

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

August 26, 2026

|               |   |                             |
|---------------|---|-----------------------------|
| RAVI SHARMA,  | ) |                             |
| Complainant,  | ) |                             |
|               | ) |                             |
| v.            | ) | 8 U.S.C. § 1324b Proceeding |
|               | ) | OCAHO Case No. 2022B00023   |
| NVIDIA CORP., | ) |                             |
| Respondent.   | ) |                             |
| _____         | ) |                             |

Appearances: Robert J. Barton, Esq., and Marie-Lise Baroutjian, Esq., for Complainant  
K. Edward Raleigh, Esq., and Samantha Caesar, Esq., for Respondent

POST HEARING ORDER FIVE – HEARING TRANSCRIPT CERTIFICATION  
(MOTIONS FOR CORRECTIONS ADJUDICATED)

On May 11-14, 2026, the Court held an in-person hearing in the above-captioned case pursuant to 28 C.F.R. § 68.39.<sup>1</sup> Consistent with 28 C.F.R. § 68.48(a), a verbatim transcript of the hearing was generated. In accordance with 28 C.F.R. § 68.48(b)<sup>2</sup>, the parties had an opportunity to review the transcript and submit motions for corrections. Motions for corrections were due by July 17, 2026.

On July 16, 2026, Respondent provided proposed corrections to the transcript via a six-page Appendix to its Motion.

On July 16, 2026, Complainant provided proposed corrections to the transcript via its Motion, and identifies proposed corrections for Day Two and Day Four.

On July 27, 2026, Complainant filed its Opposition to Respondent’s proposed corrections, taking issue with two of the proposed revisions on Day One and one of the proposed revisions on Day Two.

On August 10, 2026, Respondent filed a motion seeking leave to reply to Complainant’s Opposition.<sup>3</sup> Through its Reply (attached to the Motion), the Respondent explains it desires an opportunity to provide further argument on Complainant’s position regarding the Day Two proposed revision.

<sup>1</sup> OCAHO Rules of Practice and Procedure, 28 C.F.R. pt. 68.

<sup>2</sup> “Corrections of the official transcript will be permitted when errors of substance are involved and only upon approval of the [ALJ.]”

<sup>3</sup> As Respondent correctly notes in its motion, replies are not permitted “unless the Administrative Law Judge provides otherwise.” 28 C.F.R. § 68.11(b). Respondent explains the Reply would permit additional argument based on the position taken by Complainant in its Opposition regarding the context of the witness’ testimony.

The Court carefully considered the annotations provided by both parties,<sup>4</sup> and revises the transcript as outlined below.

Note this Order shall be attached to the transcript and shall serve to both certify the transcript and identify all corrections made (and incorporated by reference). Parties can anticipate a separate Order detailing next steps.

---

“The choice to permit a reply or sur-reply is discretionary. *US Tech Workers et al. v. Relativity*, 20 OCAHO no. 1579, 2 (2024) (citing *Space Expl. Techs. Corp.*, 18 OCAHO no. 1499a, 4 (2023)). The Court may consider whether permitting a reply would develop the case record or address novel issues or arguments. *Id.* at 3 (citing *Sharma v. NVIDIA Corp.*, 17 OCAHO no. 1450j, 3 (2023)).” *US Tech Workers, et al. v BMO Bank, N.A.*, 20 OCAHO no. 1586a, 2 (2024).

Consistent with this precedent, and based on the proffer provided by Respondent, the Court now GRANTS Respondent’s Motion and will consider the Reply.

<sup>4</sup> To the extent a correction appears in the Table, a party who included that correction in its motion can consider the motion GRANTED (in part). To the extent a party’s correction does not appear in the Table, the party can consider the motion DENIED (in part). To ensure maximum clarity, the Court notes it:

1. Did not accept Respondent’s proposed correction on Day 1, page 42, lines 10-11, which was opposed.
2. Did not accept Respondent’s proposed correction on Day 1, page 60, line 16, which was opposed.

The proposed correction on Day 2 (page 388, line 21) warrants a bit more discussion as it was the subject of the Opposition from Complainant and the Reply from Respondent.

