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United States v. Skydive Academy of Hawaii Corporation d/b/a Skydive Hawaii	6	OCAHO	848	1996
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Roman Udala v. New York State Department of Education	4	OCAHO	633	1994
Rosa Isela Olivares Aguirre v. KDI American Products, Inc.	6	OCAHO	882	1996
Tina B. Boyd v. Amzi Sherling, DDS	6	OCAHO	916	1997
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United States v. Koamerican Trading Corporation	1	OCAHO	63	1989
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United States v. Mr. Pablo Saucedo	1	OCAHO	41	1989
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United States v. Patricio Torres, Individually and d/b/a Superior Roof Services	1	OCAHO	75	1989
United States v. Peter P. Kelley	1	OCAHO	39	1989
United States v. Rudy Rodriguez d/b/a Rock Pest Control	1	OCAHO	158	1990
United States v. Silvio Vasquez-Guerrero d/b/a The Vasquez Company	1	OCAHO	37	1988
United States v. South Bay Auto Detail	1	OCAHO	68	1989
United States v. The Pep Boys, Manny, Moe and Jack of California	3	OCAHO	464	1992
United States v. Ulysses, Inc. and Ulysses Restaurant Group, Inc.	2	OCAHO	390	1991
United States v. Yakoff Vshivkoff d/b/a Northwest Reforestation Connections Company	1	OCAHO	88	1989
United States v. Zeferino Castillo, Individually	3	OCAHO	505	1993

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Motion to Strike

United States v. Great Earth Companies, Inc.	9	OCAHO	1070	2001
United States v. LFW Dairy Corporation	10	OCAHO	1129	2009
United States v. U.S. Style, Inc.	5	OCAHO	793	1995

No Response

D'Amico v. Erie Community College	7	OCAHO	927	1997
Galdino Casillas Garcia v. McCarron Electric Company	5	OCAHO	747	1995
Miguel A. Gallegos v. Magna-View, Inc.	4	OCAHO	628	1994
Robert Heath v. F18 Consulting and an Anonymous Employer	14	OCAHO	1365	2020
Robert Heath v. VBeyond Corporation and an Anonymous Employer	14	OCAHO	1368	2020
Tyrone Robinson v. New York State Family Court	5	OCAHO	814	1995
United States v. Anchor Seafood Distributors, Inc. d/b/a Anchor Fish Company	5	OCAHO	742	1995

United States v. Burns and Intra-Continental Enterprises	5	OCAHO	759	1995
United States v. Columbia Sportswear Manufacturers, Inc.	5	OCAHO	808	1995
United States v. Continental Forestry Service	6	OCAHO	836	1996
United States v. Cordin Company	10	OCAHO	1162	2012
United States v. Giamblis Enterprises	5	OCAHO	807	1995
United States v. Hosung Cleaning Corporation d/b/a Sun Cleaner	4	OCAHO	681	1994
United States v. Karnival Fashion, Inc.	5	OCAHO	769	1995
United States v. McDonnell Douglas Corporation	4	OCAHO	616	1994
United States v. Mushtaq Ahmed Chaudhry	4	OCAHO	666	1994
United States v. Rodeo Night Club	5	OCAHO	812	1995
United States v. Tri-Component Product Corporation	5	OCAHO	821	1995
United States v. U.S. Style, Inc.	6	OCAHO	827	1995

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Request for a Hearing

United States v. David Day d/b/a David Day Masonry	3	OCAHO	553	1993
United States v. Diamond Construction, Inc.	3	OCAHO	451	1992

United States v. Esther Flores-Martinez	4	OCAHO	698	1994
United States v. Kim Dong Hui t/a Chestnut Gourmet Restaurant	3	OCAHO	479	1992
United States v. Manuel Medina, Jr., Individually d/b/a The Montana Hideaway	3	OCAHO	485	1993
United States v. Midtown Fashion, Inc.	4	OCAHO	665	1994
United States v. Minaco Fashions, Inc.	3	OCAHO	552	1993

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United States v. Williams Produce, Inc.	4	OCAHO	671	1994

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United States v. Armando Alvarez-Suarez	4	OCAHO	655	1994
United States v. Monica Zapata-Cosio	4	OCAHO	685	1994
United States v. Spring & Soon Fashion, Inc.	8	OCAHO	1003	1998

Untimely Filing

Prakash Sinha v. INFOSYS	14	OCAHO	1373a	2020
Sutatip Uthai Woods v. Philips North America, LLC	14	OCAHO	1371	2020
United States v. A & A Maintenance Enterprise, Inc.	6	OCAHO	852	1996
United States v. A & B Carpet Steam Cleaning & General Services, Corporation	1	OCAHO	244	1990
United States v. Advanced Digital Solutions International, Inc.	14	OCAHO	1383	2020
United States v. Alberta Sosa, Inc.	5	OCAHO	739	1995
United States v. Arctic Air Conditioning & Heating, Inc., Cesar Rodriguez and Rosa Rodriguez	13	OCAHO	1341	2020
United States v. Casa Orozco, Inc.	1	OCAHO	92	1989
United States v. Charles K. Bickford, Individually and d/b/a The Doll House Lounge	1	OCAHO	69	1989
United States v. Continental Sports Corporation	4	OCAHO	640	1994
United States v. David Ley Salido d/b/a David Ley Salido Rockwall Subcontractor	1	OCAHO	81	1989
United States v. Dynasty 21 Car Wash, Inc.	1	OCAHO	282	1990
United States v. Edith Fine	1	OCAHO	116	1989
	1	OCAHO	97	1989
United States v. Fancy That, Inc. and New Fancy That, Inc. d/b/a The Great Alaskan Bush Company	3	OCAHO	446	1992

United States v. Florencio Govea	1	OCAHO	40	1989
United States v. Green Plaza, Inc.	4	OCAHO	618	1994
United States v. Gus and Candy Kirk d/b/a Kirk Enterprises	1	OCAHO	72	1989
United States v. Jesus Jose Torres	13	OCAHO	1347	2020
United States v. Lawrence H. Harrold d/b/a Diamond Pallet Company	1	OCAHO	114	1989
United States v. Maria Gregorio-Gomez	14	OCAHO	1359	2020
United States v. Martinez Cleaning Company, Inc. d/b/a Martinez Cleaners	1	OCAHO	121	1990
United States v. Midtown Fashion, Inc.	4	OCAHO	665	1994
United States v. Pita Pit Bakery, LLC	13	OCAHO	1339	2020
United States v. Popo's Bar and Restaurant	15	OCAHO	1398	2021
United States v. Redwood Office Products, Inc.	1	OCAHO	193	1990
United States v. Treescapes, Inc.	15	OCAHO	1389	2021
United States v. Yakoff Vshivkoff d/b/a Northwest Reforestation Connections Company	1	OCAHO	88	1989

ANTI-INJUNCTION ACT

Subject Matter Jurisdiction

Eric Robin Cholerton v. Robert M. Hadley Company, Inc.	7	OCAHO	934	1997

Richard F. Lareau v. US Airways, Inc. 7 OCAHO 932 1997

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Richard F. Lareau v. US Airways, Inc. 7 OCAHO 932 1997

ARBITRATION

Enforcement

Jenlih John Hsieh v. PMC - Sierra, Inc. 9 OCAHO 1096 2003

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Jenlih John Hsieh v. PMC - Sierra, Inc. 9 OCAHO 1096 2003

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Jenlih John Hsieh v. PMC - Sierra, Inc. 9 OCAHO 1096 2003

ARBITRATION

Motion to Compel

Jenlih John Hsieh v. PMC - Sierra, Inc. 9 OCAHO 1096 2003

Unconscionability

Jenlih John Hsieh v. PMC - Sierra, Inc. 9 OCAHO 1096 2003

Waiver

Jenlih John Hsieh v. PMC - Sierra, Inc. 9 OCAHO 1096 2003

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Appearance

James R. Cook v. Pro Source, Inc.	7	OCAHO	960	1997
Johnson v. Florida Power Corporation	7	OCAHO	981	1997
United States v. Esther Flores-Martinez	4	OCAHO	647	1994
United States v. Green Plaza, Inc.	4	OCAHO	618	1994
United States v. Midtown Fashion, Inc.	4	OCAHO	665	1994
United States v. Mourad Abu Remileh	4	OCAHO	680	1994
United States v. Ziagul Zekreya	4	OCAHO	683	1994

ATTORNEY

Attorneys Expected to Make Reasonable Effort to Ascertain and Follow Applicable Rules

Terri Ann Jablonski v. Kelly Legal Services, et al.	12	OCAHO	1282	2016
Terri Ann Jablonski v. Robert Half legal a/k/a Robert Half International Stock Symbol RHI	12	OCAHO	1272	2016
Terri Ann Jablonski v. Yorkson Legal, et al.	12	OCAHO	1273	2016

Attorney's Ignorance of Readily Ascertainable Law Is Not Good Cause for Failing to File Answer

United States v. Quickstuff, LLC, Its Member Maria Castillo, and A&C Staffing, LLC 11 OCAHO 1265 2015

ATTORNEY

Attorney's Ignorance of the Law Generally Does Not Constitute Good Cause or Excusable Neglect

United States v. Quickstuff, LLC, Its Member Maria Castillo, and A&C Staffing, LLC 11 OCAHO 1265 2015

Clients May Be Held Accountable for the Acts and Omissions of Their Attorneys

United States v. Quickstuff, LLC, Its Member Maria Castillo, and A&C Staffing, LLC 11 OCAHO 1265 2015

Conflict of Interest

Guy Santiglia v. Sun Microsystems, Inc. 9 OCAHO 1104 2004

Temitope Ogunrinu v. Law Resources & Arnold and Porter Kaye Scholer LLP 13 OCAHO 1332c 2020

Duty To Tribunal

Jenlih John Hsieh v. PMC - Sierra, Inc. 9 OCAHO 1089 2003

ATTORNEY

Exclusion of Opposing Counsel

Guy Santiglia v. Sun Microsystems, Inc. 9 OCAHO 1104 2004

Filings By Attorneys Expected to Conform to Traditional Standards of Practice and Professionalism

Terri Ann Jablonski v. Kelly Legal Services, et al. 12 OCAHO 1282 2016

Terri Ann Jablonski v. Robert Half legal a/k/a Robert Half International Stock Symbol RHI 12 OCAHO 1272 2016

Terri Ann Jablonski v. Yorkson Legal, et al. 12 OCAHO 1273 2016

United States v. Quickstuff, LLC, Its Member Maria Castillo, and A&C Staffing, LLC 11 OCAHO 1265 2015

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Costigan v. NYNEX	6	OCAHO	918	1997
Guy Santiglia v. Sun Microsystems, Inc.	9	OCAHO	1104	2004
Jenlih John Hsieh v. PMC - Sierra, Inc.	9	OCAHO	1089	2003
United States v. Esther Flores-Martinez	4	OCAHO	713	1994
United States v. Israel Velasquez-Tabir	6	OCAHO	872	1996
United States v. Julio Carpio-Lingan	6	OCAHO	871	1996
United States v. Nancy Mubarki	5	OCAHO	816	1995

ATTORNEY

Right to Counsel

At Government Expense

United States v. Shirley Fuimoto, Hawaii Government Employees Association	7	OCAHO	937	1997

Substitution of Attorney

Howard Eugene McNier v. San Francisco State University College of Business	8	OCAHO	1034	1999
United States v. Blueberry Hill Family Restaurant, Inc.	4	OCAHO	704	1994

ATTORNEY

Withdrawal

United States v. Butterfly Legwear, Inc. d/b/a Classic Hosiery, Inc.	6	OCAHO	900	1996
United States v. Continental Sports Corporation	5	OCAHO	799	1995
	5	OCAHO	799	1995
United States v. Cristina Galeas	5	OCAHO	790	1995
United States v. Esther Flores-Martinez	4	OCAHO	647	1994
	4	OCAHO	682	1994
United States v. Green Plaza, Inc.	4	OCAHO	618	1994
United States v. Leonor Yolanda Ortiz	6	OCAHO	905	1996
United States v. Maria Celia Aispuro-Nunez	5	OCAHO	745	1995
United States v. Mark's Electrical Contracting Corporation	4	OCAHO	641	1994
United States v. Midtown Fashion, Inc.	4	OCAHO	657	1994
	4	OCAHO	665	1994
United States v. Mireya Pedraza-Guzman	5	OCAHO	792	1995
United States v. Mourad Abu Remileh	4	OCAHO	680	1994

United States v. Nancy Mubarki	5	OCAHO	816	1995
United States v. Pan American Supply Company, Inc.	5	OCAHO	804	1995
United States v. Renato Parondo Jaque	6	OCAHO	823	1995
	6	OCAHO	823	1995
United States v. Ziagul Zekreya	4	OCAHO	683	1994

ATTORNEY FEES

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc.	14	OCAHO	1370b	2021

"Substantially Justified" EAJA Standard Does Not Apply in Private Cases Under Section 1324b

Brian Emilio Gonzalez-Hernandez v. Arizona Family Health Partnership	11	OCAHO	1254	2015
Mike De Leon v. Longoria Farms/Martin Longoria	13	OCAHO	1320a	2019
Mike De Leon, et al. v. Longoria Farms, et al.	13	OCAHO	1320	2019

Application For Fees Must Include Time Expended and Rate At Which Fees Were Computed

John A. Breda v. Kindred Braintree Hospital, LLC	11	OCAHO	1225	2014

ATTORNEY FEES

Attorney Fees Can Be Awarded Only to a Prevailing Party

Ana Maria Ravines de Schur v. Easter Seals-Goodwill Northern Rocky Mountain, Inc.	15	OCAHO	1388b	2021
John A. Breda v. Kindred Braintree Hospital, LLC	11	OCAHO	1225	2014
United States v. Keegan Varitey, LLC	11	OCAHO	1238	2014
Victor B. Palma v. Alufase USA, LLC	10	OCAHO	1213	2014

Attorney Fees Not Permited as Sanction for Frivolous Filing

Temitope Ogunrinu v. Law Resources & Arnold and Porter Kaye Scholer LLP	13	OCAHO	1332c	2020

Attorney Fees Unavailable Where Government's Position Was Substantially Justified

United States v. Keegan Varitey, LLC 11 OCAHO 1238 2014

ATTORNEY FEES

Authority of Chief Administrative Hearing Officer to Review

Mester Manufacturing Company v. United States 1 OCAHO 44 1989

1 OCAHO 44 1989

Award of Fees to a Respondent Not Appropriate Simply Because Complainant Did Not Prevail

Brian Emilio Gonzalez-Hernandez v. Arizona Family Health Partnership 11 OCAHO 1254 2015

Mike De Leon v. Longoria Farms/Martin Longoria 13 OCAHO 1320a 2019

Mike De Leon, et al. v. Longoria Farms, et al. 13 OCAHO 1320 2019

Dismissal

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Elizabeth A. Kalil v. Utica City School District 9 OCAHO 1103 2003

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Fee Applicant Bears Burden of Showing the Reasonableness of Hours Worked and Rate Claimed

John A. Breda v. Kindred Braintree Hospital, LLC 11 OCAHO 1225 2014

Fees Calculated By Lodestar Method

John A. Breda v. Kindred Braintree Hospital, LLC 11 OCAHO 1225 2014

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Anna J. Flores v. Daniel Dry Cleaners 4 OCAHO 715 1994

Chand Wije v. Barton Springs/Edwards Aquifier C.D. 5 OCAHO 785 1995

Charo's Corporation d/b/a Charo's Restaurant v. United States 5 OCAHO 761 1995

Dalila Kamal-Griffin v. Cahill Gordon & Reindel 3 OCAHO 568 1993

Esther Din Brooks v. Watts Window World	3	OCAHO	570	1993
Eusebio Huesca v. Rojas Bakery	4	OCAHO	654	1994
Gaylon D. Shepherd v. Sturm, Ruger & Company, Inc.	7	OCAHO	990	1998
Jack N. Toussaint v. Tekwood Data Processing Consulting	6	OCAHO	892	1996
Jarvis v. AK Steel	7	OCAHO	952	1997
	7	OCAHO	952	1997
Jenlih John Hsieh v. PMC - Sierra, Inc.	9	OCAHO	1091	2003
Jose Jasso v. Danbury Hilton & Towers	3	OCAHO	566	1993
Mester Manufacturing Company v. United States	1	OCAHO	44	1989
	1	OCAHO	44	1989
Michael K. Lee v. Airtouch Communications	7	OCAHO	926	1997
Mid-Atlantic Regional Organizing Coalition v. Heritage Landscaping Services, LLC	10	OCAHO	1134	2010
United States v. Applied Computer Technology	2	OCAHO	306	1991
United States v. Auburn University	4	OCAHO	646	1994
	4	OCAHO	662	1994
United States v. Charo's Corporation d/b/a Charo's Restaurant	3	OCAHO	467	1992
United States v. G.L.C. Restaurant, Inc. d/b/a Capriccio Restaurant	1	OCAHO	270	1990

United States v. G.L.C. Restaurant, Inc. d/b/a Capriccio Restaurant	1	OCAHO	216	1990
United States v. Great Earth Companies, Inc.	9	OCAHO	1070	2001
United States v. James Arnold, Individually and d/b/a Fiesta/Bonanza Motors	1	OCAHO	119	1989
United States v. Mourad Abu Remileh	6	OCAHO	864	1996
United States v. Nu Look Cleaners of Pembroke Pines, Inc.	1	OCAHO	274	1990
	2	OCAHO	303	1991
	1	OCAHO	274	1990
	2	OCAHO	303	1991
	2	OCAHO	308	1991
Wartan Bozoghlanian v. Lockheed-Advanced Development Corporation	4	OCAHO	711	1994
Werline v. Public Service Electric & Gas Company	7	OCAHO	955	1997

ATTORNEY FEES

Nonprevailing Party's Pro Se Status and Ability to Recognize Merit of Claim May Be Considered

Brian Emilio Gonzalez-Hernandez v. Arizona Family Health Partnership	11	OCAHO	1254	2015
Mike De Leon v. Longoria Farms/Martin Longoria	13	OCAHO	1320a	2019
Mike De Leon, et al. v. Longoria Farms, et al.	13	OCAHO	1320	2019

ATTORNEY FEES

Not Permitted as Sanction for Failure to Comply With Discovery Order

Mike De Leon v. Longoria Farms/Martin Longoria	13	OCAHO	1320a	2019
Mike De Leon, et al. v. Longoria Farms, et al.	13	OCAHO	1320	2019
Victor B. Palma v. Alufase USA, LLC	10	OCAHO	1213	2014

OCAHO Practice Follows Dual Standard for Awarding Attorney's Fees in Cases Under Title VII

Brian Emilio Gonzalez-Hernandez v. Arizona Family Health Partnership	11	OCAHO	1254	2015

Prevailing Complainant Not Awarded Costs and Other Expenses

John A. Breda v. Kindred Braintree Hospital, LLC	11	OCAHO	1225	2014
Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021

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Prevailing Party

Chand Wije v. Barton Springs/Edwards Aquifier C.D.	5	OCAHO	785	1995
Charo's Corporation d/b/a Charo's Restaurant v. United States	5	OCAHO	761	1995
Earl Russel Horne v. Town of Hampstead	7	OCAHO	959	1997
Joyce J. Austin v. Jitney-Jungle Stores of America, Inc.	7	OCAHO	969	1997
Michael K. Lee v. Airtouch Communications	7	OCAHO	926	1997
Robert Y. Chu v. Fujitsu Network Transmission System, Inc.	5	OCAHO	778	1995
United States v. Auburn University	4	OCAHO	688	1994
Victor B. Palma v. Alufase USA, LLC	10	OCAHO	1213	2014
Yadira Azucena Ocampo Soto v. Top Industrial, Inc.	8	OCAHO	1016	1998

Prevailing Party Determination Requires Merits Decision or Consent Decree

Victor B. Palma v. Alufase USA, LLC	10	OCAHO	1213	2014

ATTORNEY FEES

Prevailing Party in Section 1324b Cases Generally Not Entitled to Costs and Incidental Expenses

John A. Breda v. Kindred Braintree Hospital, LLC 11 OCAHO 1225 2014

Prevailing Party is Presumed to be Entitled to an Award of Attorney's Fees

John A. Breda v. Kindred Braintree Hospital, LLC 10 OCAHO 1202 2013

Prevailing Plaintiff Is Presumed To Be Entitled To An Award of Attorney's Fees

John A. Breda v. Kindred Braintree Hospital, LLC 11 OCAHO 1225 2014

Prevailing Respondent Awarded Fees Only If Complaint is Without Reasonable Foundation in Law or Fact

Brian Emilio Gonzalez-Hernandez v. Arizona Family Health Partnership 11 OCAHO 1254 2015

John A. Breda v. Kindred Braintree Hospital, LLC	11	OCAHO	1225	2014
Mike De Leon v. Longoria Farms/Martin Longoria	13	OCAHO	1320a	2019
Mike De Leon, et al. v. Longoria Farms, et al.	13	OCAHO	1320	2019

ATTORNEY FEES

Prevailing Respondent Bears the Burden of Proof to Show Entitlement to Award of Attorney's Fees

Mike De Leon v. Longoria Farms/Martin Longoria	13	OCAHO	1320a	2019
Mike De Leon, et al. v. Longoria Farms, et al.	13	OCAHO	1320	2019

Pro Se

Chand Wije v. Barton Springs/Edwards Aquifier C.D.	5	OCAHO	785	1995
Jose Jasso v. Danbury Hilton & Towers	3	OCAHO	566	1993
Maria Fuentes v. Grace Culinary Systems	6	OCAHO	873	1996
Ramnik M. Trivedi v. Northrop Corporation and Department of Defense	4	OCAHO	600	1994
Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021

ATTORNEY FEES

Pro Se Litigant Is Not Entitled to Claim Attorney's Fees for Representing Himself

John A. Breda v. Kindred Braintree Hospital, LLC 10 OCAHO 1202 2013

Pro Se Litigant Is Not Entitled to Claim Attorney's Fees for Representing Self

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP 13 OCAHO 1332j 2021

Pro Se Litigant Who Is An Attorney is not Entitled to Claim Attorney's Fees for Representing Self

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP 13 OCAHO 1332j 2021

Reasonableness Standard

Charo's Corporation d/b/a Charo's Restaurant v. United States 5 OCAHO 761 1995

Earl Russel Horne v. Town of Hampstead 7 OCAHO 959 1997

Joyce J. Austin v. Jitney-Jungle Stores of America, Inc. 7 OCAHO 969 1997

ATTORNEY FEES

Request for Attorney Fees Denied as Premature

Ana Maria Ravines de Schur v. Easter Seals-Goodwill Northern Rocky Mountain, Inc. 15 OCAHO 1388b 2021

Request for Attorney Fees for Motion to Compel Denied as Premature

Ana Maria Ravines de Schur v. Easter Seals-Goodwill Northern Rocky Mountain, Inc. 15 OCAHO 1388b 2021

Sovereign

United States v. Great Earth Companies, Inc. 9 OCAHO 1070 2001

United States v. Workrite Uniform Company, Inc. 5 OCAHO 755 1995

United States v. Zabala Vineyards 6 OCAHO 844 1996

United States v. Zabala Vineyards	6	OCAHO	844	1996

ATTORNEY FEES

Substantial Justification

Charo's Corporation d/b/a Charo's Restaurant v. United States	5	OCAHO	761	1995

Supreme Court Holding

Ramnik M. Trivedi v. Northrop Corporation and Department of Defense	4	OCAHO	600	1994

Tax Protester

Gaylon D. Shepherd v. Sturm, Ruger & Company, Inc.	7	OCAHO	990	1998
Kosatschkow v. Allen-Stevens Corporation	7	OCAHO	966	1997
Michael K. Lee v. Airtouch Communications	7	OCAHO	926	1997
Richard F. Lareau v. US Airways, Inc.	7	OCAHO	963	1997

