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

October 6, 2026

UNITED STATES OF AMERICA, Complainant, v. AMERICAS WELDERS CORP., Respondent.	)	8 U.S.C. § 1324a Proceeding OCAHO Case No. 2026A00057

Appearances: Kenric W. Narcisse, Esq., for Complainant
Jaime Diez, Esq., for Respondent

ORDER GRANTING REFERRAL TO THE SETTLEMENT OFFICER PROGRAM

I. PROCEDURAL HISTORY

This case arises under the employer sanctions provisions of the Immigration and Nationality Act (INA), as amended, 8 U.S.C. § 1324a. Complainant, the U.S. Department of Homeland Security, Immigration and Customs Enforcement, filed a complaint with the Office of the Chief Administrative Hearing Officer (OCAHO) on July 23, 2026. Complainant alleges that Respondent violated 8 U.S.C. § 1324a(a)(1)(B).

On September 2, 2026 Respondent filed an answer. On September 15, 2026 the Court issued an Order Setting Prehearing Conference and General Litigation Order. On September 21, 2026, Respondent's Initial Prehearing Statement was filed. On September 22, 2026, Complainant's Initial Prehearing Statement was filed.

On September 30, 2026 the initial prehearing conference was held. During the conference the Court informed both parties that they may attempt a voluntary resolution through the OCAHO Settlement Officer Program (SOP).

Following the prehearing conference, a Joint Motion For and Consent to Settlement Officer Program was filed.

II. REVIEW OF THE JOINT MOTION

The Joint motion is filed by Mr. Kenric W. Narcisse, Esq., on behalf of the Complainant, The United States of America and Mr. Jaime Diez, Esq., on behalf of the Respondent, America's Welders Corporation.

The motion "*respectfully request(s) that this Honorable Court order the referral of this case to a settlement officer*". (Joint Mot. for & Consent to Settlement Officer Program 1).

Furthermore, the motion includes a commitment wherein "*the parties expressly consent to participation in the Settlement Officer Program and agree to engage in settlement negotiations in good faith*". (Joint Mot. for & Consent to Settlement Officer Program 1).

III. REFERRAL GRANTED

Based on the consent and representations of the parties, the joint motion for participation in the Settlement Officer Program is GRANTED for a period of 60 calendar days starting from October 6, 2026 and ending on December 6, 2026.

The Court designates the Honorable Administrative Law Judge JOHN A. HENDERSON JR. to serve as the Settlement Officer on this matter. The parties should expect communication from the Settlement Officer with instructions on starting the mediation process in the near future.

Per the general litigation order issued by this Court on September 15, 2026, the parties are reminded that continued compliance with all standing orders is required and any motions related to the extension of discovery will only be granted upon a showing of good cause unrelated to participation in the SOP program.

If a settlement is reached the parties are required to file a joint submission informing the Court that all claims have been resolved and no disputes remain among the parties.

SO ORDERED.

Honorable Paul M. Marian
Administrative Law Judge