Specifically, Respondent moved the Court to change “can’t” to “can” in the sentence: “I can’t believe it is for a phone screen because I gave it a cultural fit;” and Complainant takes the position the transcript is accurate as is. Resp. Mot. for Corrections, Appendix A at 3; Opp’n 1. For context, this sentence comes from Respondent’s direct examination of a Respondent employees who interviewed Complainant, and others, for the position at issue. *See* Day 2 Transcript, p. 386-90. The employee is responding to questions about an Joint Exhibit 21 (his interview feedback for a selectee). *Id.* The witness states he submitted feedback in the Workday database, and recognizes the feedback memorialized in the Exhibit. *Id.*

The Transcript in its original form at pages 388-9 (cleaned up with emphasis added) appears below:

Q. And was - is your feedback there for a phone screen or for a panel interview?

A. **I can't believe it is for a phone screen because I give it a cultural fit.**

Q. And what was the... scores that you gave [the Selectee] for cultural fit and technical fit?

A. I gave [the Selectee] 5 on both.

Q. And what score did you give [the Selectee] overall?

A. I think I gave him 5 as well...

MR. RALEIGH: ... I'm going to retrieve Joint Exhibit 21 from the witness, Your Honor.

JUDGE CARROLL-TIPTON: Okay.

BY MR. RALEIGH: You also phone screened [the Complainant]?

A. ...Yes.

Based on the undersigned’s recollection of the testimony, and the additional context appearing before and after the sentence at issue, the Court will adopt Respondent’s correction. The sentence will read “I can believe it is for a phone screen because I give it a cultural fit.”

**HEARING DAY 1 (May 11, 2026)**

| <b>PAGE</b> | <b>LINE</b> | <b>CORRECTION</b>                                                       | <b>OFFERED BY</b> | <b>OPPOSED</b> |
|-------------|-------------|-------------------------------------------------------------------------|-------------------|----------------|
| 4           | 21          | Add “dated” before “January 13, 2023”                                   | Respondent        | NO             |
| 14          | 18          | Change “BA” to “B8”                                                     | Respondent        | NO             |
| 15          | 18          | Change “Exhibit 1” to “Exhibit I” (roman numeral)                       | Respondent        | NO             |
| 26          | 9           | Change “Iwanga” to “Iwanaga”                                            | Respondent        | NO             |
| 37          | 17          | Remove “not”                                                            | Respondent        | NO             |
| 41          | 12          | Change “employers” to “employees”                                       | Respondent        | NO             |
| 59          | 5           | Remove “they”                                                           | Respondent        | NO             |
| 60          | 7           | Add “are” before “more connected”                                       | Respondent        | NO             |
| 66          | 20          | Change “compliment” to “complement”                                     | Respondent        | NO             |
| 66          | 21          | Add “the” before “correct LCA”                                          | Respondent        | NO             |
| 102         | 21          | Change “training” to “screening”                                        | Respondent        | NO             |
| 113         | 12,13       | Change “10,006” to “1006”                                               | Respondent        | NO             |
| 114         | 6           | Judge Carroll-Tipton speaking                                           | Respondent        | NO             |
| 114         | 7           | Mr. Barton speaking before “If”                                         | Respondent        | NO             |
| 131         | 8           | Change “P” to “Q”                                                       | Respondent        | NO             |
| 136         | 3           | Change “Ms. Sharma” to “Mr. Sharma”                                     | Respondent        | NO             |
| 138         | 1           | Change “2002” to “2022”                                                 | Respondent        | NO             |
| 141         | 19          | Change “was” to “has”                                                   | Respondent        | NO             |
| 160         | 15          | Change “deep N-3” to “in N-3”                                           | Respondent        | NO             |
| 218         | 5           | Change “exhibit” to “objection”                                         | Respondent        | NO             |
| 251         | 11          | Change “export” to “expert”                                             | Respondent        | NO             |
| 253         | 13          | Change “logic’s” to “logic”                                             | Respondent        | NO             |
| 259         | 15          | Change “a 4S” to “and 4s”                                               | Respondent        | NO             |
| 276         | 15          | Change “Response Counsel” to “Respondent’s Counsel”                     | Respondent        | NO             |
| 280         | 17          | Change “is” to “was”                                                    | Respondent        | NO             |
| 287         | 9           | Change “2” to “II” (roman numeral)                                      | Respondent        | NO             |
| 288         | 21          | Change “Counsel” to “counsel” (verb not noun)                           | Respondent        | NO             |
| 306         | 10          | Remove “Mr. Raleigh:” (Judge Carroll-Tipton still speaking lines 10-15) | Respondent        | NO             |
| 306         | 16          | Add “Mr. Raleigh:”                                                      | Respondent        | NO             |
| 306         | 17          | Change “2” to “II” (roman numeral)                                      | Respondent        | NO             |
| 307         | 20          | Change “2” to “II” (roman numeral)                                      | Respondent        | NO             |
| 310         | 16          | Change “exhibits” to “paragraphs”                                       | Respondent        | NO             |
| 312         | 3           | Add “page” before “25”                                                  | Respondent        | NO             |