Russell M. Hamilton v. The Recorder	7	OCAHO	978	1997

ATTORNEY/CLIENT

A Non-Attorney May Represent a Party in OCAHO Proceedings Only Upon Approval by the ALJ

Brent Leslie Reed v. DuPont Pioneer Hi-Bred International, Inc.	13	OCAHO	1321a	2019

Attorney Fees

Boris Gerardo Salazar-Castro v. Cincinnati Public Schools	3	OCAHO	406	1992
Dalila Kamal-Griffin v. Cahill Gordon & Reindel	3	OCAHO	568	1993
Errol Williams v. Lucas & Associates	1	OCAHO	254	1990
Esther Din Brooks v. Watts Window World	3	OCAHO	570	1993
Fordjour v. General Dynamics	1	OCAHO	286	1991
Jaime Banuelos v. Transportation Leasing Company	1	OCAHO	255	1990
Jesse Charles Jones v. DeWitt Nursing Home	1	OCAHO	189	1990
	1	OCAHO	266	1990

Joan A. Lardy v. United Airlines, Inc.	3	OCAHO	493	1993
John C. Grodzki v. OOCL, Inc.	1	OCAHO	295	1991
Jose Jasso v. Danbury Hilton & Towers	3	OCAHO	566	1993
Juan Francisco Martinez v. Lott Constructors, Inc.	2	OCAHO	323	1991
Juan J. Salcido v. New-Way Pork Company	3	OCAHO	425	1992
Maria Ofelia Prado-Rosales v. Montgomery Donuts, Inc.	3	OCAHO	438	1992
Michael Williamson v. Autorama, Inc.	1	OCAHO	174	1990
Omar Egal v. Sears Roebuck & Company	3	OCAHO	442	1992
Richard Becker v. Ademco Corporation d/b/a Alarm Device Manufacturing Corporation	1	OCAHO	210	1990
	1	OCAHO	107	1989
Sargon Bethishou v. Ohmite Manufacturing Company	1	OCAHO	77	1989
United States v. Educational Employment Enterprise	1	OCAHO	283	1991
	1	OCAHO	293	1991
United States v. Weld County School District	2	OCAHO	378	1991
Wisniewski v. Douglas County School System	1	OCAHO	29	1988
Yves Nguyen v. ADT Engineering, Inc.	3	OCAHO	489	1993

ATTORNEY/CLIENT

Attorney Work Product

Iron Workers Local 455 v. Lake Construction & Development Corporation	6	OCAHO	911	1997
United States v. Rose Acre Farms, Inc.	12	OCAHO	1285a	2018
	12	OCAHO	1285a	2018
	12	OCAHO	1285	2016
	12	OCAHO	1285	2016

Attorney-Client Privilege

Dave O'Brian Tingling v. City of Richmond, VA	13	OCAHO	1324	1
Mike De Leon v. Longoria Farms/Martin Longoria	13	OCAHO	1320a	2019
Mike De Leon, et al. v. Longoria Farms, et al.	13	OCAHO	1320	2019
United States v. Capital Fireproof Door	14	OCAHO	1372	2020
United States v. Rose Acre Farms, Inc.	12	OCAHO	1285a	2018

United States v. Rose Acre Farms, Inc. 12 OCAHO 1285 2016

ATTORNEY/CLIENT

Attorney-Client Privilege Does Not Protect Facts and Should Be Narrowly Construed

Mike De Leon v. Longoria Farms/Martin Longoria 13 OCAHO 1320a 2019

Mike De Leon, et al. v. Longoria Farms, et al. 13 OCAHO 1320 2019

Attorney-Client Privilege Protects Substance of Communications, Not Mere Fact of Communications

Mike De Leon v. Longoria Farms/Martin Longoria 13 OCAHO 1320a 2019

Mike De Leon, et al. v. Longoria Farms, et al. 13 OCAHO 1320 2019

Business Records Used in Normal Course of Human Resource Duties Not Privileged

United States v. Rose Acre Farms, Inc. 12 OCAHO 1285a 2018

12 OCAHO 1285 2016

ATTORNEY/CLIENT

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Alberto Izquierdo v. Victoria Nursing & Rehabilitation Center	10	OCAHO	1131	2009
Aranka M. Palancz v. Cedars Medical Center	3	OCAHO	443	1992
Jenlih John Hsieh v. PMC - Sierra, Inc.	9	OCAHO	1087	2002

Lay Representation

Alberto Izquierdo v. Victoria Nursing & Rehabilitation Center	10	OCAHO	1131	2009

Privilege Claim

In re Investigation of Wal-Mart Distribution Center, Subpoena	5	OCAHO	788	1995
Iron Workers Local 455 v. Lake Construction & Development Corporation	6	OCAHO	911	1997
Jenlih John Hsieh v. PMC - Sierra, Inc.	9	OCAHO	1084	2002

Jenlih John Hsieh v. PMC - Sierra, Inc.	9	OCAHO	1087	2002
Jenlih John Hsieh v. PMC - Sierra, Inc.	9	OCAHO	1087	2002
Jenlih John Hsieh v. PMC - Sierra, Inc.	9	OCAHO	1087	2002
Jenlih John Hsieh v. PMC - Sierra, Inc.	9	OCAHO	1087	2002
Krzysztof Zarazinski v. Anglo Fabrics, Company	4	OCAHO	643	1994
Mike De Leon v. Longoria Farms/Martin Longoria	13	OCAHO	1320a	2019
Mike De Leon, et al. v. Longoria Farms, et al.	13	OCAHO	1320	2019
United States v. Capital Fireproof Door	14	OCAHO	1372	2020
United States v. Rose Acre Farms, Inc.	12	OCAHO	1285a	2018
	12	OCAHO	1285	2016

ATTORNEY/CLIENT

Representation

Alberto Izquierdo v. Victoria Nursing & Rehabilitation Center	10	OCAHO	1131	2009
Guy Santiglia v. Sun Microsystems, Inc.	9	OCAHO	1104	2004
Guy Santiglia v. Sun Microsystems, Inc.	9	OCAHO	1097	2003
Howard Eugene McNier v. San Francisco State University College of Business	8	OCAHO	1034	1999

Jaime Banuelos v. Transportation Leasing Company	1	OCAHO	156	1990
John R. Alvarez v. Interstate Highway Construction	2	OCAHO	385	1991
Lee v. AT&T	7	OCAHO	924	1997
Lee v. AT&T	7	OCAHO	924	1997
Leonid Naginsky v. Department of Defense and EG&G Dynatrend	3	OCAHO	543	1993

ATTORNEY/CLIENT

Substitution of Attorney

Howard Eugene McNier v. San Francisco State University College of Business	8	OCAHO	1034	1999
Jesse Charles Jones v. DeWitt Nursing Home	1	OCAHO	79	1989

Withdrawal

Leonid Naginsky v. Department of Defense	5	OCAHO	795	1995
United States v. San Diego Semiconductors, Inc.	1	OCAHO	179	1990

AUTHORITY OF OCAHO

ALJ Has No Authority to Issue Order Protecting Party From Harassment Unrelated to Discovery

Ana Maria Ravines de Schur v. Easter Seals-Goodwill Northern Rocky Mountain, Inc. 15 OCAHO 1388c 2021

AUTHORITY OF OCAHO

ALJ's Authority to Issue Protective Orders Is Limited to Discovery-Related Matters

Ana Maria Ravines de Schur v. Easter Seals-Goodwill Northern Rocky Mountain, Inc. 15 OCAHO 1388c 2021

Apparent or Implied

Iron Workers Local 455 v. Lake Construction & Development Corporation 7 OCAHO 964 1997

Noemi Barragan-Mandujano Romo v. Todd Corporation 1 OCAHO 25 1988

1 OCAHO 25 1988

United States v. Marcel Watch Corporation 1 OCAHO 143 1990

Generally

United States v. Workrite Uniform Company, Inc.	5	OCAHO	755	1995

AUTHORITY OF OCAHO

Limit Scope of Discovery

Temitope Ogunrinu v. Law Resources	13	OCAHO	1332	2020
United States v. Swift & Co.	9	OCAHO	1073	2001

OCAHO Lacks Authority to Issue Restraining Orders

Ana Maria Ravines de Schur v. Easter Seals-Goodwill Northern Rocky Mountain, Inc.	15	OCAHO	1388c	2021

Regulatory

Florinda Kattan v. Union League Club of Chicago	4	OCAHO	599	1994
Sanchez v. Leobardo and Carmen Ocanas d/b/a Leo Ocanas Farm	9	OCAHO	1115	2005

United States v. Rosario Strano and Vito Strano d/b/a Strano Farms	4	OCAHO	601	1994

AUTHORITY OF OCAHO

Sanctions

Guy Santiglia v. Sun Microsystems, Inc.	9	OCAHO	1104	2004
Temitope Ogunrinu v. Law Resources & Arnold and Porter Kaye Scholer LLP	13	OCAHO	1332c	2020

Statutory

United States v. Rosario Strano and Vito Strano d/b/a Strano Farms	5	OCAHO	748	1995
	4	OCAHO	601	1994

BACK PAY

Back Pay Denied Where Complainant Made More in Interim Earnings Than Lost Wages

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021

BACK PAY

Back Pay Should Only Be Denied in Exceptional Cases

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP 13 OCAHO 1332j 2021

Back Pay Typically Ordered to Compensate Discriminate for Earnings Lost Due to Discrimination

Steven Brown, et al. v. Pilgrims Pride Corporation 14 OCAHO 1379 2020

Back Pay Typically Ordered to Compensate Individual for Earnings Lost Due to Discrimination

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP 13 OCAHO 1332j 2021

Definition

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP 13 OCAHO 1332j 2021

BACK PAY

Document Abuse

United States v. Rosario Strano and Vito Strano d/b/a Strano Farms	4	OCAHO	636	1994
Zelleka Getahun v. Dupont Merck Pharmaceutical Company	8	OCAHO	1041	1999

Duty to Mitigate Damages Under Section 1324b

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021
Temitope Ogunrinu v. Law Resources and Arnold & Porter Kaye Scholer LLP	13	OCAHO	1332e	2020

Employer Bears the Burden of Demonstrating Interim Earnings

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021

Evidence of Other Employment Is Relevant to Back Pay Determination

Temitope Ogunrinu v. Law Resources and Arnold & Porter Kaye Scholer LLP	13	OCAHO	1332e	2020

BACK PAY

Generally

Iron Workers Local 455 v. Lake Construction & Development Corporation	7	OCAHO	964	1997
United States v. A.J. Bart, Inc.	3	OCAHO	538	1993
United States v. Mojave, Inc. d/b/a Casa Jose Café, a Texas Corporation	3	OCAHO	486	1993
United States v. Redi-Cut Foods, Inc.	4	OCAHO	659	1994
Zelleka Getahun v. Dupont Merck Pharmaceutical Company	8	OCAHO	1041	1999

Mixed Motive Discrimination

United States v. Rosario Strano and Vito Strano d/b/a Strano Farms	4	OCAHO	636	1994

Statutory

Juan Antonio Martinez v. Ray's Bar-B-Que	9	OCAHO	1120	2005

BANKRUPTCY

Automatic Stay Provision of Bankruptcy Act Does Not Apply to Section 1324a Enforcement Proceedings

United States v. Quickstuff, LLC, Its Member Maria Castillo, and A&C Staffing, LLC	11	OCAHO	1265	2015

Defense(s)

United States v. Zip City Partner, L.P. d/b/a Zip City Brewing	7	OCAHO	965	1997

Generally

United States v. Agripac, Inc.	8	OCAHO	1026	1999
United States v. Broadcasters Unlimited, Inc. d/b/a KGRE AM Radio	4	OCAHO	719	1994

United States v. Covered Bridge Farm Market, Inc. d/b/a Covered Bridge Garden Center	1	OCAHO	135	1990
United States v. DAR Distributing, Inc. d/b/a DAR Cabinets	1	OCAHO	60	1989
United States v. El Charro Avitia, Inc.	7	OCAHO	971	1997
United States v. James Q. Carlson d/b/a Jimmy On The Spot	1	OCAHO	298	1991
	1	OCAHO	264	1990
United States v. Sparky's Waterfront Saloon, Inc.	1	OCAHO	126	1990
United States v. United Pottery Manufacturing & Accessories, Inc.	1	OCAHO	57	1989
	1	OCAHO	51	1989
United States v. William L. Garcia d/b/a La Buena, Inc.	7	OCAHO	950	1997

BURDEN OF PROOF

All Facts and Reasonable Inferences Viewed In Light Most Favorable to Nonmoving Party

United States v. Cawoods Produce, Inc.	12	OCAHO	1280	2016

Document Fraud

United States v. Sanchita Bhattacharya	14	OCAHO	1380	2020

BURDEN OF PROOF

Employee

Corneliu Curuta v. Tomball College	9	OCAHO	1099	2003
Dr. Mahmoud M. Hammoudah v. Rush-Presbyterian St. Luke's Medical Center	8	OCAHO	1050	2000
Leonid Naginsky v. Department of Defense and EG&G Dynatrend	6	OCAHO	891	1996
Michael K. Lee v. Airtouch Communications	6	OCAHO	901	1996
Wartan Bozoghlanian v. Raytheon Company, Electromagnetic Systems Division	4	OCAHO	660	1994

Generally

Adnan Niaz Mir v. Federal Bureau of Prisons	3	OCAHO	577	1993
Bertalina Monjaras v. Blue Ribbon Cleaners, Inc.	3	OCAHO	526	1993
Chand Wije v. Barton Springs/Edwards Aquifier C.D.	5	OCAHO	785	1995
Chao v. McDonnell Douglas Corporation	6	OCAHO	824	1995

Daniel Joseph Bendig v. Conoco, Inc.	9	OCAHO	1077	2001
Dolores Garcia Contreras v. Cascade Fruit Company	9	OCAHO	1090	2003
Florinda Kattan v. Union League Club of Chicago	3	OCAHO	586	1993
Guy Santiglia v. Sun Microsystems, Inc.	9	OCAHO	1110	2004
Iron Workers Local 455 v. Lake Construction & Development Corporation	7	OCAHO	964	1997
Jarvis v. AK Steel	7	OCAHO	930	1997
Jimmy Jack Jackai v. Dallas County Data Services	3	OCAHO	569	1993
Jorge Mario Ipina v. Michigan Jobs Commission	8	OCAHO	1036	1999
Juan Manuel Alamprese v. MNSH, Inc.	9	OCAHO	1094	2003
Kenneth Wade Parker, Jr. v. Wild Goose Storage, Inc.	9	OCAHO	1081	2002
Leonid Naginsky v. Department of Defense and EG&G Dynatrend	6	OCAHO	891	1996
Lydia Annella Anderson v. Newark Public Schools	8	OCAHO	1035	1999
Margarita Yefremov v. New York City Department of Transportation	3	OCAHO	562	1993
Maria Fuentes v. Grace Culinary Systems	6	OCAHO	873	1996
Michael K. Lee v. Airtouch Communications	6	OCAHO	901	1996
Mr. Doron Tal v. M. L. Energia, Inc.	3	OCAHO	519	1993
Programmer's Guild, Inc. v. Value Consulting, Inc.	10	OCAHO	1135	2010

Robert Y. Chu v. Fujitsu Network Transmission System, Inc.	5	OCAHO	778	1995
Stephen Salerno v. ICL Retail Systems, Inc.	3	OCAHO	481	1993
United States v. Alvand, Inc. d/b/a 410 Diner	2	OCAHO	352	1991
	2	OCAHO	352	1991
United States v. Diversified Technology and Services of Virginia, Inc.	9	OCAHO	1095	2003
United States v. Exim, Inc. and Jaime Monardes, Individually	3	OCAHO	591	1993
United States v. Leonor Yolanda Ortiz	6	OCAHO	889	1996
United States v. McDonnell Douglas Corporation	4	OCAHO	676	1994
United States v. Randall Kurzon, Individually and Alonza Restaurant Ventures, inc.	3	OCAHO	583	1993
Wartan Bozoghlanian v. Raytheon Company, Electromagnetic Systems Division	4	OCAHO	660	1994
Yves Nguyen v. ADT Engineering, Inc.	3	OCAHO	489	1993

BURDEN OF PROOF

Government

United States v. Stanford Sign and Awning, Inc.	10	OCAHO	1145	2012

Government Bears Burden of Proving Penalty and Aggravating Factors by Preponderance of Evidence

United States v. Eriksmoen Cottages, Ltd.	14	OCAHO	1355a	2020
	14	OCAHO	1355	2020
United States v. Executive Cleaning Services of Long Island, Ltd.	13	OCAHO	1314	2018
United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill	13	OCAHO	1338	2020
United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167)	11	OCAHO	1258	2015
United States v. Imacuclean Cleaning Services, LLC	13	OCAHO	1327	2019
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12	OCAHO	1286	2016
United States v. Safe-Air of Illinois, Inc.	12	OCAHO	1270	2016
United States v. Visiontron Corp.	13	OCAHO	1348	2020

BURDEN OF PROOF

Government Bears the Burden of Proof for Liability and Penalty

United States v. Century Hotels Corporation, d/b/a Scottsdale Thunderbird Suites	11	OCAHO	1218	2014
United States v. Ideal Transportation Co., Inc.	12	OCAHO	1290	2016
United States v. Natural Environmental, Inc.	10	OCAHO	1197	2013

United States v. Solutions Group International, LLC	12	OCAHO	1288	2016
United States v. Super 8 Motel & Villella Italian Restaurant	10	OCAHO	1191	2013

BURDEN OF PROOF

Government Bears the Burden of Proof on Penalty and Aggravating Factors

Margarita Garcia Ocana v. El Dorado Stone, LLC	11	OCAHO	1244	2015
United States v. 3679 Commerce Place, Inc.	12	OCAHO	1296	2017
United States v. Clean Sweep Janitor Service	11	OCAHO	1226	2014
United States v. Dr. Robert Schaus, D.D.S.	11	OCAHO	1239	2014
United States v. Durable, Inc.	11	OCAHO	1231	2014
United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12	OCAHO	1281	2016
United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12	OCAHO	1276	2016
United States v. Liberty Packaging, Inc.	11	OCAHO	1245	2015
United States v. Metropolitan Enterprises, Inc.	12	OCAHO	1297	2017
United States v. Pegasus Family Restaurant, Inc.	12	OCAHO	1293	2016
United States v. St. Croix Personnel Services, Inc.	12	OCAHO	1289	2016

BURDEN OF PROOF

Government Bears the Burden of Proving All Elements of an 8 U.S.C. Section 1324c Claim

United States v. Alma Delia Rubio-Reyes	14	OCAHO	1349a	2020
	14	OCAHO	1349	2020

Government Bears the Burden of Proving Liability by a Preponderance of the Evidence

United States v. Agri-Systems d/b/a ASI Industrial	12	OCAHO	1301	2017
United States v. Hair U Wear, LLC	11	OCAHO	1268	2016
United States v. Imacuclean Cleaning Services, LLC	13	OCAHO	1327	2019
United States v. Metropolitan Enterprises, Inc.	12	OCAHO	1297	2017
United States v. Muniz Concrete & Contracting, Inc.	12	OCAHO	1278	2016
United States v. St. Croix Personnel Services, Inc.	12	OCAHO	1289	2016
United States v. Wave Green, Inc. d/b/a Golden Farm Market	11	OCAHO	1267	2016

Government Met Burden of Proving Unauthorized Status of Some Employees

United States v. Horno MSJ, Ltd., Company	11	OCAHO	1247	2015
	11	OCAHO	1247	2015
United States v. Visiontron Corp.	13	OCAHO	1348	2020

BURDEN OF PROOF

Government Must Prove Aggravating Factor by Preponderance of Evidence

Margarita Garcia Ocana v. El Dorado Stone, LLC	11	OCAHO	1244	2015
United States v. Century Hotels Corporation, d/b/a Scottsdale Thunderbird Suites	11	OCAHO	1218	2014
United States v. Dr. Robert Schaus, D.D.S.	11	OCAHO	1239	2014
United States v. Liberty Packaging, Inc.	11	OCAHO	1245	2015
United States v. Natural Environmental, Inc.	10	OCAHO	1197	2013

Government Must Prove Existence of Aggravating Factor by Preponderance of Evidence

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12	OCAHO	1276	2016

United States v. Ideal Transportation Co., Inc.	12	OCAHO	1290	2016
United States v. New Star at Niagara Fall, Inc., d/b/a New Star Buffet	10	OCAHO	1192	2013
United States v. Super 8 Motel & Villella Italian Restaurant	10	OCAHO	1191	2013

BURDEN OF PROOF

In Considering Non-Statutory Factor, Facts Must Support Favorable Exercise of Discretion

United States v. Century Hotels Corporation, d/b/a Scottsdale Thunderbird Suites	11	OCAHO	1218	2014
United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021
United States v. Solutions Group International, LLC	12	OCAHO	1288	2016

Mitigation

United States v. Skydive Academy of Hawaii Corporation d/b/a Skydive Hawaii	6	OCAHO	848	1996

Non-Statutory Factor Considered As Matter of Equity

United States v. Century Hotels Corporation, d/b/a Scottsdale Thunderbird Suites 11 OCAHO 1218 2014

BURDEN OF PROOF

Party Invoking Jurisdiction Bears the Burden to Establish That The Court Has Jurisdiction

Li Zu v. Avalon Valley Rehabilitation Center 14 OCAHO 1376 2020

Robert Heath v. F18 Consulting and an Anonymous Employer 14 OCAHO 1365 2020

Robert Heath v. VBeyond Corporation and an Anonymous Employer 14 OCAHO 1368 2020

14 OCAHO 1368a 2020

Temitope Ogunrinu v. Law Resources & Arnold & Porter Kaye Scholer LLP 13 OCAHO 1332g 2020

United States v. Capital Fireproof Door 14 OCAHO 1372 2020

Party Moving for Extension of Time Has Burden of Showing Good Cause

Dave O'Brian Tingling v. City of Richmond, VA 13 OCAHO 1324c 2021

Party Moving for Summary Decision Must Show There Is No Genuine Issue of Material Fact

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc.	14	OCAHO	1370b	2021
Armando Huberth Crespo v. FAMSA, Inc.	13	OCAHO	1337	2019
	13	OCAHO	1337	2019
Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021
United States v. Agri-Systems d/b/a ASI Industrial	12	OCAHO	1301	2017
United States v. Alma Delia Rubio-Reyes	14	OCAHO	1349	2020
United States v. Cawoods Produce, Inc.	12	OCAHO	1280	2016
United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12	OCAHO	1281	2016
United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill	13	OCAHO	1338	2020
United States v. Golden Employment Group, Inc.	12	OCAHO	1274	2016
United States v. Hair U Wear, LLC	11	OCAHO	1268	2016
United States v. Ideal Transportation Co., Inc.	12	OCAHO	1290	2016
United States v. Imacuclean Cleaning Services, LLC	13	OCAHO	1327	2019
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12	OCAHO	1286	2016
United States v. Muniz Concrete & Contracting, Inc.	12	OCAHO	1278	2016
United States v. R2M2 Rebar & Stressing, Inc.	14	OCAHO	1357	2020

United States v. Samuel Tominiyi Fasakin	14	OCAHO	1375	2020
United States v. Solutions Group International, LLC	12	OCAHO	1288	2016
United States v. St. Croix Personnel Services, Inc.	12	OCAHO	1289	2016
United States v. Visiontron Corp.	13	OCAHO	1348	2020
United States v. Wave Green, Inc. d/b/a Golden Farm Market	11	OCAHO	1267	2016

BURDEN OF PROOF

Party Seeking Consideration of Non-Statutory Factor Bears Burden of Proof

United States v. 3679 Commerce Place, Inc.	12	OCAHO	1296	2017
United States v. Executive Cleaning Services of Long Island, Ltd.	13	OCAHO	1314	2018
United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill	13	OCAHO	1338	2020
United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12	OCAHO	1276	2016
United States v. Hartmann Studios, Inc.	11	OCAHO	1255	2015
United States v. Imacuclean Cleaning Services, LLC	13	OCAHO	1327	2019
United States v. Metropolitan Enterprises, Inc.	12	OCAHO	1297	2017
United States v. Pegasus Family Restaurant, Inc.	12	OCAHO	1293	2016
United States v. Solutions Group International, LLC	12	OCAHO	1288	2016

