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

October 9, 2026

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

Appearances: John Weis, pro se Complainant
Stephanie C. Generotti, Esq., for Respondent

ORDER GRANTING RESPONDENT'S UNOPPOSED MOTION FOR EXTENSION OF TIME TO RESPOND TO COMPLAINANT'S COMPLAINT

On September 2, 2026, the Complaint in this case was filed by Mr. John Weis, *pro se*.

On September 16, 2026, the *Notice of Case Assignment*, accompanying the *Complaint*, was mailed to Respondent.

On October 7, 2026, Respondent filed its notice of appearance.

On October 8, 2026, Respondent filed its motion for enlargement of the deadline to respond to the complaint. (*Resp. Unopposed Mot. for Extension of Time to Respond to Complntn.'s Compl. 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 it received the *Notice of Case Assignment*, accompanied by the *Complaint,* via mail on or about September 22, 2026, setting its 30-calendar day deadline to file an answer as October 22, 2026. (*Resp. Unopposed Mot. for Extension of Time to Respond to Complntn.'s Compl. at* 1). Respondent seeks a 30-calendar day enlargement to file its response to the *Complaint*. *Id.* The motive for which additional time is sought is given as "*Respondent recently retained undersigned counsel to represent it at these proceedings. Respondent's counsel requires time to analyze Complainant's allegations, investigate and discuss Complainant's allegations with Respondent, and prepare a response to Complainant's allegations*." *Id*. at 1-2.

Respondent further asserts that it does not seek this first such enlargement for purposes of delay, and that the granting of the motion will not prejudice Complainant who is unopposed. *Id*. at 1. The Court finds that Respondent's recent retention of counsel, detailed request related to how it will use any enlargement granted by the Court, in addition to a lack of opposition by Complainant, 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 grant Respondent's motion.

In its motion, Respondent further petitions the Court to grant an extension *"up to and including November 23, 2026*." *(Resp. Unopposed Mot. for Extension of Time to Respond to Complntn.'s Compl. at 1-2).* The Court is disinclined to grant an enlargement to such an extent and finds it prudent to generally 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 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 enlargement 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 Motion is GRANTED. Respondent's answer is due by **November 9, 2026**.

SO ORDERED.

Honorable Paul M. Marian
Administrative Law Judge

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

October 14, 2026

JOHN WEIS,	)	
	)	
Complainant,	)	
	)	
	)	8 U.S.C. § 1324b Proceeding
v.	)	
	)	OCAHO Case No. 2026B00067
	)	
IBM CORPORTATION,	)	
	)	
Respondent.	)	
	)	

Appearances: John Weis, pro se Complainant
Stephanie C. Generotti, Esq., for Respondent

ERRATA

In the decision entitled "Order Granting Respondent's Unopposed Motion for Extension of Time to Respond to Complainant's Complaint" issued on October 9, 2026, the OCAHO Case No. on page 1 is corrected to reflect the correct case number which is OCAHO Case No. 2026B00067.

SO ORDERED.

Honorable Paul M. Marian
Administrative Law Judge