**HEARING DAY 2 (May 12, 2026)**

| <b>PAGE</b> | <b>LINE</b> | <b>CORRECTION</b>                                  | <b>OFFERED BY</b> | <b>OPPOSED</b>   |
|-------------|-------------|----------------------------------------------------|-------------------|------------------|
| 24          | 21          | Change “adjuding” to “adjudicating”                | Respondent        | NO               |
| 37          | 17          | Change “2” to “II” (roman numeral)                 | Respondent        | NO               |
| 49          | 6           | Change “2” to “II” (roman numeral)                 | Respondent        | NO               |
| 74          | 10          | Change “her” to “his”                              | Respondent        | NO               |
| 75          | 12          | Change “her” to “his”                              | Respondent        | NO               |
| 75          | 15          | Change “Krishna” to “Krishnan”                     | Respondent        | NO               |
| 76          | 21          | Change “FPG” to “FPGA”                             | Respondent        | NO               |
| 79          | 14          | Change “They” to “He”                              | Respondent        | NO               |
| 98          | 11          | Change “2001, 2002” to “2021, 2022”                | Complainant       | NO               |
| 103         | 7           | Change “Mr. Barton” to “Judge Carroll-Tipton”      | Respondent        | NO               |
| 107         | 2           | Add “I’ll retrieve” before “A-1”                   | Respondent        | NO               |
| 108         | 10          | Change “voir dire” to “further”                    | Respondent        | NO               |
| 115         | 11          | Change “fund” to “phone”                           | Respondent        | NO               |
| 116         | 14          | Change “require” to “required” (x2)                | Respondent        | NO               |
| 118         | 3           | Change “answer” to “asterisk”                      | Respondent        | NO               |
| 123         | 18          | Change “Mr. Raleigh” to “Mr. Barton”               | Respondent        | NO               |
| 124         | 1           | Change “Mr. Raleigh” to “Mr. Barton”               | Respondent        | NO               |
| 124         | 17          | Change “Mr. Raleigh” to “Mr. Barton”               | Respondent        | NO               |
| 126         | 15          | Change “voir dire” to “further”                    | Respondent        | NO               |
| 147         | 21          | Change “Gina” to “Gena”                            | Respondent        | NO               |
| 147         | 22          | Change “Knok (sic)” to “Kwok”                      | Respondent        | NO               |
| 156         | 14          | Remove “.”                                         | Respondent        | NO               |
| 172         | 12          | Change “interview” to “interviewer”                | Respondent        | NO               |
| 172         | 14          | Change “interview” to “interviewer”                | Respondent        | NO               |
| 173         | 9           | Change “interview” to “interviewer”                | Respondent        | NO               |
| 188         | 5           | Change “always” to “was”                           | Respondent        | NO               |
| 234         | 16          | Change “this” to “as”                              | Respondent        | NO               |
| 251         | 16          | Answer starting before “so”                        | Respondent        | NO               |
| 252         | 1           | Question starting before “and”                     | Respondent        | NO               |
| 282         | 14          | Change “boarder” to “broader”                      | Respondent        | NO               |
| 292         | 8           | Change “no” to “now”                               | Respondent        | NO               |
| 294         | 12          | Change “he” to “she”                               | Respondent        | NO               |
| 300         | 3           | Change “ping” to “pins”                            | Respondent        | NO               |
| 307         | 22          | Change “questionnaire” to “questions”              | Respondent        | NO               |
| 318         | 20          | Change “Joint Exhibition 45” to “Joint Exhibit 14” | Respondent        | NO               |
| 326         | 17          | Change “her” to “him”                              | Respondent        | NO               |
| 361         | 10          | Change “what” to “at”                              | Respondent        | NO               |
| 365         | 9           | Change “eng” to “end”                              | Respondent        | NO               |
| 383         | 4           | Change “work date” to “Workday”                    | Respondent        | NO               |
| 386         | 8           | Change “MVRs” to “NV_RS”                           | Respondent        | NO               |
| 388         | 21          | Change “can’t” to “can”                            | Respondent        | YES <sup>5</sup> |
| 396         | 10          | Change “Ms. Miloni” to “Ms. Mehta”                 | Respondent        | NO               |

<sup>5</sup> *Supra* Note 4.