BURDEN OF PROOF

Party Seeking Consideration of Non-Statutory Factor Bears Burden of Proof On That Factor

United States v. Eriksmoen Cottages, Ltd. 14 OCAHO 1355a 2020

United States v. Psychosomatic Fitness LLC 14 OCAHO 1387a 2021

Party Seeking Protective Order Has Burden of Showing Good Cause

Ana Maria Ravines de Schur v. Easter Seals-Goodwill Northern Rocky Mountain, Inc. 15 OCAHO 1388c 2021

Petitioner Bears Burden of Proving that an Administrative Subpoena is Unduly Burdensome

In re Investigation of: Space Exploration, Technologies Corp. d/b/a Space X 14 OCAHO 1378 2020

Requirements for Demonstrating Liability Under 8 U.S.C. Section 1324c

United States v. Leticia Velarde	14	OCAHO	1384	2020
	14	OCAHO	1384	2020

BURDEN OF PROOF

Retaliation

Doris Rainwater v. Doctor's Hospice of Georgia, Inc.	12	OCAHO	1300	2017
John A. Breda v. Kindred Braintree Hospital, LLC	10	OCAHO	1202	2013
Linda Chellouf v. Inter American University of Puerto Rico	12	OCAHO	1269	2016
Robert Y. Chu v. Fujitsu Network Transmission System, Inc.	5	OCAHO	778	1995
Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021

When Party Moving for Summary Decision Meets Burden, Nonmoving Party Needs Contravening Evidence

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021

Withdrawal

United States v. Auburn University 4 OCAHO 662 1994

CEASE AND DESIST

Document Fraud Violation

United States v. Leticia Velarde 14 OCAHO 1384 2020

United States v. Sanchita Bhattacharya 14 OCAHO 1380a 2021

Generally

United States v. Chuy's Paint & Body Shop 1 OCAHO 19 1988

United States v. National P.R. Engineer Corporation 1 OCAHO 146 1990

United States v. Sophie Valdez d/b/a La Parilla Restaurant 1 OCAHO 91 1989

Liability Finding Under Section 1324b Requires Issuance of Cease and Desist Order

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021
United States v. Jerry Estopy and Manuel Bortoni, d/b/a Estopy Farms	11	OCAHO	1256	2015

CEASE AND DESIST

Paperwork Requirement(s)/Violation(s)

United States v. Chuy's Paint & Body Shop	1	OCAHO	19	1988
United States v. Eduardo Gutierrez, Individually and d/b/a Diamond Tires and Wheels	3	OCAHO	554	1993
	3	OCAHO	554	1993
United States v. Elsinore Manufacturing, Inc.	1	OCAHO	5	1988
United States v. La Fiesta, Inc. d/b/a Las Margaritas	1	OCAHO	28	1988
	1	OCAHO	28	1988
United States v. National P.R. Engineer Corporation	1	OCAHO	146	1990
United States v. Patricio Torres, Individually and d/b/a Superior Roof Services	1	OCAHO	83	1989
United States v. Southwest Marine Corporation, a California Corporation	3	OCAHO	429	1992
United States v. Student Exchange International, Inc.	1	OCAHO	117	1989
United States v. Torres Mexican Food, Inc.	4	OCAHO	596	1994

CERTIFICATION

Form I-9

United States v. El Paso Hospitality, Inc.	5	OCAHO	737	1995
United States v. Giannini Landscaping, Inc.	3	OCAHO	573	1993

Generally

United States v. American Terrazzo Corporation d/b/a John Delallo Foods	6	OCAHO	829	1995

Order(s)

United States v. Mushtaq Admed Chaudhry	3	OCAHO	576	1993
United States v. Paula Schwartz d/b/a Metroplex Maid and Placement Service	5	OCAHO	760	1995
	5	OCAHO	760	1995
United States v. Pedro Dominguez	6	OCAHO	876	1996

United States v. Pedro Dominguez	6	OCAHO	876	1996
	6	OCAHO	876	1996
	6	OCAHO	876	1996
United States v. Power Operating Company	3	OCAHO	561	1993

CHIEF ADMINISTRATIVE HEARING OFFICER

Affirmation(s)

United States v. Kaday Musu Thoronka	5	OCAHO	772	1995
	5	OCAHO	772	1995
United States v. Onion River Sports, Inc.	4	OCAHO	673	1994

Authority and Jurisdiction to Review

United States v. ABC Roofing & Waterproofing, Inc.	2	OCAHO	358	1991
	2	OCAHO	358	1991
	2	OCAHO	381	1991

United States v. Dodge Printing Centers, Inc.	1	OCAHO	181	1990
United States v. Giannini Landscaping, Inc.	3	OCAHO	573	1993
United States v. Karnival Fashion, Inc.	5	OCAHO	783	1995
	5	OCAHO	783	1995
United States v. Koamerican Trading Corporation	1	OCAHO	63	1989
	1	OCAHO	63	1989
United States v. Lazy Days South, Inc.	13	OCAHO	1322	2020
United States v. Maka's Akamai Service	1	OCAHO	36	1988
	1	OCAHO	36	1988
United States v. Mitchell Greif, President, Coast Poly, LLC	10	OCAHO	1183	2013
United States v. New El Rey Sausage Company	1	OCAHO	78	1989
United States v. Paula Schwartz d/b/a Metroplex Maid and Placement Service	5	OCAHO	760	1995
	5	OCAHO	760	1995
United States v. Robert Cleek d/b/a Robert Cleek Concrete Company	1	OCAHO	182	1990
United States v. Sophie Valdez d/b/a La Parilla Restaurant	1	OCAHO	112	1989
United States v. Split Rail Fence Company, Inc.	10	OCAHO	1181	2013

CHIEF ADMINISTRATIVE HEARING OFFICER

Certification(s)

United States v. Pedro Dominguez	6	OCAHO	876	1996
	6	OCAHO	876	1996
	6	OCAHO	876	1996
	6	OCAHO	876	1996

Generally

United States v. Danny Mathis d/b/a Mathis Maspory	4	OCAHO	717	1994
	4	OCAHO	717	1995
United States v. Karnival Fashion, Inc.	5	OCAHO	783	1995
	5	OCAHO	783	1995
United States v. Mushtaq Admed Chaudhry	3	OCAHO	576	1993

Modification by the Chief Administrative Hearing Officer

United States v. Lazy Days South, Inc.	13	OCAHO	1322	2020

CHIEF ADMINISTRATIVE HEARING OFFICER

Modification(s)

United States v. Armando Alvarez-Suarez	4	OCAHO	699	1994
United States v. Corporate Loss Prevention Associates, Ltd.	6	OCAHO	908	1997
	6	OCAHO	908	1997
United States v. Javier Morales-Vargas a/k/a Daniel Avasolos-Velasqez	5	OCAHO	732	1995
	5	OCAHO	732	1995
United States v. Maria Teresa De Jesus Morales-Martinez	5	OCAHO	727	1995
	5	OCAHO	727	1995
United States v. Mohammed Noorealam	5	OCAHO	797	1995
	5	OCAHO	797	1995
United States v. Mourad Abu Remileh	5	OCAHO	724	1995
	5	OCAHO	724	1995

United States v. Simon Osagie Iyawe	5	OCAHO	744	1995

CHIEF ADMINISTRATIVE HEARING OFFICER

Notification of administrative review

United States v. Lazy Days South, Inc.	13	OCAHO	1322	2020

CITATION/CITATION PERIOD

Citation as Notice of Statutory Violation

United States v. Mario Saikhon, Inc.	1	OCAHO	279	1990
United States v. Mester Manufacturing Company	1	OCAHO	18	1988

Generally

United States v. Big Bear Market	1	OCAHO	48	1989
United States v. Citizen's Utilities Company, Inc., Telephone Division	1	OCAHO	109	1989
United States v. Interdynamics, Inc.	3	OCAHO	433	1992

United States v. Mester Manufacturing Company	1	OCAHO	18	1988
United States v. New El Rey Sausage Company	1	OCAHO	78	1989
United States v. The Body Shop	1	OCAHO	149	1990
United States v. Walia's, Inc. d/b/a Walia's Restaurant	1	OCAHO	122	1990

CITATION/CITATION PERIOD

Standard for Issuing a Citation (Reason to believe)

United States v. New El Rey Sausage Company	1	OCAHO	78	1989
United States v. The Body Shop	1	OCAHO	149	1990

CIVIL MONEY PENALTY

United States v. La Fiesta, Inc. d/b/a Las Margaritas	1	OCAHO	24	1988

Ability to Pay May Be Appropriate Factor to Consider In Assessing the Amount of the Penalty

United States v. 3679 Commerce Place, Inc.	12	OCAHO	1296	2017
United States v. Eriksmoen Cottages, Ltd.	14	OCAHO	1355a	2020
United States v. Hair U Wear, LLC	11	OCAHO	1268	2016
United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167)	11	OCAHO	1258	2015
United States v. Integrity Concrete, Inc. and American Concrete, Inc.	13	OCAHO	1307	2017
United States v. Metropolitan Warehouse, Inc.	10	OCAHO	1207	2013
United States v. Mr. Mike's Pizza, Inc.	10	OCAHO	1196	2013
United States v. Niche, Inc.	11	OCAHO	1250	2015
United States v. Pegasus Family Restaurant, Inc.	12	OCAHO	1293	2016
United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021
United States v. Safe-Air of Illinois, Inc.	12	OCAHO	1270	2016
United States v. Solutions Group International, LLC	12	OCAHO	1288	2016
United States v. The Red Coach Restaurant, Inc.	10	OCAHO	1200	2013
United States v. Wave Green, Inc. d/b/a Golden Farm Market	11	OCAHO	1267	2016

CIVIL MONEY PENALTY

Absence of Bad Faith Does Not Necessarily Show Good Faith

United States v. Visiontron Corp. 13 OCAHO 1348 2020

CIVIL MONEY PENALTY

Across-the-Board Enhancement for Presence of Only Some Unauthorized Workers Not Permitted

United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles 12 OCAHO 1281 2016

United States v. Jalisco's Bar and Grill, Inc. 11 OCAHO 1224 2014

United States v. Jula888, LLC d/b/a Para Tacos La Chilanga 12 OCAHO 1286 2016

United States v. Natural Environmental, Inc. 10 OCAHO 1197 2013

United States v. PM Packaging, Inc., and PM Corporate Group, Inc., d/b/a PM Packaging 11 OCAHO 1253 2015

Additional Factors That May Be Considered Are Party's Financials and Leniency to Small Businesses

United States v. Cawoods Produce, Inc. 12 OCAHO 1280 2016

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 2016

Aggravation

Siam Thai Sushi Restaurant, d/b/a Four Siamese Company, Inc.	10	OCAHO	1174	2013
United States v. Forsch Polymer Corporation	10	OCAHO	1156	2012
United States v. Hudson Delivery Service, Inc. d/b/a Home Delivery Service	7	OCAHO	945	1997
United States v. Natural Environmental, Inc.	10	OCAHO	1197	2013
United States v. Nebeker, Inc.	10	OCAHO	1165	2013
United States v. New China Buffet Restaurant	10	OCAHO	1132	2010
United States v. Rupson of Hyde Park, Inc. d/b/a Super 8 Motel, Hyde Park	7	OCAHO	958	1997
United States v. Snack Attack Deli, Inc.	10	OCAHO	1137	2010
United States v. Taste of China	10	OCAHO	1164	2013

CIVIL MONEY PENALTY

Aggravation - Lack of Good Faith

United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12	OCAHO	1286	2016
United States v. Modern Disposal Incorporated	10	OCAHO	1175	2013

Aggravation Based on Employer's Size of Business

United States v. Modern Disposal Incorporated	10	OCAHO	1175	2013
United States v. Siwan & Brothers, Inc. d/b/a Subway #37616	10	OCAHO	1178	2013
United States v. Siwan & Sons, Inc. d/b/a Subway #35029 and Subway #23095	10	OCAHO	1179	2013

CIVIL MONEY PENALTY

ALJ Can Consider Public Policy of Leniency to Small Entities

United States v. 3679 Commerce Place, Inc.	12	OCAHO	1296	2017
United States v. Cawoods Produce, Inc.	12	OCAHO	1280	2016
United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12	OCAHO	1276	2016
United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167)	11	OCAHO	1258	2015
United States v. Homestead Metal Recycling Corp.	11	OCAHO	1251	2015
United States v. Ideal Transportation Co., Inc.	12	OCAHO	1290	2016
United States v. Integrity Concrete, Inc. and American Concrete, Inc.	13	OCAHO	1307	2017
United States v. Muniz Concrete & Contracting, Inc.	12	OCAHO	1278	2016
United States v. Niche, Inc.	11	OCAHO	1250	2015

United States v. Pegasus Family Restaurant, Inc.	12	OCAHO	1293	2016
United States v. Solutions Group International, LLC	12	OCAHO	1288	2016
United States v. Speedy Gonzalez Construction, Inc.	11	OCAHO	1243	2015
United States v. St. Croix Personnel Services, Inc.	12	OCAHO	1289	2016

CIVIL MONEY PENALTY

ALJ Can Consider Small Business Act's Policy of Leniency for Businesses Supporting War Effort

United States v. Niche, Inc.	11	OCAHO	1250	2015

ALJ Considers Five Statutory Factors Set Out in 8 U.S.C. Section 1324a(e)(5) In Assessing the Penalty

United States v. 3679 Commerce Place, Inc.	12	OCAHO	1296	2017
United States v. Cawoods Produce, Inc.	12	OCAHO	1280	2016
United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12	OCAHO	1281	2016
United States v. Eriksmoen Cottages, Ltd.	14	OCAHO	1355a	2020
United States v. Executive Cleaning Services of Long Island, Ltd.	13	OCAHO	1314	2018

United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill	13	OCAHO	1338	2020
United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12	OCAHO	1276	2016
United States v. Golden Employment Group, Inc.	12	OCAHO	1277	2016
United States v. Hair U Wear, LLC	11	OCAHO	1268	2016
United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167)	11	OCAHO	1258	2015
United States v. Ideal Transportation Co., Inc.	12	OCAHO	1290	2016
United States v. Integrity Concrete, Inc. and American Concrete, Inc.	13	OCAHO	1307	2017
United States v. Intelli Transport Services, Inc.	13	OCAHO	1319	2019
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12	OCAHO	1286	2016
United States v. Metropolitan Enterprises, Inc.	12	OCAHO	1297	2017
United States v. Muniz Concrete & Contracting, Inc.	12	OCAHO	1278	2016
United States v. Pegasus Family Restaurant, Inc.	12	OCAHO	1293	2016
United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021
United States v. Safe-Air of Illinois, Inc.	12	OCAHO	1270	2016
United States v. Solutions Group International, LLC	12	OCAHO	1288	2016
United States v. St. Croix Personnel Services, Inc.	12	OCAHO	1289	2016
United States v. Visiontron Corp.	13	OCAHO	1348	2020

United States v. Wave Green, Inc. d/b/a Golden Farm Market 11 OCAHO 1267 2016

CIVIL MONEY PENALTY

ALJ Erred in Reducing Fine to Minimum Bases on Erroneous Assumption of Government Overreach

United States v. Crescent City Meat Company, Inc. 11 OCAHO 1217 2014

11 OCAHO 1217 2014

ALJ has Discretion to Adopt ICE's Proposed Penalty Where it is Proportionate and Suitable

Ketchikan Drywall Services, Inc. v. Immigration and Customs Enforcement; Office of the Chief Administrative Hearing Officer 10 OCAHO 1201 2013

United States v. Durable, Inc. 11 OCAHO 1231 2014

ALJ In 1324b Case Looks At Nature and Circumstances of Violation and Respondent's Conduct During Case

United States v. Jerry Estopy and Manuel Bortoni, d/b/a Estopy Farms 11 OCAHO 1256 2015

CIVIL MONEY PENALTY

ALJ Is Not Bound by ICE's Method of Calculating Penalties

United States v. Psychosomatic Fitness LLC 14 OCAHO 1387a 2021

ALJ May Consider Non-Statutory Factors As Appropriate in a Specific Case

United States v. Psychosomatic Fitness LLC 14 OCAHO 1387a 2021

United States v. Visiontron Corp. 13 OCAHO 1348 2020

ALJ May Not Assess Penalties Above Maximum Permitted by Department of Justice Regulations

United States of America v. Danielle Messineo 14 OCAHO 1367 2020

United States v. Leticia Velarde 14 OCAHO 1384 2020

ALJ Not Bound by ICE's Method of Calculating Penalties

United States v. Durable, Inc.	11	OCAHO	1231	2014
United States v. Eriksmoen Cottages, Ltd.	14	OCAHO	1355a	2020
United States v. Intelli Transport Services, Inc.	13	OCAHO	1319	2019
United States v. Metropolitan Enterprises, Inc.	12	OCAHO	1297	2017
United States v. Visiontron Corp.	13	OCAHO	1348	2020

CIVIL MONEY PENALTY

ALJ Not Required to Make Individualized Findings Regarding Each Violation

Ketchikan Drywall Services, Inc. v. Immigration and Customs Enforcement; Office of the Chief Administrative Hearing Officer	10	OCAHO	1201	2013

An Employer Demonstrates Bad Faith by Paying Unauthorized Workers in Cash Under the Table

United States v. Symmetric Solutions, Incorporated d/b/a Minerva Indian Cuisine	10	OCAHO	1209	2014

Applicable Penalty Range Depends on Date of Violations and Date of Assessment of Penalty

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021
United States of America v. Danielle Messineo	14	OCAHO	1367	2020
	14	OCAHO	1367	2020
United States v. Alma Delia Rubio-Reyes	14	OCAHO	1349a	2020
United States v. Eriksmoen Cottages, Ltd.	14	OCAHO	1355a	2020
United States v. Executive Cleaning Services of Long Island, Ltd.	13	OCAHO	1314	2018
United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill	13	OCAHO	1338	2020
United States v. Intelli Transport Services, Inc.	13	OCAHO	1319	2019
United States v. Leticia Velarde	14	OCAHO	1384	2020
United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021
United States v. Sanchita Bhattacharya	14	OCAHO	1380a	2021
United States v. Visiontron Corp.	13	OCAHO	1348	2020

CIVIL MONEY PENALTY

Assessment of Penalty Greater Than Requested

United States v. Aid Maintenance Company, Inc.	8	OCAHO	1023	1999

CIVIL MONEY PENALTY

Bad Faith Found Where Employer Appeared to Intentionally Subvert Purposes of Section 1324a(b)

United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12	OCAHO	1286	2016

Bad Faith Requires a Showing of Culpable Conduct Beyond Respondent's Verification Failures

Margarita Garcia Ocana v. El Dorado Stone, LLC	11	OCAHO	1244	2015
United States v. Dr. Robert Schaus, D.D.S.	11	OCAHO	1239	2014
United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill	13	OCAHO	1338	2020
United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167)	11	OCAHO	1258	2015
United States v. Horno MSJ, Ltd., Company	11	OCAHO	1247	2015
	11	OCAHO	1247	2015
United States v. Imacuclean Cleaning Services, LLC	13	OCAHO	1327	2019
United States v. Integrity Concrete, Inc. and American Concrete, Inc.	13	OCAHO	1307	2017

United States v. Kobe Sakura Japanese, Inc.	10	OCAHO	1205	2013
United States v. Kobe Sapporo Japanese, Inc.	10	OCAHO	1204	2013
United States v. Liberty Packaging, Inc.	11	OCAHO	1245	2015
United States v. Natural Environmental, Inc.	10	OCAHO	1197	2013
United States v. New Star at Niagara Fall, Inc., d/b/a New Star Buffet	10	OCAHO	1192	2013
United States v. Pharaoh's Gentleman's Club, Inc.	10	OCAHO	1189	2013
United States v. Platinum Builders of Central Florida, Inc.	10	OCAHO	1199	2013
United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021
United States v. Red Bowl of Cary, LLC, Inc. d/b/a Red Bowl Asian Bistro	10	OCAHO	1206	2013
United States v. Two For Seven, LLC d/b/a Black & Blue Restaurant	10	OCAHO	1208	2014
United States v. Visiontron Corp.	13	OCAHO	1348	2020

CIVIL MONEY PENALTY

Certain Statutory Factors May Be More Compelling Than Others in the Context of a Specific Case

United States v. Durable, Inc.	11	OCAHO	1231	2014
United States v. Romans Racing Stables, Inc.	11	OCAHO	1232	2014

CIVIL MONEY PENALTY

Change of Corporate Ownership After a Violation Does Not Affect History of Violations Factor

United States v. Durable, Inc. 11 OCAHO 1229 2014

Civil Penalty Assessment for 1324b Cases Looks to the Totality of the Circumstances

United States v. Jerry Estopy and Manuel Bortoni, d/b/a Estopy Farms 11 OCAHO 1256 2015

Company Tax Losses Do Not Necessarily Establish Poor Financial Condition or Inability To Pay

United States v. Mott Thoroughbred Stables, Inc. 11 OCAHO 1233 2014

Compliance

United States v. Benjamin P. Raygoza d/b/a Cielito Lindo Restaurant 5 OCAHO 729 1995

United States v. El Paso Hospitality, Inc.	5	OCAHO	737	1995
United States v. Hosung Cleaning Corporation d/b/a Sun Cleaner	4	OCAHO	670	1994

CIVIL MONEY PENALTY

Culpable Conduct Can Be Shown by Evidence that Employer Tried to Mislead Government

Margarita Garcia Ocana v. El Dorado Stone, LLC	11	OCAHO	1244	2015
United States v. Liberty Packaging, Inc.	11	OCAHO	1245	2015

Date of Penalty Assessment for Section 1324b Case is Date of Court Order Imposing Penalties

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021

Date of Penalty Assessment Is The Date ICE Serves the Notice of Intent to Fine

United States v. Eriksmoen Cottages, Ltd.	14	OCAHO	1355a	2020
United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill	13	OCAHO	1338	2020

United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021
United States v. Sanchita Bhattacharya	14	OCAHO	1380a	2021
United States v. Visiontron Corp.	13	OCAHO	1348	2020

CIVIL MONEY PENALTY

Definition

United States v. Furr's/Bishop's Cafeterias d/b/a Furr's Cafeterias	2	OCAHO	330	1991
	2	OCAHO	330	1991

Deliberate Violation of Multiple Laws Governing Employer Conduct Merits Maximum Penalty

United States v. Symmetric Solutions, Incorporated d/b/a Minerva Indian Cuisine	10	OCAHO	1209	2014

Difference in Seriousness of Violations May Be Reflected in the Final Penalty

United States v. Cawoods Produce, Inc.	12	OCAHO	1280	2016

United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12	OCAHO	1281	2016
United States v. Eriksmoen Cottages, Ltd.	14	OCAHO	1355a	2020
United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12	OCAHO	1276	2016
United States v. Hair U Wear, LLC	11	OCAHO	1268	2016
United States v. Muniz Concrete & Contracting, Inc.	12	OCAHO	1278	2016
United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021
United States v. St. Croix Personnel Services, Inc.	12	OCAHO	1289	2016
United States v. Wave Green, Inc. d/b/a Golden Farm Market	11	OCAHO	1267	2016

CIVIL MONEY PENALTY

Difference In Severity of Categories of Violations May Be Reflected in the Final Penalty

United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167)	11	OCAHO	1258	2015

Document Abuse

United States v. Monfort, Inc.	4	OCAHO	597	1994

United States v. The Beverly Center	5	OCAHO	762	1995

CIVIL MONEY PENALTY

Document Fraud

United States v. Leticia Velarde	14	OCAHO	1384	2020
United States v. Pedro Dominguez	8	OCAHO	1000	1998
	8	OCAHO	1000	1998
United States v. Sanchita Bhattacharya	14	OCAHO	1380a	2021

