

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

September 28, 2026

JOHN WEIS,	)	
	)	
Complainant,	)	
	)	
v.	)	8 U.S.C. § 1324b Proceeding
	)	
	)	OCAHO Case No. 2026B00058
	)	
SERVICENOW, INC.,	)	
	)	
Respondent.	)	
_____	)	

Appearances: John Weis, pro se Complainant
Dianne L. Sweeney, Esq for Respondent

ORDER DISCHARGING ORDER TO SHOW CAUSE AND ORDER GRANTING
EXTENSION TO FILE AN ANSWER

On July 24, 2026, the Complaint in this case was filed by Mr. John Weis, pro se.

On September 15, 2026 the Court issued an Order to Show Cause due to not receiving an answer from Respondent.

On September 25, 2026 Respondent filed a submission to show good cause alongside a motion for extension of time to file an answer. In its filing, Respondent states it was just made aware of the circumstances of these proceedings, having received the Complaint and Notice of Case Assignment on September 21, 2026. (*Resp. Good Cause Submission and Mot. for Ext. of Time to File Answer at 1.*)

“OCAHO’s Rules of Practice and Procedure for Administrative Hearings do not provide specific standards for granting extensions, but the standard routinely applied is good cause.” U.S. Tech Workers, et al. v. G2 19 OCAHO no. 1569, 2 (2024)(citations omitted). Good cause exists where there is a “determination of good faith on the part of the party seeking an enlargement of time and some reasonable basis for non-compliance with the time specified in the rules”. Id.

Respondent's submission of good cause relies upon the fact that while the information was mailed to the proper address, it was not properly routed to, or received, by its legal department within the timeframe needed for a timely answer. Respondent apologizes for the oversight and describes how upon discovering the oversight, Respondent took immediate steps to retain counsel to investigate the claims presented, and proceeded to file this submission with the Court. (*Resp. Good Cause Submission and Mot. for Ext. of Time to File Answer at 1-2.*)

Respondent further asserts that it does not seek this extension for purposes of delay and will not prejudice Complainant since the case remains in its preliminary stages. Furthermore, Respondent will seek to use any extension to "*investigate the factual allegation, prepare a thorough, responsive answer, and evaluate the merits of filing a contemporaneous Motion to Dismiss the Complaint.*" (*Resp. Good Cause Submission and Mot. for Ext. of Time to File Answer at 3*).

The Court finds that Respondent's immediate actions of retaining counsel, filing a detailed submission explaining the reasons behind the failure to answer, in addition to detailing how it will use any enlargement granted by the Court evince Respondent's desire to pursue the case, demonstrate good faith, and constitute good cause. Based upon the facts stated in the motion, the Court finds that good cause exists to discharge the prior order to show cause.

In its motion, Respondent further petitions the Court to grant an extension "*up to and including November 20, 2026.*" (*Resp. Good Cause Submission and Mot. for Ext. of Time to File Answer at 4*). The Court is disinclined to grant an enlargement to such an extent and finds it prudent to follow the 30 calendar day timeframe provided by the governing regulation. *See* 28 C.F.R. § 68.9(a). A 30 calendar day enlargement is in line with prior decisions where a first request for a standard 30 calendar day extension to file an answer was deemed not to prejudice the Complainant given the early stage of the proceedings but was reasonable and warranted under the circumstances. *Cf. United States v. Space Exploration Techs. Corp.*, 18 OCAHO no. 1499, 2023 WL 7288502, at *3 (2023) (granting 30-day extension when unlikely to substantially impact the proceedings and was the first such request).

The Court finds that Complainant will not be prejudiced by the granting of Respondent's extension request for a period of 30 calendar days, given that no prehearing conferences have been held and no case deadlines have been set, being deemed reasonable and warranted under the circumstances.

Respondent's Order to Show Cause is DISCHARGED.

Respondent's Motion is GRANTED. Respondent's answer is due by **October 24, 2026**.

SO ORDERED.

Honorable Paul M. Marian
Administrative Law Judge