**HEARING DAY 3 (May 13, 2026)**

| <b>PAGE</b> | <b>LINE</b> | <b>CORRECTION</b>                                                          | <b>OFFERED BY</b> | <b>OPPOSED</b> |
|-------------|-------------|----------------------------------------------------------------------------|-------------------|----------------|
| 23          | 5           | Change “a mail” to “an email”                                              | Respondent        | NO             |
| 47          | 7           | Change “them” to “you”                                                     | Respondent        | NO             |
| 61          | 8           | Change “Krishna” to “Krishnan”                                             | Respondent        | NO             |
| 93          | 6           | Change “man” to “manager”                                                  | Respondent        | NO             |
| 158         | 7           | Add “--” before “Mr.”                                                      | Respondent        | NO             |
| 166         | 13          | Change “Krishna” to “Krishnan”                                             | Respondent        | NO             |
| 183         | 14          | Change “pole” to “pull”                                                    | Respondent        | NO             |
| 185         | 6           | Change “Christian” to “Krishnan”                                           | Respondent        | NO             |
| 186         | 13          | Change “engineer” to “engineering”                                         | Respondent        | NO             |
| 186         | 14          | Change “engineer” to “engineering”                                         | Respondent        | NO             |
| 192         | 16          | Change “rec” to “req”                                                      | Respondent        | NO             |
| 196         | 4           | Change “rec” to “req”                                                      | Respondent        | NO             |
| 198         | 4           | Change “promised” to “promise”                                             | Respondent        | NO             |
| 199         | 1           | Change “vision” to “decision”                                              | Respondent        | NO             |
| 209         | 4           | Change “FPG” to “FPGA”                                                     | Respondent        | NO             |
| 211         | 9           | Change “screamed” to “screened”                                            | Respondent        | NO             |
| 224         | 15          | Change “interviews” to “interviewers”                                      | Respondent        | NO             |
| 230         | 5           | Change “Ms.” to “Mr.”                                                      | Respondent        | NO             |
| 231         | 21          | Change “rec” to “req”                                                      | Respondent        | NO             |
| 233         | 2           | Change “interview” to “interviewer”                                        | Respondent        | NO             |
| 239         | 2           | Change “interviews” to “interviewers”                                      | Respondent        | NO             |
| 260         | 13          | Change “team Kotkar” to “Niteen Patkar”                                    | Respondent        | NO             |
| 262         | 12          | Change “his” to “her”                                                      | Respondent        | NO             |
| 264         | 11          | Change “books” to “clocks”                                                 | Respondent        | NO             |
| 266         | 22          | Remove “of”                                                                | Respondent        | NO             |
| 267         | 1           | Change “of PGA” to “FPGA”                                                  | Respondent        | NO             |
| 269         | 11          | Change “tipping” to “taping”                                               | Respondent        | NO             |
| 270         | 10          | Change “disqualified” to “disqualification”                                | Respondent        | NO             |
| 277         | 21          | Add “as” before “the”                                                      | Respondent        | NO             |
| 279         | 12          | Change “she” to “he”                                                       | Respondent        | NO             |
| 281         | 8           | Change “me” to “time”                                                      | Respondent        | NO             |
| 282         | 17          | Change “entering” to “ending”                                              | Respondent        | NO             |
| 297         | 6-7         | Change “Exhibit 1, to your declaration” to “Exhibit 1 to your declaration” | Respondent        | NO             |
| 298         | 12          | Change “Mr. Barton” to “Mr. Raleigh”                                       | Respondent        | NO             |
| 321         | 17          | Change “vice” to “versus”                                                  | Respondent        | NO             |
| 327         | 13          | Add “Mr. Raleigh” before “We’ll”                                           | Respondent        | NO             |
| 333         | 4           | Change “vice” to “versus”                                                  | Respondent        | NO             |
| 359         | 9           | Change “Mr. Sharma” to “Mr. Krishnan”                                      | Respondent        | NO             |
| 368         | 11          | Change “Krishna (sic)” to “Krishnan”                                       | Respondent        | NO             |
| 369         | 20          | Change “he” to “we”                                                        | Respondent        | NO             |
| 414         | 13          | Change “12:00 a.m.” to “12:00 p.m.”                                        | Respondent        | NO             |