Double Jeopardy

United States v. Alberto Noriega-Perez	6	OCAHO	859	1996
	5	OCAHO	811	1995

Draining Funds From Business Before Civil Penalty Undercuts Ability to Pay

United States v. Psychosomatic Fitness LLC 14 OCAHO 1387a 2021

CIVIL MONEY PENALTY

Eighth Amendment

United States v. Employer Solutions Staffing Group II, LLC 11 OCAHO 1242 2015

United States v. Randall Kurzon, Individually and Alonza Restaurant Ventures, inc. 4 OCAHO 637 1994

Employer Knowledge of Employee's Unauthorized Status Not Necessary to Enhance Fine

United States v. Durable, Inc. 11 OCAHO 1229 2014

Employer's Failure to Check a Box in Section 1 Attesting to Status Is A Serious Violations

United States v. Visiontron Corp. 13 OCAHO 1348 2020

Employer's Failure to Ensure Employee Properly Completes Form I-9 Section 1 is Serious Violation

United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill 13 OCAHO 1338 2020

CIVIL MONEY PENALTY

Employer's Failure to Reverify Employee's Expired Employment Authorization Is Serious Violation

United States v. Visiontron Corp. 13 OCAHO 1348 2020

Employer's Failure to Sign Form I-9 Section 2 Is A Very Serious Violation

United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill 13 OCAHO 1338 2020

United States v. Visiontron Corp. 13 OCAHO 1348 2020

Employer's Previous Receipt of a Warning Notice Does Not Constitute History of Previous Violations

United States v. SKZ Harvesting, Inc. 11 OCAHO 1266 2016

CIVIL MONEY PENALTY

Enhancement Factor Based on Whether Specific Individual was Unauthorized

Margarita Garcia Ocana v. El Dorado Stone, LLC	11	OCAHO	1244	2015
United States v. Imacuclean Cleaning Services, LLC	13	OCAHO	1327	2019
United States v. Jalisco's Bar and Grill, Inc.	11	OCAHO	1224	2014
United States v. Liberty Packaging, Inc.	11	OCAHO	1245	2015
United States v. Romans Racing Stables, Inc.	11	OCAHO	1230	2014

Evidence of Backdating Does Not Alone Warrant a Finding of Bad Faith

United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167)	11	OCAHO	1258	2015
United States v. Imacuclean Cleaning Services, LLC	13	OCAHO	1327	2019
United States v. Integrity Concrete, Inc. and American Concrete, Inc.	13	OCAHO	1307	2017
United States v. Kobe Sakura Japanese, Inc.	10	OCAHO	1205	2013
United States v. Kobe Sapporo Japanese, Inc.	10	OCAHO	1204	2013

United States v. Metropolitan Warehouse, Inc.	10 OCAHO	1207	2013
United States v. Pharaoh's Gentleman's Club, Inc.	10 OCAHO	1189	2013
United States v. Red Bowl of Cary, LLC, Inc. d/b/a Red Bowl Asian Bistro	10 OCAHO	1206	2013
United States v. Speedy Gonzalez Construction, Inc.	11 OCAHO	1243	2015
United States v. Visiontron Corp.	13 OCAHO	1348	2020

CIVIL MONEY PENALTY

Excessive Fines Clause of Eighth Amendment Applies to Fines That Are Punitive

United States v. Employer Solutions Staffing Group II, LLC	11 OCAHO	1242	2015

Excessive Money Penalties

United States v. A&J Kyoto Japanese Restaurant, Inc.	10 OCAHO	1186	2013
United States v. Century Hotels Corporation, d/b/a Scottsdale Thunderbird Suites	11 OCAHO	1218	2014
United States v. Clean Sweep Janitor Service	11 OCAHO	1226	2014
United States v. Crescent City Meat Company, Inc.	11 OCAHO	1223	2014

United States v. La Hacienda Mexican Café	10	OCAHO	1167	2013
United States v. Mr. Mike's Pizza, Inc.	10	OCAHO	1196	2013
United States v. New Outlook Homecare, LLC	10	OCAHO	1210	2014
United States v. New Star at Niagara Fall, Inc., d/b/a New Star Buffet	10	OCAHO	1192	2013
United States v. New Sun Transit, Inc. d/b/a La Tolteca Mexican Restaurant	10	OCAHO	1194	2013
United States v. Pedro Dominguez	6	OCAHO	878	1996
United States v. Pharaoh's Gentleman's Club, Inc.	10	OCAHO	1189	2013
United States v. The Red Coach Restaurant, Inc.	10	OCAHO	1195	2013

CIVIL MONEY PENALTY

Excessiveness Determined Relative to Characteristics of Offense, Not Offender

United States v. Durable, Inc.	11	OCAHO	1221	2014

Factors

United States v. DJ Drywall, Inc.	10	OCAHO	1136	2010

United States v. Fortune East Fashion, Inc.	7	OCAHO	992	1998
United States v. New China Buffet Restaurant	10	OCAHO	1132	2010
United States v. Pedro Dominguez	8	OCAHO	1000	1998
	8	OCAHO	1000	1998
United States v. Rupson of Hyde Park, Inc. d/b/a Super 8 Motel, Hyde Park	7	OCAHO	958	1997
United States v. Snack Attack Deli, Inc.	10	OCAHO	1137	2010

CIVIL MONEY PENALTY

Failure to Complete I-9 Within Three Business Days is Serious Violation

United States v. Imacuclean Cleaning Services, LLC	13	OCAHO	1327	2019
United States v. Intelli Transport Services, Inc.	13	OCAHO	1319	2019
United States v. Visiontron Corp.	13	OCAHO	1348	2020

Failure to Conform Practices to Law After Previous Violations May Constitute Lack of Good Faith

United States v. Durable, Inc.	11	OCAHO	1231	2014

CIVIL MONEY PENALTY

Failure to Cooperate With ICE's Investigation Can Constitute Culpable Conduct

Margarita Garcia Ocana v. El Dorado Stone, LLC	11	OCAHO	1244	2015
United States v. Liberty Packaging, Inc.	11	OCAHO	1245	2015

Failure to Ensure Employee Signs Form I-9 Section 1 Is A Serious Violation

United States v. Visiontron Corp.	13	OCAHO	1348	2020

Failure to Prepare Form I-9 Among Most Serious Paperwork Violations

United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12	OCAHO	1281	2016
United States v. Golden Employment Group, Inc.	12	OCAHO	1277	2016
United States v. Hair U Wear, LLC	11	OCAHO	1268	2016
United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167)	11	OCAHO	1258	2015

United States v. Ideal Transportation Co., Inc.	12	OCAHO	1290	2016
United States v. Imacuclean Cleaning Services, LLC	13	OCAHO	1327	2019
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12	OCAHO	1286	2016
United States v. Pegasus Family Restaurant, Inc.	12	OCAHO	1293	2016
United States v. Safe-Air of Illinois, Inc.	12	OCAHO	1270	2016
United States v. Solutions Group International, LLC	12	OCAHO	1288	2016
United States v. St. Croix Personnel Services, Inc.	12	OCAHO	1289	2016
United States v. Visiontron Corp.	13	OCAHO	1348	2020
United States v. Wave Green, Inc. d/b/a Golden Farm Market	11	OCAHO	1267	2016

CIVIL MONEY PENALTY

Failure to Prepare Form I-9 Generally Warrants Higher Penalty Than Do Errors or Omissions on Form

United States v. Golden Employment Group, Inc.	12	OCAHO	1277	2016
United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021

Failure to Prepare I-9 Among Most Serious Paperwork Violations

United States v. Cawoods Produce, Inc.	12	OCAHO	1280	2016
United States v. Mott Thoroughbred Stables, Inc.	11	OCAHO	1233	2014
United States v. PM Packaging, Inc., and PM Corporate Group, Inc., d/b/a PM Packaging	11	OCAHO	1253	2015
United States v. Romans Racing Stables, Inc.	11	OCAHO	1230	2014
United States v. Speedy Gonzalez Construction, Inc.	11	OCAHO	1243	2015

CIVIL MONEY PENALTY

Failure to Prepare I-9 More Serious Than Paperwork Violations

United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021
United States v. Senox Corporation	11	OCAHO	1219	2014

Failure to Present I-9 Forms Due to Loss Is Still a Serious Violation

United States v. Speedy Gonzalez Construction, Inc.	11	OCAHO	1243	2015

Failure to Properly Complete I-9 Less Serious Than Failure to Prepare or Present I-9

United States v. Psychosomatic Fitness LLC 14 OCAHO 1387a 2021

United States v. Speedy Gonzalez Construction, Inc. 11 OCAHO 1243 2015

CIVIL MONEY PENALTY

Failure to Show That Certain Individuals Were Unauthorized Does Not Require Mitigation

United States v. Eriksmoen Cottages, Ltd. 14 OCAHO 1355a 2020

United States v. Romans Racing Stables, Inc. 11 OCAHO 1232 2014

Failure to Timely Prepare Form I-9 Is A Serious Violation

United States v. St. Croix Personnel Services, Inc. 12 OCAHO 1289 2016

Failure to Use E-Verify System as Mandated by State Law Does Not Warrant Finding of Bad Faith

United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021

CIVIL MONEY PENALTY

Forms I-9 May Be So Deficient That Violations Are Tantamount to Total Failure to Prepare an I-9

United States v. Cawoods Produce, Inc.	12	OCAHO	1280	2016
United States v. Wave Green, Inc. d/b/a Golden Farm Market	11	OCAHO	1267	2016

Generally

Maria Fuentes v. Grace Culinary Systems	6	OCAHO	873	1996
United States v. Alberta Sosa, Inc.	6	OCAHO	831	1996
United States v. Alyn Industries, Inc. d/b/a Electronic Source Company	10	OCAHO	1141	2011
United States v. A-Plus Roofing, Inc.	1	OCAHO	209	1990
United States v. Applied Computer Technology	2	OCAHO	367	1991
	2	OCAHO	367	1991
United States v. Armando Alvarez-Suarez	6	OCAHO	862	1996

United States v. Armando Alvarez-Suarez	6	OCAHO	862	1996
United States v. Big Bear Market	1	OCAHO	48	1989
United States v. Broadcasters Unlimited, Inc. d/b/a KGRE AM Radio	4	OCAHO	719	1994
United States v. Buckingham Limited Partnership d/b/a Mr. Wash	1	OCAHO	151	1990
United States v. Busy Corner Sportswear, Inc.	3	OCAHO	511	1993
United States v. Camidor Properties, Inc.	1	OCAHO	299	1991
United States v. Carlos Cruz d/b/a La Rosa Bakery	3	OCAHO	453	1992
United States v. Chef Rayko, Inc. d/b/a Chef Rayko's Cucina Italiana	5	OCAHO	803	1995
United States v. Chuy's Paint & Body Shop	1	OCAHO	19	1988
United States v. Citizen's Utilities Company, Inc., Telephone Division	1	OCAHO	109	1989
United States v. Collins Food International, Inc. d/b/a Sizzler Restaurant	1	OCAHO	123	1990
	1	OCAHO	67	1989
United States v. Continental Sports Corporation	5	OCAHO	799	1995
	5	OCAHO	799	1995
United States v. Cristina Galeas	5	OCAHO	790	1995
United States v. Danny Mathis d/b/a Mathis Maspory	5	OCAHO	752	1995
United States v. David Day d/b/a David Day Masonry	3	OCAHO	575	1993

United States v. Davis Nursery, Inc.	4	OCAHO	694	1994
United States v. Diamond Construction, Inc.	3	OCAHO	451	1992
United States v. Dodge Printing Centers, Inc.	1	OCAHO	125	1990
United States v. Dr. Merrill Cahn, D.P.M.	1	OCAHO	127	1990
United States v. Ed Valencia & Sons, Inc. d/b/a Valladares	2	OCAHO	316	1992
United States v. El Azteca Dunkirk, Inc.	10	OCAHO	1172	2013
United States v. Elder Jerez d/b/a Green Scaping	3	OCAHO	420	1992
United States v. Felipe, Inc.	1	OCAHO	108	1989
	1	OCAHO	93	1989
United States v. Galilee Fashions, Inc.	4	OCAHO	697	1994
United States v. Gerald Hollendorfer	1	OCAHO	175	1990
United States v. Giamblis Enterprises	5	OCAHO	817	1995
United States v. Gloria Fashions, Inc.	6	OCAHO	887	1996
United States v. Guillermo Perales d/b/a Mexican Bakery	2	OCAHO	315	1991
United States v. Hardeep Singh	3	OCAHO	520	1993
United States v. Honeybake Farms, Inc.	2	OCAHO	311	1991
United States v. Hudson Delivery Service, Inc. d/b/a Home Delivery Service	7	OCAHO	945	1997

United States v. Hugh Jeffrey Fox d/b/a Frank & Stein	5	OCAHO	756	1995
United States v. Ice Castles Daycare Too, Inc.	10	OCAHO	1142	2011
United States v. Jesus Satarain, Individually	3	OCAHO	557	1993
United States v. Jimmy Bai Huang d/b/a Great Wall Chinese Restaurant	1	OCAHO	300	1991
United States v. Johnny Ng Lim and Christina Lim Go d/b/a The New Orient	3	OCAHO	499	1993
	3	OCAHO	512	1993
United States v. Kangaroo Express of Pueblo	3	OCAHO	581	1993
United States v. Ketchikan Drywall Services, Inc.	10	OCAHO	1139	2011
United States v. Kim Dong Hui t/a Chestnut Gourmet Restaurant	3	OCAHO	479	1992
United States v. La Casona d/b/a La Casona Mexican Restaurant	4	OCAHO	712	1994
United States v. Landscapes By Susanna	3	OCAHO	556	1993
	3	OCAHO	556	1993
	3	OCAHO	556	1993
	3	OCAHO	556	1993
United States v. Leo Yruegas d/b/a Chito's Mexican Restaurant	1	OCAHO	45	1989
United States v. M.T.S. Service Corporation d/b/a Maggie's Catering Mexico Tipico Restaurant	3	OCAHO	448	1992
United States v. Mester Manufacturing Company	1	OCAHO	18	1988

United States v. Minaco Fashions, Inc.	3	OCAHO	552	1993
United States v. Monfort, Inc.	4	OCAHO	597	1994
United States v. Nancy Mubarki	5	OCAHO	816	1995
United States v. Neighbors of Hawaii d/b/a Tower of Power	1	OCAHO	262	1990
United States v. New China Buffet Restaurant	10	OCAHO	1132	2010
United States v. Nicolas Tinoco-Medina	6	OCAHO	890	1996
United States v. Noel Plastering & Stucco, Inc.	3	OCAHO	427	1992
	2	OCAHO	319	1991
	2	OCAHO	377	1991
United States v. Onion River Sports, Inc.	4	OCAHO	673	1994
United States v. Orlando Diaz-Rosas	4	OCAHO	702	1994
United States v. Oscar Chacon, Sr.	3	OCAHO	578	1993
United States v. Pedro Dominguez	7	OCAHO	972	1997
	7	OCAHO	972	1997
United States v. Penrod National Enterprises, Inc. d/b/a Floral Bionomics Landscape Management	3	OCAHO	559	1993
	3	OCAHO	559	1993
	3	OCAHO	559	1993

United States v. Penrod National Enterprises, Inc. d/b/a Floral Bionomics Landscape Management	3	OCAHO	559	1993
United States v. Ricardo Calderon, Inc.	6	OCAHO	832	1996
	6	OCAHO	832	1996
United States v. Riverboat Delta King, Inc.	5	OCAHO	738	1995
United States v. Robert Griffin d/b/a Griff's Landscape	1	OCAHO	50	1989
United States v. Robison Fruit Ranch, Inc.	6	OCAHO	855	1996
United States v. Rosario Strano and Vito Strano d/b/a Strano Farms	5	OCAHO	748	1995
United States v. San Ysidro Ranch	1	OCAHO	183	1990
United States v. Satarain, Individually	3	OCAHO	557	1993
United States v. SDI Industries, Inc.	3	OCAHO	465	1992
United States v. Sergio Alaniz d/b/a Sagunada	1	OCAHO	297	1991
United States v. Snack Attack Deli, Inc.	10	OCAHO	1137	2010
United States v. Task Force Security, Inc. d/b/a Task Force Security and Investigations	4	OCAHO	625	1994
	3	OCAHO	563	1993
United States v. The Beverly Center	5	OCAHO	762	1995
United States v. The Wrangler's Country Café, Inc. and Henry D. Stieben	1	OCAHO	191	1990
United States v. Tom & Yu, Inc. t/a Peking Garden Restaurant	3	OCAHO	445	1992

United States v. Tuttle's Design Build, Inc.	3	OCAHO	422	1992
United States v. Ulysses, Inc. and Ulysses Restaurant Group, Inc.	3	OCAHO	449	1992
United States v. Visit USA Bureau - San Francisco, Inc.	1	OCAHO	155	1990
United States v. Wood 'N Stuff	3	OCAHO	574	1993

CIVIL MONEY PENALTY

Good Faith Assessment Looks Primarily at Steps Employer Took Before Notice of Inspection

United States v. 3679 Commerce Place, Inc.	12	OCAHO	1296	2017
United States v. Eriksmoen Cottages, Ltd.	14	OCAHO	1355a	2020
United States v. Executive Cleaning Services of Long Island, Ltd.	13	OCAHO	1314	2018
United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill	13	OCAHO	1338	2020
United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12	OCAHO	1276	2016
United States v. Hartmann Studios, Inc.	11	OCAHO	1255	2015
United States v. Imacuclean Cleaning Services, LLC	13	OCAHO	1327	2019
United States v. Integrity Concrete, Inc. and American Concrete, Inc.	13	OCAHO	1307	2017
United States v. Intelli Transport Services, Inc.	13	OCAHO	1319	2019
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12	OCAHO	1286	2016

United States v. Pegasus Family Restaurant, Inc.	12	OCAHO	1293	2016
United States v. Quickstuff, LLC, Its Member Maria Castillo, and A&C Staffing, LLC	11	OCAHO	1265	2015
United States v. Solutions Group International, LLC	12	OCAHO	1288	2016
United States v. Visiontron Corp.	13	OCAHO	1348	2020

CIVIL MONEY PENALTY

Good Faith Compliance

United States v. Alyn Industries, Inc. d/b/a Electronic Source Company	10	OCAHO	1141	2011
United States v. Four Seasons Earthworks, Inc.	10	OCAHO	1150	2012
United States v. Ketchikan Drywall Services, Inc.	10	OCAHO	1139	2011

Good Faith Defense

United States v. Anchor Seafood Distributors, Inc. d/b/a Anchor Fish Company	5	OCAHO	758	1995
United States v. Benjamin P. Raygoza d/b/a Cielito Lindo Restaurant	5	OCAHO	729	1995
United States v. Danny Mathis d/b/a Mathis Maspory	5	OCAHO	752	1995

United States v. Danny Mathis d/b/a Mathis Maspory	4	OCAHO	717	1994
	4	OCAHO	717	1995
United States v. David Jenkins	5	OCAHO	743	1995
United States v. Draper-King Cole, Inc.	7	OCAHO	933	1997
	7	OCAHO	933	1997
United States v. Four Star Knitting, Inc.	6	OCAHO	868	1996
United States v. Hudson Delivery Service, Inc. d/b/a Home Delivery Service	7	OCAHO	945	1997
United States v. Ice Castles Daycare Too, Inc.	10	OCAHO	1142	2011
United States v. Kerry J. Vicker d/b/a SNB Cleaning	5	OCAHO	819	1995
United States v. LFW Dairy Corporation	10	OCAHO	1129	2009
United States v. Mark Steven Carter d/b/a Dixie Industrial Service Company	7	OCAHO	931	1997
	6	OCAHO	865	1996
United States v. Mesabi Bituminous, Inc.	5	OCAHO	801	1995
United States v. Monroe Novelty Co., Inc. d/b/a Monroe Novelties Corporation	7	OCAHO	986	1998
United States v. Pegasus Restaurant, Inc.	10	OCAHO	1143	2012
United States v. Primera Enterprises, Inc. d/b/a J.B.'s Lounge	4	OCAHO	692	1994
United States v. Ricky Catalano d/b/a Papa Joe's Pizza	7	OCAHO	974	1997

United States v. Riverboat Delta King, Inc.	5	OCAHO	738	1995
United States v. Rupson of Hyde Park, Inc. d/b/a Super 8 Motel, Hyde Park	7	OCAHO	958	1997
United States v. Skydive Academy of Hawaii Corporation d/b/a Skydive Hawaii	6	OCAHO	848	1996
United States v. Sunshine Building Maintenance, Inc.	7	OCAHO	997	1998
United States v. Taco Plus, Inc. d/b/a Taco Loco	5	OCAHO	775	1995
United States v. Task Force Security, Inc. d/b/a Task Force Security and Investigations	4	OCAHO	625	1994
United States v. Tri-Component Product Corporation	6	OCAHO	853	1996
United States v. Vogue Pleating, Stitching & Embroidery Corporation	5	OCAHO	782	1995
United States v. Williams Produce, Inc.	5	OCAHO	730	1995

CIVIL MONEY PENALTY

Good Faith Factor Focuses on Compliance With Section 1324a Obligations

United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021

Government Bears Burden of Proving Penalty and Aggravating Factors by Preponderance of Evidence

United States v. Cawoods Produce, Inc.	12	OCAHO	1280	2016
United States v. Eriksmoen Cottages, Ltd.	14	OCAHO	1355a	2020
United States v. Executive Cleaning Services of Long Island, Ltd.	13	OCAHO	1314	2018
United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill	13	OCAHO	1338	2020
United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167)	11	OCAHO	1258	2015
United States v. Homestead Metal Recycling Corp.	11	OCAHO	1251	2015
United States v. Imacuclean Cleaning Services, LLC	13	OCAHO	1327	2019
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12	OCAHO	1286	2016
United States v. Keegan Varitey, LLC	11	OCAHO	1238	2014
United States v. Niche, Inc.	11	OCAHO	1250	2015
United States v. Visiontron Corp.	13	OCAHO	1348	2020

CIVIL MONEY PENALTY

Government Bears the Burden of Proof for Liability and Penalty

United States v. Solutions Group International, LLC	12	OCAHO	1288	2016

Government Bears the Burden of Proof on Penalty and Aggravating Factors

Margarita Garcia Ocana v. El Dorado Stone, LLC	11	OCAHO	1244	2015
United States v. 3679 Commerce Place, Inc.	12	OCAHO	1296	2017
United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12	OCAHO	1281	2016
United States v. Employer Solutions Staffing Group II, LLC	11	OCAHO	1242	2015
United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12	OCAHO	1276	2016
United States v. Golden Employment Group, Inc.	12	OCAHO	1277	2016
United States v. Golf International d/b/a Desert Canyon Golf	11	OCAHO	1222	2014
United States v. Hair U Wear, LLC	11	OCAHO	1268	2016
United States v. Intelli Transport Services, Inc.	13	OCAHO	1319	2019
United States v. Liberty Packaging, Inc.	11	OCAHO	1245	2015
United States v. Metropolitan Enterprises, Inc.	12	OCAHO	1297	2017
United States v. Muniz Concrete & Contracting, Inc.	12	OCAHO	1278	2016
United States v. Pegasus Family Restaurant, Inc.	12	OCAHO	1293	2016
United States v. PM Packaging, Inc., and PM Corporate Group, Inc., d/b/a PM Packaging	11	OCAHO	1253	2015
United States v. SKZ Harvesting, Inc.	11	OCAHO	1266	2016

