of the discovery process in this case. The regulations at 28 C.F.R. § 68.18(d)(3) vest in the Administrative Law Judge the authority to impose by order a duty to supplement responses. To that end, the Court imposes through this order a duty to supplement these disclosures.

Should any questions or disputes arise regarding initial disclosures, the parties should meet and confer in an attempt to resolve them, with such efforts concluding by June 22, 2026.

Parties should be prepared to discuss any outstanding issues regarding disclosures at the next prehearing conference. If the parties would like to discuss any disclosure issue at the prehearing conference (including any oral motion practice), they should file (before 10:00am PT on June 23, 2026) any document(s) they want the Court to consider related to a disclosure issue.

Finally, parties should consider themselves on notice that, if it is shown later they failed to disclose information, they may be precluded from using that information at a later stage of the proceedings (or other consequences as appropriate). *See generally* Fed. R. Civ. Proc. 37(c).

**Case Schedule:**

Initial Disclosure Exchange	28 days from the date of this Order
Meet and Confer Efforts Conclude	22 June 2026
Prehearing Conference	23 June 2026 (at 10:30am PT login to be provided)

For planning purposes, the discovery window will likely be 90 days, and the parties can anticipate additional deadlines in the case at the next prehearing conference.

Parties shall not commence formal discovery at this time, although they are free to informally confer about the case.

SO ORDERED.

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Honorable Andrea R. Carroll-Tipton  
Administrative Law Judge