**HEARING DAY 4 (May 14, 2026)**

| <b>PAGE</b> | <b>LINE</b> | <b>CORRECTION</b>                                                                                         | <b>OFFERED BY</b>        | <b>OPPOSED</b> |
|-------------|-------------|-----------------------------------------------------------------------------------------------------------|--------------------------|----------------|
| 9           | 14          | Change “vice” to “versus”                                                                                 | Respondent               | NO             |
| 17          | 9           | Change “vice” to “versus”                                                                                 | Respondent               | NO             |
| 32          | 7           | Replace “metrics” with “matrix”                                                                           | Complainant              | NO             |
| 33          | 5           | Replace “expert” with “exposure”                                                                          | Complainant              | NO             |
| 33          | 17          | Replace “metrics” with “matrix”                                                                           | Complainant              | NO             |
| 34          | 21          | Replace “and sometime night” with “and sometimes into the night”                                          | Complainant              | NO             |
| 43          | 1           | Replace “HPI” with “SPI”                                                                                  | Complainant              | NO             |
| 43          | 10          | Replace “HPI” with “SPI”                                                                                  | Complainant              | NO             |
| 45          | 9           | Replace “HPI” with “SPI”                                                                                  | Complainant              | NO             |
| 47          | 5           | Replace “also an FPGA” to “also does FPGA”                                                                | Complainant              | NO             |
| 47          | 19          | Delete “you -”                                                                                            | Complainant              | NO             |
| 47          | 12          | Delete “PCI-X”                                                                                            | Complainant              | NO             |
| 49          | 20          | Replace “-” with “ASIC library and”                                                                       | Complainant              | NO             |
| 54          | 1           | Replace “the Vivado Xilinx” with “Vivado”                                                                 | Complainant              | NO             |
| 59          | 3           | Add “what” before “information”                                                                           | Respondent               | NO             |
| 59          | 22          | Change “vice” to “versus”                                                                                 | Respondent               | NO             |
| 64          | 8           | Replace “has” with “have”                                                                                 | Complainant              | NO             |
| 77          | 12          | Change “vice” to “versus”                                                                                 | Respondent               | NO             |
| 78          | 5           | Change “2” to “II” (roman numeral)                                                                        | Respondent               | NO             |
| 78          | 8           | Change “2” to “II” (roman numeral)                                                                        | Respondent               | NO             |
| 79          | 9           | Change “frumbing” to “thumbing”                                                                           | Respondent               | NO             |
| 83          | 21-22       | Replace “I2C, what he was talking of. And that is wrong.” with “I2C. What he was talking about is wrong.” | Complainant              | NO             |
| 92          | 11          | Change “review in” to “reviewing”                                                                         | Respondent               | NO             |
| 92          | 12          | Change “practiced” to “practice”                                                                          | Respondent               | NO             |
| 109         | 11          | Replace “there because” with “there”                                                                      | Complainant              | NO             |
| 109         | 15          | Replace “listening” with “testifying”                                                                     | Complainant              | NO             |
| 112         | 14          | Replace “file” with “request”                                                                             | Complainant              | NO             |
| 116         | 13          | Change “Coalition” to “position”                                                                          | Respondent & Complainant | NO             |
| 116         | 14          | Replace “ear” with “year”                                                                                 | Complainant              | NO             |
| 120         | 5           | Change “vice” to “versus”                                                                                 | Respondent               | NO             |
| 126         | 13,22       | Change “Mr. Raleigh” to “Mr. Barton”                                                                      | Respondent               | NO             |
| 127         | 4,17        | Change “Mr. Raleigh” to “Mr. Barton”                                                                      | Respondent               | NO             |
| 169         | 2           | Change “acquisition” to “requisition”                                                                     | Respondent               | NO             |
| 177         | 9           | Change “Lodges” to “Law Judges”                                                                           | Respondent               | NO             |
| 194         | 12          | Replace “integrative” with “integrity”                                                                    | Complainant              | NO             |
| 197         | 11          | Remove “or”                                                                                               | Respondent               | NO             |
| 208         | 18          | Change “2” to “II” (roman numeral)                                                                        | Respondent               | NO             |
| 209         | 17          | Change “2” to “II” (roman numeral)                                                                        | Respondent               | NO             |

|     |    |                                     |                          |    |
|-----|----|-------------------------------------|--------------------------|----|
| 213 | 11 | Replace “58” with “78”              | Complainant              | NO |
| 237 | 21 | Replace “not –” with “not changed.” | Complainant              | NO |
| 238 | 12 | Replace “met” with “meet”           | Complainant              | NO |
| 240 | 4  | Change “PLXT” to “PLX”              | Respondent               | NO |
| 246 | 2  | Change “pure” to “peer”             | Respondent & Complainant | NO |
| 246 | 20 | Change “Raylink” to “Xilinx”        | Respondent               | NO |
| 272 | 18 | Change “A27” to “827”               | Respondent               | NO |

SO ORDERED.

---

Honorable Andrea R. Carroll-Tipton  
Administrative Law Judge