United States v. Speedy Gonzalez Construction, Inc. 11 OCAHO 1243 2015

United States v. St. Croix Personnel Services, Inc. 12 OCAHO 1289 2016

United States v. Wave Green, Inc. d/b/a Golden Farm Market 11 OCAHO 1267 2016

CIVIL MONEY PENALTY

Government Must Prove Aggravating Factor by Preponderance of Evidence

Margarita Garcia Ocana v. El Dorado Stone, LLC 11 OCAHO 1244 2015

United States v. Dr. Robert Schaus, D.D.S. 11 OCAHO 1239 2014

United States v. Employer Solutions Staffing Group II, LLC 11 OCAHO 1242 2015

United States v. Kobe Sakura Japanese, Inc. 10 OCAHO 1205 2013

United States v. Kobe Sapporo Japanese, Inc. 10 OCAHO 1204 2013

United States v. Liberty Packaging, Inc. 11 OCAHO 1245 2015

United States v. Platinum Builders of Central Florida, Inc. 10 OCAHO 1199 2013

United States v. Red Bowl of Cary, LLC, Inc. d/b/a Red Bowl Asian Bistro 10 OCAHO 1206 2013

United States v. Speedy Gonzalez Construction, Inc. 11 OCAHO 1243 2015

United States v. Two For Seven, LLC d/b/a Black & Blue Restaurant 10 OCAHO 1208 2014

CIVIL MONEY PENALTY

Government Must Prove Existence of Aggravating Factor by Preponderance of Evidence

United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12	OCAHO	1281	2016
United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12	OCAHO	1276	2016
United States v. Ideal Transportation Co., Inc.	12	OCAHO	1290	2016

High Compliance Rate May Be Evidence of Good Faith

United States v. Eriksmoen Cottages, Ltd.	14	OCAHO	1355a	2020

High Noncompliance Rate Insufficient to Justify Higher Penalty for Similar Situations

United States v. Integrity Concrete, Inc. and American Concrete, Inc.	13	OCAHO	1307	2017

ICE Fine Guidelines Have No Binding Effect on OCAHO

United States v. 3679 Commerce Place, Inc.	12	OCAHO	1296	2017
United States v. Golden Employment Group, Inc.	12	OCAHO	1277	2016
United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167)	11	OCAHO	1258	2015
United States v. Ideal Transportation Co., Inc.	12	OCAHO	1290	2016
United States v. Integrity Concrete, Inc. and American Concrete, Inc.	13	OCAHO	1307	2017
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12	OCAHO	1286	2016
United States v. Keegan Varitey, LLC	11	OCAHO	1238	2014
United States v. Niche, Inc.	11	OCAHO	1250	2015
United States v. Pegasus Family Restaurant, Inc.	12	OCAHO	1293	2016
United States v. Senox Corporation	11	OCAHO	1219	2014
United States v. Solutions Group International, LLC	12	OCAHO	1288	2016
United States v. Speedy Gonzalez Construction, Inc.	11	OCAHO	1243	2015

CIVIL MONEY PENALTY

ICE Guidelines

United States v. Super 8 Motel & Villella Italian Restaurant 10 OCAHO 1191 2013

CIVIL MONEY PENALTY

If 5 Factors Considered, Statute Neither Mandates Nor Precludes Mathematical Formula to Set Fine

United States v. Senox Corporation 11 OCAHO 1219 2014

Illegal Alien(s)

United States v. Alberta Sosa, Inc. 6 OCAHO 831 1996

United States v. Alyn Industries, Inc. d/b/a Electronic Source Company 10 OCAHO 1141 2011

United States v. Chef Rayko, Inc. d/b/a Chef Rayko's Cucina Italiana 5 OCAHO 803 1995

United States v. Fortune East Fashion, Inc. 7 OCAHO 992 1998

United States v. Four Star Knitting, Inc. 6 OCAHO 868 1996

United States v. Giamblis Enterprises 6 OCAHO 834 1996

United States v. Great Bend Packing Company 6 OCAHO 835 1996

United States v. Hudson Delivery Service, Inc. d/b/a Home Delivery Service 7 OCAHO 945 1997

United States v. Randall Kurzon, Individually and Alonza Restaurant Ventures, inc.	4	OCAHO	637	1994
United States v. Ricardo Calderon, Inc.	6	OCAHO	832	1996
	6	OCAHO	832	1996
United States v. Skydive Academy of Hawaii Corporation d/b/a Skydive Hawaii	6	OCAHO	848	1996
United States v. Sunshine Building Maintenance, Inc.	7	OCAHO	997	1998
United States v. Tri-Component Product Corporation	6	OCAHO	853	1996

CIVIL MONEY PENALTY

In Section 1324c Cases, ALJ May Use a Judgmental Approach to Determine the Penalty Amount

United States v. Leticia Velarde	14	OCAHO	1384	2020

INS Guidelines

United States v. Monroe Novelty Co., Inc. d/b/a Monroe Novelties Corporation	7	OCAHO	986	1998
United States v. Pedro Dominguez	8	OCAHO	1000	1998
	8	OCAHO	1000	1998

United States v. Sunshine Building Maintenance, Inc. 7 OCAHO 997 1998

United States v. Williams Produce, Inc. 5 OCAHO 730 1995

CIVIL MONEY PENALTY

Instruction Given to Respondent to Refrain from Backdating Put Respondent on Notice of Prohibition

United States v. Kobe Sapporo Japanese, Inc. 10 OCAHO 1204 2013

Knowing Hire

United States v. Occupational Resource Management, Inc. 10 OCAHO 1166 2013

United States v. Sunshine Building Maintenance, Inc. 7 OCAHO 997 1998

Knowing Hire Violations Are Far More Serious Than Any Paperwork Violations

United States v. Foothill Packing, Inc. 11 OCAHO 1240 2015

United States v. Jalisco's Bar and Grill, Inc. 11 OCAHO 1224 2014

CIVIL MONEY PENALTY

Lack of History of Previous Violations Does Not Require the ALJ to Mitigate Civil Penalty

United States v. 3679 Commerce Place, Inc.	12	OCAHO	1296	2017
United States v. Cawoods Produce, Inc.	12	OCAHO	1280	2016
United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12	OCAHO	1281	2016
United States v. Eriksmoen Cottages, Ltd.	14	OCAHO	1355a	2020
United States v. Executive Cleaning Services of Long Island, Ltd.	13	OCAHO	1314	2018
United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill	13	OCAHO	1338	2020
United States v. Integrity Concrete, Inc. and American Concrete, Inc.	13	OCAHO	1307	2017
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12	OCAHO	1286	2016
United States v. Pegasus Family Restaurant, Inc.	12	OCAHO	1293	2016
United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021
United States v. Romans Racing Stables, Inc.	11	OCAHO	1232	2014
United States v. Solutions Group International, LLC	12	OCAHO	1288	2016
United States v. St. Croix Personnel Services, Inc.	12	OCAHO	1289	2016
United States v. The Red Coach Restaurant, Inc.	10	OCAHO	1200	2013

United States v. Visiontron Corp.	13	OCAHO	1348	2020

CIVIL MONEY PENALTY

Leniency Toward Small Entities

United States v. Clean Sweep Janitor Service	11	OCAHO	1226	2014
United States v. Crescent City Meat Company, Inc.	11	OCAHO	1223	2014
United States v. Kenneth McPeek Racing Stables, Inc.	11	OCAHO	1249	2015
United States v. Mr. Mike's Pizza, Inc.	10	OCAHO	1196	2013
United States v. New Outlook Homecare, LLC	10	OCAHO	1210	2014

Mitigation

Ahmad S. Elhajomar v. City and County of Honolulu	1	OCAHO	246	1990
	1	OCAHO	246	1990
United States v. 4431, Inc. t/a Candlelight Inn	4	OCAHO	611	1994
United States v. Adolfo Martinez, Jr., Individually d/b/a AAAA Roofing	3	OCAHO	494	1993

United States v. Alberta Sosa, Inc.	6	OCAHO	831	1996
United States v. Alyn Industries, Inc. d/b/a Electronic Source Company	10	OCAHO	1141	2011
United States v. American McNair, Inc.	1	OCAHO	285	1991
United States v. Anchor Seafood Distributors, Inc. d/b/a Anchor Fish Company	5	OCAHO	758	1995
United States v. Anders Kampe d/b/a Kampe Motors, Ltd.	3	OCAHO	462	1992
United States v. Applied Computer Technology	2	OCAHO	367	1991
	2	OCAHO	367	1991
United States v. Basim Aziz Hanna d/b/a Ferris & Ferris Pizza	1	OCAHO	200	1990
United States v. Benjamin P. Raygoza d/b/a Cielito Lindo Restaurant	5	OCAHO	729	1995
United States v. Big Bear Market	1	OCAHO	48	1989
United States v. Boo Bears Den	1	OCAHO	71	1989
United States v. Broadway Tire, Inc.	2	OCAHO	310	1991
	1	OCAHO	226	1990
United States v. Business Teleconsultants, Ltd.	3	OCAHO	565	1993
	3	OCAHO	536	1993
United States v. Busy Corner Sportswear, Inc.	3	OCAHO	511	1993
United States v. Cafe Camino Real, Inc.	2	OCAHO	307	1991

United States v. Camidor Properties, Inc.	1	OCAHO	299	1991
United States v. Carlos Cruz d/b/a La Rosa Bakery	3	OCAHO	453	1992
United States v. Central Nebraska Packing, Inc.	4	OCAHO	714	1994
United States v. Charles C. W. Wu d/b/a Airport Budget Hotel	3	OCAHO	434	1992
	3	OCAHO	434	1992
United States v. Charo's Corporation d/b/a Charo's Restaurant	2	OCAHO	369	1991
United States v. Chef Rayko, Inc. d/b/a Chef Rayko's Cucina Italiana	5	OCAHO	803	1995
United States v. China Wok Restaurant, Inc., a Nebraska Corporation	4	OCAHO	608	1994
United States v. Collins Food International, Inc. d/b/a Sizzler Restaurant	1	OCAHO	123	1990
	1	OCAHO	67	1989
United States v. Continental Sports Corporation	5	OCAHO	799	1995
	5	OCAHO	799	1995
United States v. Danny Mathis d/b/a Mathis Maspory	4	OCAHO	717	1994
	4	OCAHO	717	1995
United States v. David Day d/b/a David Day Masonry	3	OCAHO	575	1993
United States v. David Jenkins	5	OCAHO	743	1995
United States v. Davis Nursery, Inc.	4	OCAHO	694	1994

United States v. Dodge Printing Centers, Inc.	1	OCAHO	125	1990
United States v. Draper-King Cole, Inc.	7	OCAHO	933	1997
	7	OCAHO	933	1997
United States v. Eagles Groups, Inc. d/b/a Golden Eagle Services	2	OCAHO	342	1991
United States v. Ebrahim Banafsheha	3	OCAHO	525	1993
	3	OCAHO	525	1993
United States v. Ed Valencia & Sons, Inc. d/b/a Valladares	2	OCAHO	316	1992
United States v. Enrique Martinez and Herlinda Martinez d/b/a Enrique's Restaurant	2	OCAHO	360	1991
United States v. Enrique Reyes d/b/a King's Produce	4	OCAHO	592	1994
United States v. Exim, Inc. and Jaime Monardes, Individually	4	OCAHO	604	1994
	3	OCAHO	591	1993
United States v. Felipe, Inc.	1	OCAHO	93	1989
United States v. Four Seasons Earthworks, Inc.	10	OCAHO	1150	2012
United States v. Four Star Knitting, Inc.	6	OCAHO	868	1996
United States v. Gerald Hollendorfer	1	OCAHO	175	1990
United States v. Giamblis Enterprises	6	OCAHO	834	1996
United States v. Giannini Landscaping, Inc.	3	OCAHO	573	1993

United States v. Great Bend Packing Company	6	OCAHO	835	1996
United States v. GRS, Inc. d/b/a Gasket Engineering	4	OCAHO	627	1994
United States v. Guillermo Perales d/b/a Mexican Bakery	2	OCAHO	315	1991
United States v. H&H Saguaro Specialists	10	OCAHO	1147	2012
	10	OCAHO	1147	2012
United States v. Hilario Rodriguez, Jr.	1	OCAHO	276	1990
United States v. Honeybake Farms, Inc.	2	OCAHO	311	1991
United States v. Hugh Jeffrey Fox d/b/a Frank & Stein	5	OCAHO	756	1995
United States v. Ice Castles Daycare Too, Inc.	10	OCAHO	1142	2011
United States v. James Q. Carlson d/b/a Jimmy On The Spot	1	OCAHO	260	1990
	1	OCAHO	264	1990
United States v. Jennifer Dittman d/b/a Ready Room Restaurant	1	OCAHO	195	1990
United States v. Jimmy Bai Huang d/b/a Great Wall Chinese Restaurant	1	OCAHO	300	1991
United States v. John Gasper, Individually and d/b/a John Gasper Labor Contractor	2	OCAHO	394	1990
United States v. John W. Guewell & Alfred P. Cooper d/b/a Wagco Security Services	3	OCAHO	478	1992
United States v. Johnny Ng Lim and Christina Lim Go d/b/a The New Orient	3	OCAHO	499	1993
	3	OCAHO	512	1993

United States v. Joo Hyun Y and Hyung Jin Cho d/b/a LA Connection	3	OCAHO	403	1992
United States v. Juan V. Acevedo	1	OCAHO	95	1989
United States v. Kerry J. Vicker d/b/a SNB Cleaning	5	OCAHO	819	1995
United States v. Kim Dong Hui t/a Chestnut Gourmet Restaurant	3	OCAHO	479	1992
United States v. La Fiesta, Inc. d/b/a Las Margaritas	1	OCAHO	24	1988
United States v. Land Coast Insulation, Inc.	2	OCAHO	379	1991
United States v. LeMerengo/Rumors Restaurant	1	OCAHO	157	1990
United States v. Local Building & Remodeling of International Falls	3	OCAHO	567	1993
United States v. Lola O'Brien Oil d/b/a O'Brien Oil Company	1	OCAHO	166	1990
United States v. Lorenzo Robles d/b/a Lorenzo Robles Roofing and Construction	2	OCAHO	309	1991
United States v. M.T.S. Service Corporation d/b/a Maggie's Catering Mexico Tipico Restaurant	3	OCAHO	448	1992
United States v. Masoud Pour d/b/a La Plaza Restaurant	1	OCAHO	164	1990
United States v. Min Goldblatt & Sons, Inc. t/a Richfield Caterers	1	OCAHO	154	1990
United States v. Minaco Fashions, Inc.	3	OCAHO	587	1993
United States v. Morgan's Mexican & Lebanese Foods, Inc.	8	OCAHO	1013	1998
United States v. Mourad Abu Remileh	6	OCAHO	825	1995
United States v. Multimatic Products, Inc.	1	OCAHO	221	1990

United States v. New China Buffet Restaurant	10	OCAHO	1132	2010
United States v. Nicolas Tinoco-Medina	6	OCAHO	890	1996
United States v. Noel Plastering & Stucco, Inc.	3	OCAHO	427	1992
	2	OCAHO	377	1991
United States v. Orlando Diaz-Rosas	4	OCAHO	702	1994
United States v. Oscar Eduardo Villatoro-Guzman	4	OCAHO	652	1994
United States v. Pedro Dominguez	8	OCAHO	1000	1998
	8	OCAHO	1000	1998
United States v. Pegasus Restaurant, Inc.	10	OCAHO	1143	2012
United States v. Penrod National Enterprises, Inc. d/b/a Floral Bionomics Landscape Management	3	OCAHO	559	1993
	3	OCAHO	559	1993
United States v. Primera Enterprises, Inc. d/b/a J.B.'s Lounge	4	OCAHO	692	1994
United States v. Ramon Yamamoto d/b/a Elvis Palace Restaurant	3	OCAHO	424	1992
United States v. Randall Kurzon, Individually and Alonza Restaurant Ventures, inc.	3	OCAHO	583	1993
	4	OCAHO	637	1994
United States v. Ricardo Calderon, Inc.	6	OCAHO	832	1996
	6	OCAHO	832	1996

United States v. Richard Pizzuto Dimensions in Hair and Skin	3	OCAHO	447	1992
United States v. Ricky Catalano d/b/a Papa Joe's Pizza	7	OCAHO	974	1997
United States v. Riverboat Delta King, Inc.	5	OCAHO	738	1995
United States v. Robert Griffin d/b/a Griff's Landscape	1	OCAHO	50	1989
United States v. Robert Watson d/b/a North State Tile Company	1	OCAHO	253	1990
United States v. Roberto C. Davila	7	OCAHO	936	1997
	7	OCAHO	936	1997
United States v. Ron Eagley d/b/a Gwennie's Old Alaska Restaurant	3	OCAHO	435	1992
United States v. Rosario Cuevas d/b/a El Pollo Real	1	OCAHO	273	1990
United States v. Rupson of Hyde Park, Inc. d/b/a Super 8 Motel, Hyde Park	7	OCAHO	958	1997
United States v. Saeed Rahimzadeh Corporation	3	OCAHO	551	1993
United States v. Sergio Alaniz d/b/a Sagunada	1	OCAHO	297	1991
United States v. Silver Cloud Investments, Inc. d/b/a Silver Clouds Restaurant	3	OCAHO	509	1993
United States v. Skydive Academy of Hawaii Corporation d/b/a Skydive Hawaii	6	OCAHO	848	1996
United States v. Sunshine Building Maintenance, Inc.	7	OCAHO	997	1998
United States v. Taco Plus, Inc. d/b/a Taco Loco	5	OCAHO	775	1995
United States v. Task Force Security, Inc. d/b/a Task Force Security and Investigations	4	OCAHO	625	1994

United States v. The Body Shop	1	OCAHO	185	1990
United States v. Thomas R. Heisler, Individually and d/b/a The Playground Bar	1	OCAHO	150	1990
United States v. Tri-Component Product Corporation	6	OCAHO	853	1996
United States v. Ulysses, Inc. and Ulysses Restaurant Group, Inc.	3	OCAHO	449	1992
United States v. USA Café	1	OCAHO	42	1989
United States v. Williams Produce, Inc.	5	OCAHO	730	1995
United States v. Wood 'N Stuff	3	OCAHO	574	1993

CIVIL MONEY PENALTY

No Deterrent Effect When Employer Is No Longer in Business

United States v. Leed Construction, Megan Burkholder	11	OCAHO	1237	2014

Non-Statutory Factor Considered As Matter of Equity

United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021

Notice of Suspect Documents Does Not Alone Establish That Employee is Unauthorized

Margarita Garcia Ocana v. El Dorado Stone, LLC	11	OCAHO	1244	2015
United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12	OCAHO	1281	2016
United States v. Liberty Packaging, Inc.	11	OCAHO	1245	2015
United States v. Muniz Concrete & Contracting, Inc.	12	OCAHO	1278	2016
United States v. Natural Environmental, Inc.	10	OCAHO	1197	2013
United States v. PM Packaging, Inc., and PM Corporate Group, Inc., d/b/a PM Packaging	11	OCAHO	1253	2015
United States v. SKZ Harvesting, Inc.	11	OCAHO	1266	2016

CIVIL MONEY PENALTY

Notices of Discrepancies or Suspect Documents Do Not Alone Prove Employee Is Unauthorized

United States v. Imacuclean Cleaning Services, LLC	13	OCAHO	1327	2019
United States v. Integrity Concrete, Inc. and American Concrete, Inc.	13	OCAHO	1307	2017
United States v. Romans Racing Stables, Inc.	11	OCAHO	1230	2014

OCAHO ALJs May Review Penalty Assessments De Novo

United States v. 3679 Commerce Place, Inc.	12	OCAHO	1296	2017
United States v. Cawoods Produce, Inc.	12	OCAHO	1280	2016
United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12	OCAHO	1281	2016
United States v. Eriksmoen Cottages, Ltd.	14	OCAHO	1355a	2020
United States v. Executive Cleaning Services of Long Island, Ltd.	13	OCAHO	1314	2018
United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill	13	OCAHO	1338	2020
United States v. Hair U Wear, LLC	11	OCAHO	1268	2016
United States v. Ideal Transportation Co., Inc.	12	OCAHO	1290	2016
United States v. Imacuclean Cleaning Services, LLC	13	OCAHO	1327	2019
United States v. Integrity Concrete, Inc. and American Concrete, Inc.	13	OCAHO	1307	2017
United States v. Intelli Transport Services, Inc.	13	OCAHO	1319	2019
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12	OCAHO	1286	2016
United States v. Keegan Varitey, LLC	11	OCAHO	1238	2014
United States v. Metropolitan Enterprises, Inc.	12	OCAHO	1297	2017
United States v. Muniz Concrete & Contracting, Inc.	12	OCAHO	1278	2016

United States v. Pegasus Family Restaurant, Inc. 12 OCAHO 1293 2016

United States v. Psychosomatic Fitness LLC 14 OCAHO 1387a 2021

United States v. Solutions Group International, LLC 12 OCAHO 1288 2016

United States v. St. Croix Personnel Services, Inc. 12 OCAHO 1289 2016

United States v. Visiontron Corp. 13 OCAHO 1348 2020

United States v. Wave Green, Inc. d/b/a Golden Farm Market 11 OCAHO 1267 2016

CIVIL MONEY PENALTY

OCAHO Generally Considers a Business With Fewer Than 100 Employees to be a Small Business

United States v. Visiontron Corp. 13 OCAHO 1348 2020

OCAHO Has No Authority to Dictate Methods Other Agency Uses to Assess Fine

United States v. Senox Corporation 11 OCAHO 1219 2014

OCAHO May Examine ICE Fine de novo

United States v. Psychosomatic Fitness LLC 14 OCAHO 1387a 2021

United States v. Senox Corporation 11 OCAHO 1219 2014

CIVIL MONEY PENALTY

Offender's Resources Not Required Consideration In Assessing Penalty

United States v. Durable, Inc. 11 OCAHO 1221 2014

Order Imposing Civil Penalty in Section 1324b Case

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP 13 OCAHO 1332j 2021

Paperwork Violation Penalties Are Prophylactic and Corrective, Not Punitive

United States v. Employer Solutions Staffing Group II, LLC 11 OCAHO 1242 2015

Party Seeking Consideration of Equitable Factor Bears Burden of Presenting Supporting Evidence

United States v. Psychosomatic Fitness LLC 14 OCAHO 1387a 2021

CIVIL MONEY PENALTY

Party Seeking Consideration of Non-Statutory Factor Bears Burden of Proof

United States v. 3679 Commerce Place, Inc. 12 OCAHO 1296 2017

United States v. Executive Cleaning Services of Long Island, Ltd. 13 OCAHO 1314 2018

United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill 13 OCAHO 1338 2020

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 2016

United States v. Hair U Wear, LLC 11 OCAHO 1268 2016

United States v. Hartmann Studios, Inc. 11 OCAHO 1255 2015

United States v. Imacuclean Cleaning Services, LLC 13 OCAHO 1327 2019

United States v. Integrity Concrete, Inc. and American Concrete, Inc. 13 OCAHO 1307 2017

United States v. Keegan Varitey, LLC 11 OCAHO 1238 2014

United States v. Metropolitan Enterprises, Inc. 12 OCAHO 1297 2017

United States v. Niche, Inc. 11 OCAHO 1250 2015

United States v. Pegasus Family Restaurant, Inc.	12	OCAHO	1293	2016
United States v. Solutions Group International, LLC	12	OCAHO	1288	2016
United States v. Wave Green, Inc. d/b/a Golden Farm Market	11	OCAHO	1267	2016

CIVIL MONEY PENALTY

Party Seeking Consideration of Non-Statutory Factor Bears Burden of Proof On That Factor

United States v. Eriksmoen Cottages, Ltd.	14	OCAHO	1355a	2020
United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021

Pattern or Practice

United States v. Pancho's Mexican Buffet, Inc.	4	OCAHO	632	1994

Penalties Near Maximum Should Be Reserved for Most Egregious Violations

United States v. Cawoods Produce, Inc.	12	OCAHO	1280	2016

United States v. Century Hotels Corporation, d/b/a Scottsdale Thunderbird Suites	11	OCAHO	1218	2014
United States v. Clean Sweep Janitor Service	11	OCAHO	1226	2014
United States v. Crescent City Meat Company, Inc.	11	OCAHO	1223	2014
United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12	OCAHO	1281	2016
United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill	13	OCAHO	1338	2020
United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12	OCAHO	1276	2016
United States v. Golf International d/b/a Desert Canyon Golf	11	OCAHO	1222	2014
United States v. Hartmann Studios, Inc.	11	OCAHO	1255	2015
United States v. Homestead Metal Recycling Corp.	11	OCAHO	1251	2015
United States v. Horno MSJ, Ltd., Company	11	OCAHO	1247	2015
	11	OCAHO	1247	2015
United States v. Ideal Transportation Co., Inc.	12	OCAHO	1290	2016
United States v. Integrity Concrete, Inc. and American Concrete, Inc.	13	OCAHO	1307	2017
United States v. Intelli Transport Services, Inc.	13	OCAHO	1319	2019
United States v. Jalisco's Bar and Grill, Inc.	11	OCAHO	1224	2014
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12	OCAHO	1286	2016
United States v. M & D Masonry, Inc.	10	OCAHO	1211	2014

United States v. Mott Thoroughbred Stables, Inc.	11	OCAHO	1233	2014
United States v. Mr. Mike's Pizza, Inc.	10	OCAHO	1196	2013
United States v. Natural Environmental, Inc.	10	OCAHO	1197	2013
United States v. New Outlook Homecare, LLC	10	OCAHO	1210	2014
United States v. New Sun Transit, Inc. d/b/a La Tolteca Mexican Restaurant	10	OCAHO	1194	2013
United States v. Niche, Inc.	11	OCAHO	1250	2015
United States v. Pegasus Family Restaurant, Inc.	12	OCAHO	1293	2016
United States v. PM Packaging, Inc., and PM Corporate Group, Inc., d/b/a PM Packaging	11	OCAHO	1253	2015
United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021
United States v. Romans Racing Stables, Inc.	11	OCAHO	1230	2014
United States v. Safe-Air of Illinois, Inc.	12	OCAHO	1270	2016
United States v. SKZ Harvesting, Inc.	11	OCAHO	1266	2016
United States v. Solutions Group International, LLC	12	OCAHO	1288	2016
United States v. Speedy Gonzalez Construction, Inc.	11	OCAHO	1243	2015
United States v. St. Croix Personnel Services, Inc.	12	OCAHO	1289	2016
United States v. Symmetric Solutions, Incorporated d/b/a Minerva Indian Cuisine	10	OCAHO	1209	2014
United States v. Visiontron Corp.	13	OCAHO	1348	2020

CIVIL MONEY PENALTY

Penalties Not Meant to Force Employers Out of Business or Result in Loss of Employment for Workers

United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021

Penalties Should Deter Future Violations Without Being Unduly Punitive

United States v. Clean Sweep Janitor Service	11	OCAHO	1226	2014
United States v. Crescent City Meat Company, Inc.	11	OCAHO	1223	2014
United States v. Homestead Metal Recycling Corp.	11	OCAHO	1251	2015
United States v. Horno MSJ, Ltd., Company	11	OCAHO	1247	2015
	11	OCAHO	1247	2015
United States v. Ideal Transportation Co., Inc.	12	OCAHO	1290	2016
United States v. Intelli Transport Services, Inc.	13	OCAHO	1319	2019
United States v. Kenneth McPeek Racing Stables, Inc.	11	OCAHO	1249	2015
United States v. Niche, Inc.	11	OCAHO	1250	2015

United States v. Safe-Air of Illinois, Inc. 12 OCAHO 1270 2016

United States v. Solutions Group International, LLC 12 OCAHO 1288 2016

United States v. Speedy Gonzalez Construction, Inc. 11 OCAHO 1243 2015

CIVIL MONEY PENALTY

Penalties Should Have a Deterrent Effect and Not Be Merely a Cost of Doing Business

United States v. Hartmann Studios, Inc. 11 OCAHO 1255 2015

Penalties Should Not Be Disproportionate to Employer's Revenue

United States v. Crescent City Meat Company, Inc. 11 OCAHO 1223 2014

Penalties Should Promote Future Compliance Without Being Unduly Punitive

United States v. 3679 Commerce Place, Inc. 12 OCAHO 1296 2017

United States v. Eriksmoen Cottages, Ltd. 14 OCAHO 1355a 2020

United States v. Executive Cleaning Services of Long Island, Ltd. 13 OCAHO 1314 2018

United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill 13 OCAHO 1338 2020

United States v. Integrity Concrete, Inc. and American Concrete, Inc. 13 OCAHO 1307 2017

United States v. Pegasus Family Restaurant, Inc. 12 OCAHO 1293 2016

United States v. Visiontron Corp. 13 OCAHO 1348 2020

CIVIL MONEY PENALTY

Penalty is Excessive When it is Disproportionate to the Gravity of the Offense

United States v. M & D Masonry, Inc. 10 OCAHO 1211 2014

Penalty Within Statutory Range Presumed Valid Under Eighth Amendment Excessive Fines Clause

United States v. Employer Solutions Staffing Group II, LLC 11 OCAHO 1242 2015

Person or Entity

Definition

United States v. Furr's/Bishop's Cafeterias d/b/a Furr's Cafeterias	2	OCAHO	330	1991
	2	OCAHO	330	1991

CIVIL MONEY PENALTY

Poor Rate of Compliance Without Showing Culpable Conduct Insufficient to Prove Lack of Good Faith

United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12	OCAHO	1281	2016
United States v. Executive Cleaning Services of Long Island, Ltd.	13	OCAHO	1314	2018
United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill	13	OCAHO	1338	2020
United States v. Pegasus Family Restaurant, Inc.	12	OCAHO	1293	2016
United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021
United States v. Solutions Group International, LLC	12	OCAHO	1288	2016
United States v. St. Croix Personnel Services, Inc.	12	OCAHO	1289	2016
United States v. Super 8 Motel & Villella Italian Restaurant	10	OCAHO	1191	2013

Presenting Forms I-9 Is Not As Serious As Complete Failure to Prepare or Present Forms I-9

United States v. Eriksmoen Cottages, Ltd. 14 OCAHO 1355a 2020

CIVIL MONEY PENALTY

Previous Violation(s)

United States v. Draper-King Cole, Inc. 7 OCAHO 933 1997

7 OCAHO 933 1997

Principal Goal Is To Enhance Probability of Future Compliance

United States v. Durable, Inc. 11 OCAHO 1229 2014

Prophylactic Purpose Best Served When Penalty Is Significant Enough to Prompt Change of Behavior

United States v. Employer Solutions Staffing Group II, LLC 11 OCAHO 1242 2015

Proportionality is Critical in Setting Penalties

United States v. Century Hotels Corporation, d/b/a Scottsdale Thunderbird Suites	11	OCAHO	1218	2014
United States v. M & D Masonry, Inc.	10	OCAHO	1211	2014
United States v. Metropolitan Warehouse, Inc.	10	OCAHO	1207	2013
United States v. New Star at Niagara Fall, Inc., d/b/a New Star Buffet	10	OCAHO	1192	2013
United States v. Niche, Inc.	11	OCAHO	1250	2015
United States v. Safe-Air of Illinois, Inc.	12	OCAHO	1270	2016

CIVIL MONEY PENALTY

Proportionality of Fine Judged Relative to Gravity of Violations and Size of Business

United States v. Jalisco's Bar and Grill, Inc.	11	OCAHO	1224	2014

Purpose is to Deter Repeat Violations and Encourage Others to Comply

United States v. Employer Solutions Staffing Group II, LLC	11	OCAHO	1242	2015

CIVIL MONEY PENALTY

Purposes of Fines Are To Deter Future Violations & Encourage Compliance w/Verification Procesures

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 2016

Rate of Violations Is Not An Enumerated Factor But Can Be Considered In Assessing the Penalty

United States v. Psychosomatic Fitness LLC 14 OCAHO 1387a 2021

United States v. Visiontron Corp. 13 OCAHO 1348 2020

Reasonable

United States v. Silverado Stages, Inc. 10 OCAHO 1182 2013

Reasonableness Based On Record As Whole and Statutory Factors in Particular

United States v. Century Hotels Corporation, d/b/a Scottsdale Thunderbird Suites	11	OCAHO	1218	2014
United States v. Dr. Robert Schaus, D.D.S.	11	OCAHO	1239	2014
United States v. Leed Construction, Megan Burkholder	11	OCAHO	1237	2014

CIVIL MONEY PENALTY

Sale of Fraudulent Documents Is A Serious Violation

United States v. Leticia Velarde	14	OCAHO	1384	2020

Seriousness of Violation Depends on Degree of Deviation From Verification Requirements

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12	OCAHO	1276	2016
United States v. Muniz Concrete & Contracting, Inc.	12	OCAHO	1278	2016

Seriousness of Violation Evaluated on Continuum Because Not All Violations Are Equally Serious

United States v. Cawoods Produce, Inc.	12	OCAHO	1280	2016

United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12	OCAHO	1281	2016
United States v. Eriksmoen Cottages, Ltd.	14	OCAHO	1355a	2020
United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12	OCAHO	1276	2016
United States v. Golden Employment Group, Inc.	12	OCAHO	1277	2016
United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167)	11	OCAHO	1258	2015
United States v. Horno MSJ, Ltd., Company	11	OCAHO	1247	2015
	11	OCAHO	1247	2015
United States v. Ideal Transportation Co., Inc.	12	OCAHO	1290	2016
United States v. Imacuclean Cleaning Services, LLC	13	OCAHO	1327	2019
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12	OCAHO	1286	2016
United States v. Mott Thoroughbred Stables, Inc.	11	OCAHO	1233	2014
United States v. Muniz Concrete & Contracting, Inc.	12	OCAHO	1278	2016
United States v. Niche, Inc.	11	OCAHO	1250	2015
United States v. PM Packaging, Inc., and PM Corporate Group, Inc., d/b/a PM Packaging	11	OCAHO	1253	2015
United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021
United States v. Romans Racing Stables, Inc.	11	OCAHO	1230	2014
United States v. Safe-Air of Illinois, Inc.	12	OCAHO	1270	2016

United States v. Senox Corporation	11	OCAHO	1219	2014
United States v. SKZ Harvesting, Inc.	11	OCAHO	1266	2016
United States v. Solutions Group International, LLC	12	OCAHO	1288	2016
United States v. Speedy Gonzalez Construction, Inc.	11	OCAHO	1243	2015
United States v. Visiontron Corp.	13	OCAHO	1348	2020

CIVIL MONEY PENALTY

Seriousness of Violation(s)

Siam Thai Sushi Restaurant, d/b/a Four Siamese Company, Inc.	10	OCAHO	1174	2013
United States v. Alyn Industries, Inc. d/b/a Electronic Source Company	10	OCAHO	1141	2011
United States v. Draper-King Cole, Inc.	7	OCAHO	933	1997
	7	OCAHO	933	1997
United States v. El Paso Hospitality, Inc.	5	OCAHO	737	1995
United States v. Fortune East Fashion, Inc.	7	OCAHO	992	1998
United States v. Four Seasons Earthworks, Inc.	10	OCAHO	1150	2012
United States v. Four Star Knitting, Inc.	6	OCAHO	868	1996
United States v. Golf International d/b/a Desert Canyon Golf	11	OCAHO	1222	2014

United States v. Hudson Delivery Service, Inc. d/b/a Home Delivery Service	7	OCAHO	945	1997
United States v. Intelli Transport Services, Inc.	13	OCAHO	1319	2019
United States v. Ketchikan Drywall Services, Inc.	10	OCAHO	1139	2011
United States v. Mark Steven Carter d/b/a Dixie Industrial Service Company	7	OCAHO	931	1997
United States v. Monadnock Mountain Spring Water, Inc.	10	OCAHO	1193	2013
United States v. Monroe Novelty Co., Inc. d/b/a Monroe Novelties Corporation	7	OCAHO	986	1998
United States v. Occupational Resource Management, Inc.	10	OCAHO	1166	2013
United States v. Rupson of Hyde Park, Inc. d/b/a Super 8 Motel, Hyde Park	7	OCAHO	958	1997
United States v. Snack Attack Deli, Inc.	10	OCAHO	1137	2010
United States v. Sunshine Building Maintenance, Inc.	7	OCAHO	997	1998
United States v. Task Force Security, Inc. d/b/a Task Force Security and Investigations	4	OCAHO	625	1994

CIVIL MONEY PENALTY

Should Deter Future Violations Without Being Unduly Punitive

United States v. Century Hotels Corporation, d/b/a Scottsdale Thunderbird Suites	11	OCAHO	1218	2014
United States v. Mr. Mike's Pizza, Inc.	10	OCAHO	1196	2013
United States v. New Outlook Homecare, LLC	10	OCAHO	1210	2014

CIVIL MONEY PENALTY

Size of Business

United States v. Alyn Industries, Inc. d/b/a Electronic Source Company	10	OCAHO	1141	2011
United States v. Draper-King Cole, Inc.	7	OCAHO	933	1997
	7	OCAHO	933	1997
United States v. Four Seasons Earthworks, Inc.	10	OCAHO	1150	2012
United States v. Four Star Knitting, Inc.	6	OCAHO	868	1996
United States v. Fowler Equipment Company, Inc.	10	OCAHO	1169	2013
United States v. Ice Castles Daycare Too, Inc.	10	OCAHO	1142	2011
United States v. Imacuclean Cleaning Services, LLC	13	OCAHO	1327	2019
United States v. Intelli Transport Services, Inc.	13	OCAHO	1319	2019
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12	OCAHO	1286	2016
United States v. Ketchikan Drywall Services, Inc.	10	OCAHO	1139	2011
United States v. MEMF, LLC d/b/a Black & Blue Steak & Crab - Buffalo	10	OCAHO	1170	2013
United States v. Modern Disposal Incorporated	10	OCAHO	1175	2013
United States v. Monroe Novelty Co., Inc. d/b/a Monroe Novelties Corporation	7	OCAHO	986	1998

United States v. Pegasus Restaurant, Inc.	10	OCAHO	1143	2012
United States v. Primera Enterprises, Inc. d/b/a J.B.'s Lounge	4	OCAHO	692	1994
United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021
United States v. Ricky Catalano d/b/a Papa Joe's Pizza	7	OCAHO	974	1997
United States v. Roberto C. Davila	7	OCAHO	936	1997
	7	OCAHO	936	1997
United States v. Rupson of Hyde Park, Inc. d/b/a Super 8 Motel, Hyde Park	7	OCAHO	958	1997
United States v. Skydive Academy of Hawaii Corporation d/b/a Skydive Hawaii	6	OCAHO	848	1996
United States v. Snack Attack Deli, Inc.	10	OCAHO	1137	2010
United States v. Sunshine Building Maintenance, Inc.	7	OCAHO	997	1998
United States v. Taco Plus, Inc. d/b/a Taco Loco	5	OCAHO	775	1995
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CIVIL MONEY PENALTY

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CIVIL MONEY PENALTY

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United States v. SKZ Harvesting, Inc. 11 OCAHO 1266 2016

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CIVIL MONEY PENALTY

Statute Does Not Require That Equal Weight Be Given Enumerated Factors Nor Rule Out Other Factors

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United States v. United Pottery Manufacturing & Accessories, Inc.	1	OCAHO	57	1989
United States v. Westco Ground Maintenance Company, Inc.	1	OCAHO	43	1989
United States v. William D. Boatright and Hanie Boatright d/b/a BNB Kennels	4	OCAHO	634	1994

United States v. William L. Garcia d/b/a La Buena, Inc.	7	OCAHO	950	1997
United States v. Zeferino Castillo, Individually	3	OCAHO	505	1993
United States v. Zoeb Enterprises, Inc. d/b/a Papa Sam's Deli d/b/a Papaya Paradise	2	OCAHO	356	1991
Werline v. Public Service Electric & Gas Company	7	OCAHO	935	1997

DEFAULT JUDGMENT(S)

Judgments By Default Are Generally Disfavored

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc.	14	OCAHO	1370b	2021
Prakash Sinha v. INFOSYS	14	OCAHO	1373a	2020
United States v. Advanced Digital Solutions International, Inc.	14	OCAHO	1383	2020
United States v. Arctic Air Conditioning & Heating, Inc., Cesar Rodriguez and Rosa Rodriguez	13	OCAHO	1341	2020
United States v. Ferrantino Fuel Corp.	13	OCAHO	1335	2020
United States v. Pita Pit Bakery, LLC	13	OCAHO	1339	2020
United States v. Popo's Bar and Restaurant	15	OCAHO	1398	2021
United States v. Treescapes, Inc.	15	OCAHO	1389	2021
United States v. Vilardo Vineyards	11	OCAHO	1248	2015

DEFAULT JUDGMENT(S)

Persons Protected

Wartan Bozoghlanian v. Lockheed-Advanced Development Corporation 4 OCAHO 711 1994

Pro Se

United States v. Alliance Construction, Inc. 7 OCAHO 983 1998

Relief From Final Order of Dismissal My Be Granted If Party Is Blameless for the Default

United States v. Vilardo Vineyards 11 OCAHO 1248 2015

Setting Aside Order

Manjeet Dineshbhai Kanti v. Mr. Chitranjan Patel c/o Blimpie 8 OCAHO 1007 1998

Manjeet Dineshbhai Kanti v. Mr. Chitranjan Patel c/o Blimpie	8	OCAHO	1007	1998
Manjeet Dineshbhai Kanti v. Mr. Chitranjan Patel c/o Blimpie	8	OCAHO	1007	1998
United States v. Jesus Jose Torres	13	OCAHO	1347	2020
United States v. Monica Zapata-Cosio	4	OCAHO	685	1994

DEFAULT JUDGMENT(S)

Statute of Limitations

Wartan Bozoghlanian v. Lockheed-Advanced Development Corporation	4	OCAHO	711	1994

DEFENSE(S)

Acting Lawfully Under a Law

Ahmad S. Elhajomar v. City and County of Honolulu	1	OCAHO	246	1990
Audrey Murtano v. C. R. England, Inc.	9	OCAHO	1116	2005
United States v. Zabala Vineyards	6	OCAHO	830	1995

Acting Lawfully Under a Regulation

Alan Rusk v. Northrop Corporation and Department of Defense	4	OCAHO	607	1994
Audrey Murtano v. C. R. England, Inc.	9	OCAHO	1116	2005
Ghaffar Sepahpour v. Unisys, Inc.	3	OCAHO	500	1993
Irma Leticia Sosa v. United States Postal Service	1	OCAHO	115	1989
Olimpia Tovar v. United States Postal Service	1	OCAHO	269	1990
United States v. Southwest Marine Corporation, a California Corporation	3	OCAHO	429	1992

DEFENSE(S)

Affirmation(s)

United States v. Onion River Sports, Inc.	4	OCAHO	673	1994

Affirmative Defense(s)

Albert Gimein v. Department of Defense & Grumman Aerospace Corporation	3	OCAHO	503	1993
Audrey Murtano v. C. R. England, Inc.	9	OCAHO	1116	2005
Chand Wije v. Barton Springs/Edwards Aquifier C.D.	4	OCAHO	635	1994

Dalila Kamal-Griffin v. Curtis, Mallet-Prevost, Colt & Mosle	3	OCAHO	550	1993
Qais Ibrahim Alhameed v. Grand Traverse Resort and Casinos	10	OCAHO	1126	2008
Sanchez v. Leobardo and Carmen Ocanas d/b/a Leo Ocanas Farm	9	OCAHO	1115	2005
United States v. A & A Maintenance Enterprise, Inc.	6	OCAHO	852	1996
United States v. Aid Maintenance Company, Inc.	6	OCAHO	893	1996
United States v. Alberta Sosa, Inc.	4	OCAHO	720	1994
	5	OCAHO	739	1995
United States v. Alvand, Inc. d/b/a 410 Diner	1	OCAHO	296	1991
United States v. Alvand, Inc. d/b/a 410 Diner	2	OCAHO	352	1991
	2	OCAHO	352	1991
United States v. Ana Maria Villegas-Valenzuela	5	OCAHO	784	1995
United States v. Applied Computer Technology	2	OCAHO	306	1991
United States v. Armando Alvarez-Suarez	4	OCAHO	655	1994
United States v. Barnett Taylor, LLC, d/b/a Burger King	10	OCAHO	1155	2012
United States v. Boah Fashion, Corporation	1	OCAHO	281	1990
United States v. Broadway Tire, Inc.	1	OCAHO	226	1990
United States v. Buckingham Limited Partnership d/b/a Mr. Wash	1	OCAHO	151	1990

United States v. Central Nebraska Packing, Inc.	4	OCAHO	714	1994
United States v. Chi Ling, Inc. d/b/a Chi Ling Chinese Restaurant	5	OCAHO	723	1995
United States v. Chicken By Chickadee Farms, Inc.	3	OCAHO	423	1992
United States v. China Wok Restaurant, Inc., a Nebraska Corporation	4	OCAHO	608	1994
United States v. Christie Automotive Products	2	OCAHO	361	1991
United States v. Cindy L. Golchuk d/b/a Rancho Sierra Drywall	2	OCAHO	353	1991
United States v. Collins Food International, Inc. d/b/a Sizzler Restaurant	1	OCAHO	123	1990
United States v. David Jenkins	5	OCAHO	743	1995
	4	OCAHO	649	1994
United States v. David Segura-Sataray	4	OCAHO	703	1994
United States v. Davis Nursery, Inc.	4	OCAHO	694	1994
United States v. Diamond Construction, Inc.	3	OCAHO	456	1992
United States v. Diversified Technology and Services of Virginia, Inc.	9	OCAHO	1095	2003
United States v. Dolly Boman Irani	6	OCAHO	860	1996
United States v. Dubois Farms, Inc.	1	OCAHO	242	1990
United States v. Ed Valencia & Sons, Inc. d/b/a Valladares	2	OCAHO	387	1991
United States v. Enrique Reyes d/b/a King's Produce	4	OCAHO	592	1994

United States v. Exim, Inc. and Jaime Monardes, Individually	3	OCAHO	591	1993
United States v. Fairfield Jersey, Inc.	9	OCAHO	1072	2001
United States v. Felipe De Leon-Valenzuela	6	OCAHO	866	1996
	6	OCAHO	899	1996
	6	OCAHO	866	1996
United States v. Gerald Hollendorfer	1	OCAHO	175	1990
United States v. Goldenfield Corporation d/b/a Rodeway Inn	2	OCAHO	321	1991
United States v. Gregorio Alabada Makilan	4	OCAHO	610	1994
United States v. Harris Ranch Beef Company	2	OCAHO	338	1991
	2	OCAHO	333	1991
	2	OCAHO	331	1991
United States v. Hilario Rodriguez, Jr.	1	OCAHO	276	1990
United States v. Hosung Cleaning Corporation d/b/a Sun Cleaner	4	OCAHO	670	1994
United States v. Hotel Martha Washington Corporation	5	OCAHO	786	1995
United States v. Interdynamics, Inc.	3	OCAHO	433	1992
United States v. Israel Velasquez-Tabir	6	OCAHO	872	1996
United States v. James Q. Carlson d/b/a Jimmy On The Spot	1	OCAHO	298	1991

United States v. James Q. Carlson d/b/a Jimmy On The Spot	1	OCAHO	260	1990
United States v. John Gasper, Individually and d/b/a John Gasper Labor Contractor	1	OCAHO	218	1990
United States v. Julio Carpio-Lingan	6	OCAHO	871	1996
United States v. Kaday Musu Thoronka	5	OCAHO	772	1995
	5	OCAHO	772	1995
United States v. Lee Moyle, Owner d/b/a Moyle Mink Farm	1	OCAHO	212	1990
United States v. LFW Dairy Corporation	10	OCAHO	1129	2009
United States v. Local Building & Remodeling of International Falls	3	OCAHO	567	1993
United States v. Lorenzo Robles d/b/a Lorenzo Robles Roofing and Construction	2	OCAHO	309	1991
United States v. MAC Specialties Ltd.	6	OCAHO	920	1997
United States v. Marisol Chavez-Ramirez	5	OCAHO	774	1995
United States v. Martin Palominos-Talavera	6	OCAHO	896	1996
United States v. Martina Limon-Perez	5	OCAHO	796	1995
United States v. Mourad Abu Remileh	4	OCAHO	706	1994
United States v. Mourad Abu Remileh	5	OCAHO	724	1995
	5	OCAHO	724	1995
United States v. Multimatic Products, Inc.	1	OCAHO	221	1990

United States v. Nevada Lifestyles, Inc. d/b/a Commercial Drapery Cleaners	3	OCAHO	463	1992
United States v. Noel Plastering & Stucco, Inc.	3	OCAHO	427	1992
	2	OCAHO	396	1991
United States v. Northern Michigan Fruit Company	4	OCAHO	667	1994
United States v. Oscar Eduardo Villatoro-Guzman	3	OCAHO	540	1993
United States v. Patrol & Guard Enterprises, Inc.	8	OCAHO	1040	2000
	8	OCAHO	1040	2000
United States v. Penrod National Enterprises, Inc. d/b/a Floral Bionomics Landscape Management	3	OCAHO	541	1993
United States v. PPJV, Inc. d/b/a Publishers Press	2	OCAHO	337	1991
United States v. Randall Kurzon, Individually and Alonza Restaurant Ventures, inc.	3	OCAHO	583	1993
United States v. Robert Watson d/b/a North State Tile Company	1	OCAHO	253	1990
United States v. Samuel J. Wasem, General Partner d/b/a Educated Car Wash	1	OCAHO	98	1989
United States v. Scotto Brothers Woodbury Restaurant d/b/a Fox Hollow Inn	3	OCAHO	584	1993
United States v. Solutions Group International, LLC	12	OCAHO	1288	2016
United States v. Task Force Security, Inc. d/b/a Task Force Security and Investigations	3	OCAHO	563	1993
	3	OCAHO	533	1993
United States v. The Grower's Company, Inc. d/b/a Harvest Management, Inc.	2	OCAHO	346	1991

United States v. Thomas R. Heisler, Individually and d/b/a The Playground Bar	1	OCAHO	150	1990
United States v. Tuttle's Design Build, Inc.	2	OCAHO	370	1991
United States v. U.S. Style, Inc.	5	OCAHO	793	1995
United States v. William and Maria Sievert	1	OCAHO	294	1991
United States v. Williams Produce, Inc.	4	OCAHO	671	1994
United States v. WSC Plumbing, Inc.	9	OCAHO	1062	2000
United States v. Zip City Partner, L.P. d/b/a Zip City Brewing	7	OCAHO	965	1997

DEFENSE(S)

After-Acquired Information

Olatunji Moshood Fakunmoju v. Claims Administration Corporation	4	OCAHO	624	1994

Citizen v. Non-Citizen Only Where Equally Qualified

Prejudice

United States v. Mesa Airlines	1	OCAHO	74	1989
	1	OCAHO	74	1989

DEFENSE(S)

Civil Money Penalty

United States v. Alberta Sosa, Inc.	6	OCAHO	831	1996
United States v. Burns and Intra-Continental Enterprises	5	OCAHO	759	1995
United States v. China Wok Restaurant, Inc., a Nebraska Corporation	4	OCAHO	608	1994
United States v. Great Bend Packing Company	6	OCAHO	835	1996
United States v. Hugh Jeffrey Fox d/b/a Frank & Stein	5	OCAHO	756	1995
United States v. Ricardo Calderon, Inc.	6	OCAHO	832	1996
	6	OCAHO	832	1996

Collateral Estoppel

Li Zu v. Avalon Valley Rehabilitation Center	14	OCAHO	1376	2020
United States v. Alberto Noriega-Perez	6	OCAHO	859	1996
United States v. Armando Alvarez-Suarez	4	OCAHO	655	1994

DEFENSE(S)

Compliance with Employer Sanctions

United States v. Diversified Technology and Services of Virginia, Inc.	9	OCAHO	1095	2003
United States v. Marcel Watch Corporation	1	OCAHO	143	1990
United States v. Robison Fruit Ranch, Inc.	6	OCAHO	855	1996

Constitutional Rights

United States v. Martin Palominos-Talavera	6	OCAHO	896	1996
United States v. Spring & Soon Fashion, Inc.	7	OCAHO	982	1997

Contractor

Alan Rusk v. Northrop Corporation and Department of Defense	4	OCAHO	607	1994
United States v. Hudson Delivery Service, Inc. d/b/a Home Delivery Service	7	OCAHO	945	1997

Victor B. Palma v. Alufase USA, LLC 10 OCAHO 1213 2014

DEFENSE(S)

Contractor Determination Not Based Solely on Employer Classification

Victor B. Palma v. Alufase USA, LLC 10 OCAHO 1213 2014

Contractor/Employee Determination Based on Factual Inquiries

Victor B. Palma v. Alufase USA, LLC 10 OCAHO 1213 2014

Corporate Liability

United States v. ABC Roofing & Waterproofing, Inc. 2 OCAHO 397 1991

United States v. Ulysses, Inc. and Ulysses Restaurant Group, Inc. 3 OCAHO 409 1992

Corporation(s)

Programmer's Guild, Inc. v. Value Consulting, Inc.	10	OCAHO	1135	2010
United States v. Burns and Intra-Continental Enterprises	5	OCAHO	759	1995
United States v. Robert Marnul d/b/a Lamont Street Grill	3	OCAHO	441	1992
United States v. The Wrangler's Country Café, Inc. and Henry D. Stieben	1	OCAHO	138	1990
United States v. Ulysses, Inc. and Ulysses Restaurant Group, Inc.	3	OCAHO	409	1992

DEFENSE(S)

Detrimental Reliance

United States v. Irvin Industries, Inc.	1	OCAHO	139	1990
United States v. Sunshine Building Maintenance, Inc.	7	OCAHO	997	1998

Double Jeopardy

United States v. Alberto Noriega-Perez	6	OCAHO	859	1996
United States v. Armando Alvarez-Suarez	4	OCAHO	655	1994

United States v. Pedro Dominguez	6	OCAHO	876	1996
	6	OCAHO	876	1996
	6	OCAHO	876	1996
	6	OCAHO	876	1996

DEFENSE(S)

Due Process

United States v. Armando Alvarez-Suarez	4	OCAHO	655	1994
United States v. Felipe De Leon-Valenzuela	6	OCAHO	866	1996
	6	OCAHO	866	1996
United States v. Martin Palominos-Talavera	6	OCAHO	896	1996

Eighth Amendment

United States v. Randall Kurzon, Individually and Alonza Restaurant Ventures, inc.	4	OCAHO	637	1994

Eleventh Amendment

Chiaha Ugochi v. North Dakota Department of Human Services	12	OCAHO	1304	2017
Massala Prince Reffell v. Prairie View A&M University	9	OCAHO	1057	2000
MD Shakhawat Hossain v. Job Service North Dakota	14	OCAHO	1352	2020
Qais Ibrahim Alhameed v. Grand Traverse Resort and Casinos	10	OCAHO	1126	2008
Tyrone Robinson v. New York State Family Court	5	OCAHO	814	1995

DEFENSE(S)

Entrapment

United States v. Earl & Beverly McDougal d/b/a Grand Tradition	4	OCAHO	687	1994
United States v. Irvin Industries, Inc.	1	OCAHO	139	1990
United States v. Multimatic Products, Inc.	1	OCAHO	221	1990
United States v. Sunshine Building Maintenance, Inc.	7	OCAHO	997	1998

Entrapment Defense Only Applies in Criminal - Not Civil - Proceedings

United States v. Jalisco's Bar and Grill, Inc.	11	OCAHO	1224	2014

DEFENSE(S)

Equitable Tolling

Ashwani Goel v. Indotronix Internation Corporation	9	OCAHO	1102	2003
Joseph E. Sabol v. Northern Michigan University	9	OCAHO	1107	2004
Roman Udala v. New York State Department of Education	4	OCAHO	633	1994

Estoppel

Chester A. Mackentire, Jr. v. Ricoh Corporation, et al.	5	OCAHO	746	1995
Linda S. Walker v. United Airlines, Inc.	4	OCAHO	686	1994
Roman Udala v. New York State Department of Education	4	OCAHO	633	1994
United States v. Buckingham Limited Partnership d/b/a Mr. Wash	1	OCAHO	151	1990
United States v. Collins Food International, Inc. d/b/a Sizzler Restaurant	1	OCAHO	123	1990
United States v. Felipe De Leon-Valenzuela	6	OCAHO	866	1996

United States v. Felipe De Leon-Valenzuela	6	OCAHO	899	1996
	6	OCAHO	866	1996
United States v. Hosung Cleaning Corporation d/b/a Sun Cleaner	4	OCAHO	670	1994
United States v. Leo Yruegas d/b/a Chito's Mexican Restaurant	1	OCAHO	45	1989
United States v. LFW Dairy Corporation	10	OCAHO	1129	2009
United States v. Louis Padnos Iron & Metal Co., a Corporation	3	OCAHO	414	1992
United States v. Manos & Associates, Inc. d/b/a The Bread Basket Restaurant	1	OCAHO	130	1989
United States v. Manos & Associates, Inc. d/b/a The Bread Basket Restaurant	1	OCAHO	130	1989
United States v. Ralph Sanchez, Labor Contractor	1	OCAHO	58	1989
United States v. Samuel J. Wasem, General Partner d/b/a Educated Car Wash	1	OCAHO	98	1989
United States v. Scotto Brothers Woodbury Restaurant d/b/a Fox Hollow Inn	3	OCAHO	584	1993
United States v. Sunshine Building Maintenance, Inc.	7	OCAHO	997	1998
United States v. USA Café	1	OCAHO	42	1989

DEFENSE(S)

Excessive Fines

United States v. Pedro Dominguez	6	OCAHO	878	1996

DEFENSE(S)

Exclusionary Rule

United States v. David Jenkins	5	OCAHO	743	1995

Family Relationship

United States v. Davis Nursery, Inc.	4	OCAHO	694	1994
United States v. Manuel Orozco-Minjares	4	OCAHO	606	1994

Fifth Amendment

United States v. David Jenkins	5	OCAHO	743	1995
United States v. David Segura-Sataray	4	OCAHO	708	1991
United States v. Felipe De Leon-Valenzuela	6	OCAHO	866	1996
	6	OCAHO	866	1996

United States v. Mark Steven Carter d/b/a Dixie industrial Service Company	6	OCAHO	897	1996

DEFENSE(S)

Fourth Amendment

United States v. Alma Delia Rubio-Reyes	14	OCAHO	1349a	2020
United States v. C&K Metals, Inc. a/k/a Leach Cast & Steel, Inc.	6	OCAHO	845	1996
United States v. David Jenkins	5	OCAHO	743	1995
United States v. Israel Velasquez-Tabir	6	OCAHO	872	1996
United States v. Julio Carpio-Lingan	6	OCAHO	871	1996

Generally

Kasathsko v. Internal Revenue Service	6	OCAHO	840	1996
Rosa Isela Olivares Aguirre v. KDI American Products, Inc.	6	OCAHO	882	1996
Tyrone Robinson v. New York State Family Court	5	OCAHO	814	1995
United States v. 4431, Inc. t/a Candlelight Inn	4	OCAHO	611	1994

United States v. A & A Maintenance Enterprise, Inc.	6	OCAHO	852	1996
United States v. Ana Maria Villegas-Valenzuela	5	OCAHO	784	1995
United States v. Benjamin P. Raygoza d/b/a Cielito Lindo Restaurant	5	OCAHO	729	1995
United States v. David Jenkins	5	OCAHO	743	1995
United States v. David Segura-Sataray	4	OCAHO	703	1994
United States v. Diamond Construction, Inc.	3	OCAHO	456	1992
United States v. Dubois Farms, Inc.	2	OCAHO	376	1991
United States v. Exim, Inc. and Jaime Monardes, Individually	4	OCAHO	604	1994
	3	OCAHO	591	1993
United States v. Giannini Landscaping, Inc.	3	OCAHO	573	1993
United States v. John W. Guewell & Alfred P. Cooper d/b/a Wagco Security Services	3	OCAHO	478	1992
United States v. Kerry J. Vicker d/b/a SNB Cleaning	5	OCAHO	819	1995
United States v. Land Coast Insulation, Inc.	2	OCAHO	379	1991
United States v. Martin Palominos-Talavera	6	OCAHO	896	1996
United States v. Monica Zapata-Cosio	5	OCAHO	822	1995
United States v. Nevada Lifestyles, Inc. d/b/a Commercial Drapery Cleaners	3	OCAHO	463	1992
United States v. Northern Michigan Fruit Company	4	OCAHO	667	1994

United States v. Pedro Dominguez	6	OCAHO	876	1996
	6	OCAHO	876	1996
	6	OCAHO	876	1996
	6	OCAHO	876	1996
United States v. Penrod National Enterprises, Inc. d/b/a Floral Bionomics Landscape Management	3	OCAHO	541	1993
United States v. Power Operating Company	3	OCAHO	580	1993
United States v. R&M Fashion, Inc.	6	OCAHO	826	1995
United States v. Task Force Security, Inc. d/b/a Task Force Security and Investigations	4	OCAHO	625	1994
United States v. Tom & Yu, Inc. t/a Peking Garden Restaurant	3	OCAHO	412	1993
United States v. Wood 'N Stuff	3	OCAHO	574	1993

DEFENSE(S)

Good Faith Compliance

United States v. WSC Plumbing, Inc.	9	OCAHO	1062	2000

Good Faith Defense

Ahmad S. Elhajomar v. City and County of Honolulu	1	OCAHO	246	1990
	1	OCAHO	246	1990
United States v. Anchor Seafood Distributors, Inc. d/b/a Anchor Fish Company	5	OCAHO	758	1995
United States v. Basim Aziz Hanna d/b/a Ferris & Ferris Pizza	1	OCAHO	200	1990
United States v. Benjamin P. Raygoza d/b/a Cielito Lindo Restaurant	5	OCAHO	729	1995
United States v. Big Bear Market	1	OCAHO	48	1989
United States v. Boo Bears Den	1	OCAHO	71	1989
United States v. Broadway Tire, Inc.	2	OCAHO	310	1991
	1	OCAHO	226	1990
United States v. Buckingham Limited Partnership d/b/a Mr. Wash	1	OCAHO	151	1990
United States v. Busy Corner Sportswear, Inc.	3	OCAHO	511	1993
United States v. Carlos Cruz d/b/a La Rosa Bakery	3	OCAHO	453	1992
United States v. Chi Ling, Inc. d/b/a Chi Ling Chinese Restaurant	5	OCAHO	723	1995
United States v. Chicken By Chickadee Farms, Inc.	3	OCAHO	423	1992
United States v. China Wok Restaurant, Inc., a Nebraska Corporation	4	OCAHO	608	1994
United States v. Collins Food International, Inc. d/b/a Sizzler Restaurant	1	OCAHO	123	1990

United States v. Danny Mathis d/b/a Mathis Maspory	5	OCAHO	752	1995
United States v. David Jenkins	5	OCAHO	743	1995
United States v. Diamond Construction, Inc.	3	OCAHO	456	1992
United States v. Dodge Printing Centers, Inc.	1	OCAHO	125	1990
United States v. Dr. Merrill Cahn, D.P.M.	1	OCAHO	127	1990
United States v. Dubois Farms, Inc.	1	OCAHO	242	1990
United States v. Ed Valencia & Sons, Inc. d/b/a Valladares	2	OCAHO	316	1992
United States v. Exim, Inc. and Jaime Monardes, Individually	4	OCAHO	604	1994
United States v. Fairfield Jersey, Inc.	9	OCAHO	1072	2001
United States v. Felipe, Inc.	1	OCAHO	93	1989
United States v. Four Star Knitting, Inc.	6	OCAHO	868	1996
United States v. Gerald Hollendorfer	1	OCAHO	175	1990
United States v. Giannini Landscaping, Inc.	3	OCAHO	573	1993
United States v. Goldenfield Corporation d/b/a Rodeway Inn	2	OCAHO	321	1991
United States v. Honeybake Farms, Inc.	2	OCAHO	311	1991
United States v. Interdynamics, Inc.	3	OCAHO	433	1992
United States v. International Packaging, Inc.	12	OCAHO	1275	2016

United States v. International Packaging, Inc.	12	OCAHO	1275	2016
United States v. Jennifer Dittman d/b/a Ready Room Restaurant	1	OCAHO	195	1990
United States v. Johnny Ng Lim and Christina Lim Go d/b/a The New Orient	3	OCAHO	499	1993
United States v. Kerry J. Vicker d/b/a SNB Cleaning	5	OCAHO	819	1995
United States v. Land Coast Insulation, Inc.	2	OCAHO	379	1991
United States v. Lee Moyle, Owner d/b/a Moyle Mink Farm	1	OCAHO	85	1989
United States v. LeMerengo/Rumors Restaurant	1	OCAHO	157	1990
United States v. LFW Dairy Corporation	10	OCAHO	1129	2009
United States v. Lola O'Brien Oil d/b/a O'Brien Oil Company	1	OCAHO	166	1990
United States v. M.T.S. Service Corporation d/b/a Maggie's Catering Mexico Tipico Restaurant	3	OCAHO	448	1992
United States v. Mark Steven Carter d/b/a Dixie Industrial Service Company	7	OCAHO	931	1997
	6	OCAHO	865	1996
United States v. Mester Manufacturing Company	1	OCAHO	18	1988
United States v. Multimatic Products, Inc.	1	OCAHO	221	1990
United States v. Noel Plastering & Stucco, Inc.	2	OCAHO	377	1991
	2	OCAHO	396	1991
United States v. Primera Enterprises, Inc. d/b/a J.B.'s Lounge	4	OCAHO	692	1994

United States v. Richard Pizzuto Dimensions in Hair and Skin	3	OCAHO	447	1992
United States v. Riverboat Delta King, Inc.	5	OCAHO	738	1995
United States v. Sergio Alaniz d/b/a Sagunada	1	OCAHO	297	1991
United States v. Skydive Academy of Hawaii Corporation d/b/a Skydive Hawaii	6	OCAHO	848	1996
United States v. Sunshine Building Maintenance, Inc.	7	OCAHO	997	1998
United States v. Taco Plus, Inc. d/b/a Taco Loco	5	OCAHO	775	1995
United States v. Task Force Security, Inc. d/b/a Task Force Security and Investigations	3	OCAHO	533	1993
United States v. The Body Shop	1	OCAHO	185	1990
United States v. Tom & Yu, Inc. t/a Peking Garden Restaurant	3	OCAHO	445	1992
United States v. Tuttle's Design Build, Inc.	2	OCAHO	370	1991
United States v. Ulysses, Inc. and Ulysses Restaurant Group, Inc.	3	OCAHO	449	1992
United States v. USA Café	1	OCAHO	42	1989
United States v. Williams Produce, Inc.	5	OCAHO	730	1995
United States v. Yin Tien Chen, Individually and Winning Orchards, LLC	9	OCAHO	1092	2003

DEFENSE(S)

Good Faith Defense at 8 U.S.C. 1324a(b)(6)(A) Only Available for Technical/Procedural Violations

United States v. Eriksmoen Cottages, Ltd. 14 OCAHO 1355 2020

DEFENSE(S)

Good Faith Defense provided by 8 U.S.C. Section 1324a(b)(6)

United States v. Anodizing Industries, Inc. 10 OCAHO 1184 2013

United States v. Solutions Group International, LLC 12 OCAHO 1288 2016

Ignorance of Law is Not An Affirmative Defense

United States v. Keegan Varitey, LLC 11 OCAHO 1238 2014

Ignorance of Statutory Requirements

United States v. Benjamin P. Raygoza d/b/a Cielito Lindo Restaurant 5 OCAHO 729 1995

United States v. Onion River Sports, Inc. 4 OCAHO 673 1994

United States v. Red Bowl of Cary, LLC, Inc. d/b/a Red Bowl Asian Bistro 10 OCAHO 1206 2013

DEFENSE(S)

Ignorance of Statutory Requirements Does Not Amount to Showing of Good Faith

United States v. Keegan Varitey, LLC 11 OCAHO 1238 2014

Impossibility Defense is Recognized in OCAHO Case Law

United States v. Jalisco's Bar and Grill, Inc. 11 OCAHO 1224 2014

Impossibility Not Available As Defense When Destruction of I-9s Is Due To Employer's Own Actions

United States v. Ideal Transportation Co., Inc. 12 OCAHO 1290 2016

United States v. SKZ Harvesting, Inc. 11 OCAHO 1266 2016

Jurisdiction

Marcos Valencio v. VASP Brazilian Airlines	5	OCAHO	740	1995
Martin Flores v. Logan Foods Company	6	OCAHO	874	1995
Qais Ibrahim Alhameed v. Grand Traverse Resort and Casinos	10	OCAHO	1126	2008

DEFENSE(S)

Knowledge

United States v. American Terrazzo Corporation d/b/a John Delallo Foods	6	OCAHO	828	1995
	6	OCAHO	828	1995
United States v. Buckingham Limited Partnership d/b/a Mr. Wash	1	OCAHO	151	1990
United States v. Chicken By Chickadee Farms, Inc.	3	OCAHO	423	1992
United States v. China Wok Restaurant, Inc., a Nebraska Corporation	4	OCAHO	608	1994
United States v. Collins Food International, Inc. d/b/a Sizzler Restaurant	1	OCAHO	123	1990
United States v. Dubois Farms, Inc.	1	OCAHO	242	1990
United States v. Leonor Yolanda Ortiz	6	OCAHO	889	1996
United States v. Maka's Akamai Service	1	OCAHO	36	1988
	1	OCAHO	36	1988
United States v. New El Rey Sausage Company	1	OCAHO	78	1989

United States v. Noel Plastering & Stucco, Inc.	2	OCAHO	377	1991
United States v. Randall Kurzon, Individually and Alonza Restaurant Ventures, inc.	3	OCAHO	583	1993
United States v. Sophie Valdez d/b/a La Parilla Restaurant	1	OCAHO	91	1989
United States v. Task Force Security, Inc. d/b/a Task Force Security and Investigations	3	OCAHO	533	1993
United States v. The Body Shop	1	OCAHO	149	1990
United States v. USA Café	1	OCAHO	42	1989

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Legitimate, Nondiscriminatory Reason

Bertalina Monjaras v. Blue Ribbon Cleaners, Inc.	3	OCAHO	526	1993
Boris Gerardo Salazar-Castro v. Cincinnati Public Schools	3	OCAHO	406	1992
Guy Santiglia v. Sun Microsystems, Inc.	9	OCAHO	1110	2004
Jack Huang v. Queens Motel	2	OCAHO	364	1991
Jenlih John Hsieh v. PMC - Sierra, Inc.	9	OCAHO	1093	2003
Jimmy Jack Jackai v. Dallas County Data Services	3	OCAHO	569	1993
John R. Alvarez v. Interstate Highway Construction	3	OCAHO	430	1992

Jose Carlos De Araujo v. Joan Smith Enterprises, Inc., aka California Pools and Spas and or California Pools and Landscape	10	OCAHO	1187	2013
Jose Pablo Martinez v. Superior Linen	10	OCAHO	1180	2013
Kasathsko v. Internal Revenue Service	6	OCAHO	840	1996
Linda Chellouf v. Inter American University of Puerto Rico	12	OCAHO	1269	2016
Luigia Wiesner v. CIT Tours, Inc.	5	OCAHO	773	1995
Michael Edward Johnson v. Progressive Roofing	12	OCAHO	1295	2017
Norberto Sagal Torres v. Pacific Continental Textiles, Inc.	10	OCAHO	1203	2013
Nripendra S. Dhillon v. Regents of the University of California	3	OCAHO	497	1993
Olegario Munoz v. Pastel Furniture Manufacturing Company	3	OCAHO	457	1992
Robert Y. Chu v. Fujitsu Network Transmission System, Inc.	5	OCAHO	778	1995
Roberto Decasez-Martinez v. Tyson Foods, Inc.	2	OCAHO	372	1991
Rosa Maria Tovar v. Rick Misquez d/b/a A.P. Esteve Sales	3	OCAHO	458	1992
Stephen A. Lewis v. McDonald's Corporation	2	OCAHO	383	1991
Travis John Guth v. Kaiser Permanente Hawaii	10	OCAHO	1190	2013
United States v. Diversified Technology and Services of Virginia, Inc.	9	OCAHO	1095	2003
United States v. Harris Ranch Beef Company	2	OCAHO	331	1991
United States v. Marcel Watch Corporation	1	OCAHO	143	1990

United States v. San Diego Semiconductors, Inc.	2	OCAHO	314	1991
United States v. Sargetis d/b/a Castle Valley Sales, Inc., a Utah Corporation	3	OCAHO	407	1992
United States v. Weld County School District	2	OCAHO	326	1991

DEFENSE(S)

Legitimate, Nondiscriminatory Reason for Employment Decision

Martine Mbitaze v. City of Greenbelt	13	OCAHO	1345a	2020

Legitimate, Non-Retaliatory Reason

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021

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United States v. Desert Palace, Inc.	9	OCAHO	1067	2001
	9	OCAHO	1067	2001

United States v. Fairfield Jersey, Inc.	9	OCAHO	1072	2001
United States v. LFW Dairy Corporation	10	OCAHO	1129	2009
United States v. Martin Palominos-Talavera	6	OCAHO	896	1996
United States v. Martina Limon-Perez	5	OCAHO	796	1995

DEFENSE(S)

Motion to Strike Affirmative Defenses

United States v. Solutions Group International, LLC	12	OCAHO	1288	2016

Paperwork Requirement(s)/Violation(s)

United States v. Davis Nursery, Inc.	4	OCAHO	694	1994
United States v. LFW Dairy Corporation	10	OCAHO	1129	2009
United States v. Manuel Orozco-Minjares	4	OCAHO	606	1994
United States v. Skydive Academy of Hawaii Corporation d/b/a Skydive Hawaii	6	OCAHO	848	1996
United States v. WSC Plumbing, Inc.	9	OCAHO	1062	2000

DEFENSE(S)

Penalties

United States v. Alberto Noriega-Perez 6 OCAHO 859 1996

Persons Protected

United States v. Mar-Jac Poultry, Inc. 10 OCAHO 1148 2012

Vieri Verdesi v. Ark Rustic Inn, LLC 13 OCAHO 1311 2018

Previous Settlement Between Parties

A.S. v. Neiman Marcus Group 13 OCAHO 1323 2020

Res Judicata

United States v. Alberto Noriega-Perez	6	OCAHO	859	1996
United States v. Armando Alvarez-Suarez	4	OCAHO	655	1994

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Seasonal Agricultural Workers

United States v. Mario Saikhon, Inc.	1	OCAHO	279	1990
United States v. Ralph Sanchez, Labor Contractor	1	OCAHO	58	1989

Selective Prosecution/Enforcement

United States v. ABC Roofing & Waterproofing, Inc.	1	OCAHO	247	1990
United States v. Alvand, Inc. d/b/a 410 Diner	1	OCAHO	296	1991
United States v. Earl & Beverly McDougal d/b/a Grand Tradition	4	OCAHO	687	1994
United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill	13	OCAHO	1338	2020
United States v. Law Offices of Manulkin, Glaser & Bennett	1	OCAHO	100	1989
United States v. Martin Palominos-Talavera	6	OCAHO	896	1996

United States v. PPJV, Inc. d/b/a Publishers Press	2	OCAHO	337	1991
United States v. Ramada Inn Old Town	1	OCAHO	105	1989
United States v. Weymoor Investments, Limited	1	OCAHO	56	1989

DEFENSE(S)

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A.S. v. Discover Financial Services, LLC	12	OCAHO	1292	2016
United States v. Cathy Hyeon Yi d/b/a Ace Manufacturing Company	8	OCAHO	1011	1998

Sixth Amendment

United States v. Israel Velasquez-Tabir	6	OCAHO	872	1996
United States v. Julio Carpio-Lingan	6	OCAHO	871	1996

Size of Business

United States v. Enrique Reyes d/b/a King's Produce	4	OCAHO	592	1994
United States v. Four Star Knitting, Inc.	6	OCAHO	868	1996
United States v. Primera Enterprises, Inc. d/b/a J.B.'s Lounge	4	OCAHO	692	1994
United States v. Skydive Academy of Hawaii Corporation d/b/a Skydive Hawaii	6	OCAHO	848	1996
United States v. Williams Produce, Inc.	5	OCAHO	730	1995

DEFENSE(S)

Sovereign

Adnan Niaz Mir v. Federal Bureau of Prisons	3	OCAHO	510	1993
Ahmad S. Elhajomar v. City and County of Honolulu	1	OCAHO	246	1990
	1	OCAHO	246	1990
Donna Yvette Miller v. United States Postal Service, Greater South Carolina District Office	12	OCAHO	1284	2016
Jacob Roginsky v. Department of Defense, Center for Naval Analyses, EPL Analysis	3	OCAHO	426	1992
	2	OCAHO	363	1991
	3	OCAHO	415	1991
	2	OCAHO	324	1991
Massala Prince Reffell v. Prairie View A&M University	9	OCAHO	1057	2000

Paul C. Iwuchukwu v. City of Grand Prairie	6	OCAHO	915	1997
	6	OCAHO	915	1997
	6	OCAHO	869	1996
Qais Ibrahim Alhameed v. Grand Traverse Resort and Casinos	10	OCAHO	1126	2008
Robert Anthony Chung v. Federal Bureau of Prisons, FCI Greenville	6	OCAHO	881	1996
Tyrone Robinson v. New York State Family Court	5	OCAHO	814	1995
United States v. Auburn University	4	OCAHO	688	1994
United States v. New Mexico State Fair	6	OCAHO	898	1996
United States v. Zabala Vineyards	6	OCAHO	844	1996
	6	OCAHO	844	1996
Washington Younggil Kim Jung Windsor	12	OCAHO	1294	2016
Washington Younggil Kim v. Randall T. Getz, Sergeant, Flushing Recruiting Center	12	OCAHO	1279	2016

DEFENSE(S)

Sovereign Immunity

Chiaha Ugochi v. North Dakota Department of Human Services	12	OCAHO	1304	2017
MD Shakhawat Hossain v. Job Service North Dakota	14	OCAHO	1352	2020

DEFENSE(S)

Substantial Compliance

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United States v. Chicken By Chickadee Farms, Inc.	3	OCAHO	423	1992
United States v. Citizens Utilities Company, Inc., Telephone Division	1	OCAHO	161	1990
United States v. Collins Food International, Inc. d/b/a Sizzler Restaurant	1	OCAHO	123	1990
United States v. Corporate Loss Prevention Associates, Ltd.	6	OCAHO	886	1996
United States v. Diamond Construction, Inc.	3	OCAHO	456	1992
United States v. Goldenfield Corporation d/b/a Rodeway Inn	2	OCAHO	321	1991
United States v. Hosung Cleaning Corporation d/b/a Sun Cleaner	4	OCAHO	670	1994
United States v. James Q. Carlson d/b/a Jimmy On The Spot	1	OCAHO	298	1991
	1	OCAHO	260	1990
United States v. Jonel, Inc.	7	OCAHO	967	1997
United States v. Ketchikan Drywall Services, Inc.	10	OCAHO	1139	2011
United States v. Local Building & Remodeling of International Falls	3	OCAHO	567	1993
United States v. Lola O'Brien Oil d/b/a O'Brien Oil Company	1	OCAHO	166	1990

United States v. Manos & Associates, Inc. d/b/a The Bread Basket Restaurant	1	OCAHO	130	1989
United States v. Mario Saikhon, Inc.	1	OCAHO	279	1990
United States v. Mark Steven Carter d/b/a Dixie Industrial Service Company	7	OCAHO	931	1997
	6	OCAHO	865	1996
United States v. Min Goldblatt & Sons, Inc. t/a Richfield Caterers	1	OCAHO	154	1990
United States v. Minaco Fashions, Inc.	3	OCAHO	587	1993
United States v. Northern Michigan Fruit Company	4	OCAHO	667	1994
United States v. PPJV, Inc. d/b/a Publishers Press	2	OCAHO	354	1991
	2	OCAHO	337	1991
United States v. Ronning Landscaping, Inc.	10	OCAHO	1149	2012
United States v. San Ysidro Ranch	1	OCAHO	183	1990
United States v. Task Force Security, Inc. d/b/a Task Force Security and Investigations	3	OCAHO	563	1993
	3	OCAHO	533	1993
United States v. Tri-Component Product Corporation	5	OCAHO	821	1995
United States v. Ulysses, Inc. and Ulysses Restaurant Group, Inc.	3	OCAHO	449	1992

DEFENSE(S)

The Defense of Sovereign Immunity May Be Raised At Any Point in the Proceeding

Donna Yvette Miller v. United States Postal Service, Greater South Carolina District Office	12	OCAHO	1284	2016
Washington Younggil Kim Jung Windsor	12	OCAHO	1294	2016
Washington Younggil Kim v. Randall T. Getz, Sergeant, Flushing Recruiting Center	12	OCAHO	1279	2016

DEFENSE(S)

Tortious Act

United States v. Armando Alvarez-Suarez	4	OCAHO	655	1994

Use Immunity

United States v. Maria Elizondo Garza d/b/a Garza Farm Labor	4	OCAHO	644	1994

Vague and Indefinite

United States v. Martin Palominos-Talavera	6	OCAHO	896	1996

DEFENSE(S)

Vague Awareness of IRCA's Climate

United States v. Lasa Marketing Firms, a California Partnership	1	OCAHO	141	1990
	1	OCAHO	106	1989

Waiver

A.S. v. Neiman Marcus Group	13	OCAHO	1323	2020
United States v. Felipe De Leon-Valenzuela	6	OCAHO	899	1996
United States v. Nancy Mubarki	5	OCAHO	816	1995
United States v. Sunshine Building Maintenance, Inc.	7	OCAHO	997	1998

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Abuse of Process

United States v. Zabala Vineyards	6	OCAHO	844	1996
	6	OCAHO	844	1996

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Actual Discharge

Steven Brown, et al. v. Pilgrims Pride Corporation	14	OCAHO	1379	2020

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United States v. Pedro Dominguez	7	OCAHO	972	1997
	7	OCAHO	972	1997

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Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021

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Casual Domestic Employment

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Constructive Discharge

Steven Brown, et al. v. Pilgrims Pride Corporation	14	OCAHO	1379	2020

Counterfeit

United States v. Leticia Velarde	14	OCAHO	1384	2020
United States v. Pedro Dominguez	7	OCAHO	972	1997
	7	OCAHO	972	1997

Derivative Citizen

Martine Mbitaze v. City of Greenbelt	13	OCAHO	1345a	2020

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Dolores Garcia Contreras v. Cascade Fruit Company	9	OCAHO	1090	2003
Li Zu v. Avalon Valley Rehabilitation Center	14	OCAHO	1376	2020
Martine Mbitaze v. City of Greenbelt	13	OCAHO	1345a	2020
Olisaemeka Eze v. West County Transportation Agency	10	OCAHO	1140	2011
Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021
United States v. Diversified Technology and Services of Virginia, Inc.	9	OCAHO	1095	2003

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Martine Mbitaze v. City of Greenbelt	13	OCAHO	1345a	2020
	13	OCAHO	1345a	2020

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Employer(s)

Marlene Singh Palacio v. Seaside Custom Harvesting/Zinn Packing Company	4	OCAHO	675	1994
Robert Heath v. Asta CRS, Inc.	14	OCAHO	1385	2021
United States v. Burns and Intra-Continental Enterprises	5	OCAHO	759	1995
United States v. Shirley Fuimoto, Hawaii Government Employees Association	7	OCAHO	937	1997

Employment

Sanchez v. Leobardo and Carmen Ocanas d/b/a Leo Ocanas Farm	9	OCAHO	1115	2005
United States v. David Jenkins	4	OCAHO	649	1994

Employment Agency

Robert Heath v. Asta CRS, Inc.	14	OCAHO	1385	2021

DEFINITIONS

Estoppel

Chester A. Mackentire, Jr. v. Ricoh Corporation, et al.	5	OCAHO	746	1995

Ex Parte Communication(s)

Ana Maria Ravines de Schur v. Easter Seals-Goodwill Northern Rocky Mountain, Inc.	15	OCAHO	1388c	2021

Falsely Made

United States v. Leticia Velarde	14	OCAHO	1384	2020
United States v. Mourad Abu Remileh	5	OCAHO	724	1995
	5	OCAHO	724	1995
United States v. Pedro Dominguez	7	OCAHO	972	1997
	7	OCAHO	972	1997

United States v. Sanchita Bhattacharya	14	OCAHO	1380	2020
	14	OCAHO	1380a	2021

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Final Order

United States v. Diversified Technology and Services of Virginia, Inc.	9	OCAHO	1098	2003
United States v. Mourad Abu Remileh	6	OCAHO	864	1996

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Elizabeth S. Mengarpuan v. Asbury Methodist Village	4	OCAHO	612	1994

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United States v. Pedro Dominguez	7	OCAHO	972	1997
	7	OCAHO	972	1997

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Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021

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United States v. AMA Repiping, LLC	15	OCAHO	1391	2021

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United States v. David Jenkins	4	OCAHO	649	1994

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6 OCAHO 844 1996

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Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP 13 OCAHO 1332j 2021

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United States v. Curran Engineering Company, Inc. 7 OCAHO 975 1997

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United States v. Ana Maria Villegas-Valenzuela	5	OCAHO	784	1995
United States v. Armando Alvarez-Suarez	4	OCAHO	655	1994
United States v. Cristina Galeas	5	OCAHO	790	1995
United States v. Kaday Musu Thoronka	5	OCAHO	725	1995

United States v. Orlando Diaz-Rosas	4	OCAHO	702	1994

DEPOSITIONS

Admissibility

Anna J. Flores v. Daniel Dry Cleaners	4	OCAHO	693	1994

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United States v. Townsend Culinary, Inc.	7	OCAHO	996	1998

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Temitope Ogunrinu v. Law Resources and Arnold & Porter Kaye Scholer LLP	13	OCAHO	1332f	2020

Deposition Errata Sheets

Temitope Ogunrinu v. Law Resources & Arnold & Porter Kaye Scholer LLP 13 OCAHO 1332i 2020

DEPOSITIONS

Deposition Errata Sheets Should Not Be Used to Put Additional Facts in the Record

Temitope Ogunrinu v. Law Resources & Arnold & Porter Kaye Scholer LLP 13 OCAHO 1332i 2020

Deposition Typically Limited to One Day of Seven Hours

Robert Heath v. ASTA CRS, Inc. 14 OCAHO 1385a 2021

Depositions May Be Taken by Written Questions

Robert Heath v. ConsultAdd and an Anonymous Employer 15 OCAHO 1395 2021

Depositions Should Be Cancelled if Testimony is Not Necessary, Relevant, and/or Non-duplicative

United States v. Frimmel Management, LLC	12	OCAHO	1271	2017
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	12	OCAHO	1271	2016
	12	OCAHO	1271	2016
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United States v. Pedro Dominguez	6	OCAHO	910	1997
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United States v. Nicolas Tinoco-Medina	6	OCAHO	890	1996
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	6	OCAHO	895	1996

Generally, Deposition Errata Sheets Should Only Be Used to Correct Typographical/Clerical Errors

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Robert Heath v. ASTA CRS, Inc. 14 OCAHO 1385a 2021

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Temitope Ogunrinu v. Law Resources and Arnold & Porter Kaye Scholer LLP 13 OCAHO 1332e 2020

Notice of Deposition Must Be Served At Least Ten Days Prior to the Deposition

Temitope Ogunrinu v. Law Resources and Arnold & Porter Kaye Scholer LLP 13 OCAHO 1332e 2020

Notice of Deposition Must Be Submitted at a Reasonable Time Within the Discovery Period

Robert Heath v. ASTA CRS, Inc. 14 OCAHO 1385a 2021

DEPOSITIONS

Privilege Claim

United States v. Mark Steven Carter d/b/a Dixie industrial Service Company 6 OCAHO 897 1996

Telephonic

Jenlih John Hsieh v. PMC - Sierra, Inc. 9 OCAHO 1084 2002

Telephonic Depositions

Temitope Ogunrinu v. Law Resources and Arnold & Porter Kaye Scholer LLP 13 OCAHO 1332f 2020

Timing for Review of a Deposition Transcript Does Not Affect Timing for Noticing a Deposition

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When Deponent Is Central Witness in a Case, Observing Demeanor in Deposition is Important

Temitope Ogunrinu v. Law Resources and Arnold & Porter Kaye Scholer LLP	13	OCAHO	1332f	2020

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United States v. Select Temporaries, Inc. d/b/a Select Personnel Services	9	OCAHO	1079	2002

Admission(s)

Iron Workers Local 455 v. Lake Construction & Development Corporation	7	OCAHO	964	1997
United States v. Alberta Sosa, Inc.	5	OCAHO	739	1995
United States v. Alberto Noriega-Perez	5	OCAHO	811	1995
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United States v. Broadway Tire, Inc.	2	OCAHO	310	1991
United States v. Burns and Intra-Continental Enterprises	5	OCAHO	759	1995
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United States v. Ed Valencia & Sons, Inc. d/b/a Valladares	2	OCAHO	316	1992
United States v. Esther Flores-Martinez	5	OCAHO	733	1995
United States v. Exim, Inc. and Jaime Monardes, Individually	3	OCAHO	591	1993
United States v. Four Star Knitting, Inc.	5	OCAHO	815	1995
United States v. Karnival Fashion, Inc.	5	OCAHO	769	1995
United States v. Marisol Chavez-Ramirez	5	OCAHO	774	1995
United States v. Primera Enterprises, Inc. d/b/a J.B.'s Lounge	3	OCAHO	560	1993
United States v. Ricardo Calderon, Inc.	5	OCAHO	805	1995

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ALJ Has Authority to Compel Production of Documents and Responses to Discovery Requests

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OCAHO Rules Do Not Impose Numerical Limits on Number of Interrogatories

Robert Heath v. IKON Systems and an Anonymous Employer 14 OCAHO 1377 2020

United States v. Employer Solutions Staffing Group II, LLC 11 OCAHO 1234 2014

OCAHO's Rules Do Not Permit a Party to Propound Interrogatories Upon a Non-Party

Robert Heath v. ConsultAdd and an Anonymous Employer 15 OCAHO 1395 2021

DISCOVERY

Ongoing Settlement Discussions Do Not Release Parties From Discovery Obligations

Temitope Ogunrinu v. Law Resources and Arnold & Porter Kaye Scholer LLP 13 OCAHO 1332e 2020

Order Granting Motion to Compel

Zaji Obatala Zajradhara v. GIG Partners 14 OCAHO 1363 2020

Order to Show Cause Regarding Subpoenas

Robert Heath v. ConsultAdd and an Anonymous Employer 15 OCAHO 1395 2021

Party May Not Propound New Request in a Motion to Compel

Ravi Sharma v. Lattice Semiconductor 14 OCAHO 1362 2020

DISCOVERY

Party May Not Seek Discovery Through Administrative Review When It Had Ample Time for Discovery in Prehearing Process

United States v. M & D Masonry 10 OCAHO 1215 2014

Party Receiving Discovery Requests Must Answer or State Objections Within 30 Days

United States v. Employer Solutions Staffing Group II, LLC 11 OCAHO 1234 2014

Party Resisting Discovery Has Burden of Demonstrating That Objection Is Justified

Ana Maria Ravines de Schur v. Easter Seals-Goodwill Northern Rocky Mountain, Inc. 15 OCAHO 1388b 2021

United States v. Employer Solutions Staffing Group II, LLC 11 OCAHO 1234 2014

Party Seeking Protective Order Has Burden of Showing Good Cause

Ana Maria Ravines de Schur v. Easter Seals-Goodwill Northern Rocky Mountain, Inc.	15	OCAHO	1388c	2021
Temitope Ogunrinu v. Law Resources	13	OCAHO	1332	2020
Temitope Ogunrinu v. Law Resources and Arnold & Porter Kaye Scholer LLP	13	OCAHO	1332e	2020
United States v. Facebook, Inc.	14	OCAHO	1386a	2021

DISCOVERY

Party Seeking to Compel Discovery Must Show That Discovery Was Sent In a Timely Manner

Robert Heath v. ASTA CRS, Inc.	14	OCAHO	1385b	2021

Party Withholding Documents Based on Privilege Must Complete Privilege Log

United States v. Capital Fireproof Door	14	OCAHO	1372	2020

Privacy

Dinko Sefic v. Marconi Wireless	9	OCAHO	1125	2007

Terrence McCaffrey v. LSI Logic Corporation	6	OCAHO	883	1996

DISCOVERY

Privilege Claim

In re Investigation of Wal-Mart Distribution Center, Subpoena	5	OCAHO	788	1995
James D. Westendorf v. Brown & Root, Inc.	3	OCAHO	405	1992
Jenlih John Hsieh v. PMC - Sierra, Inc.	9	OCAHO	1087	2002
	9	OCAHO	1084	2002
Mike De Leon v. Longoria Farms/Martin Longoria	13	OCAHO	1320a	2019
Mike De Leon, et al. v. Longoria Farms, et al.	13	OCAHO	1320	2019
United States v. Capital Fireproof Door	14	OCAHO	1372	2020
United States v. Maria Elizondo Garza d/b/a Garza Farm Labor	4	OCAHO	644	1994
United States v. Mark Steven Carter d/b/a Dixie industrial Service Company	6	OCAHO	897	1996
United States v. Northwest Airlines, Inc.	3	OCAHO	452	1992
United States v. Robison Fruit Ranch, Inc.	4	OCAHO	700	1994
United States v. Rose Acre Farms, Inc.	12	OCAHO	1285a	2018
	12	OCAHO	1285	2016

United States v. Westheimer Wash Corporation d/b/a Bubbles Car Wash	7	OCAHO	989	1998

DISCOVERY

Privilege Is Waived When Protected Materials Are Disclosed

United States v. Capital Fireproof Door	14	OCAHO	1372	2020
	14	OCAHO	1372	2020

Privilege Log Not Required If Party Did Not Withhold Documents as Privileged

Temitope Ogunrinu v. Law Resources and Arnold & Porter Kaye Scholer LLP	13	OCAHO	1332d	2020

Production

Dinko Sefic v. Marconi Wireless	9	OCAHO	1125	2007
Jenlih John Hsieh v. PMC - Sierra, Inc.	9	OCAHO	1087	2002
Olatunji Moshood Fakunmoju v. Claims Administration Corporation	4	OCAHO	613	1994

United States v. Rose Acre Farms, Inc.	12	OCAHO	1285a	2018
	12	OCAHO	1285	2016
United States v. Select Temporaries, Inc. d/b/a Select Personnel Services	9	OCAHO	1082	2002
United States v. Zabala Vineyards	5	OCAHO	734	1995

DISCOVERY

Protective Order(s)

Jenlih John Hsieh v. PMC - Sierra, Inc.	9	OCAHO	1084	2002
Leonid Naginsky v. Department of Defense	5	OCAHO	813	1995
Robert Heath v. ASTA CRS, Inc.	14	OCAHO	1385a	2021
Temitope Ogunrinu v. Law Resources	13	OCAHO	1332	2020
Temitope Ogunrinu v. Law Resources and Arnold & Porter Kaye Scholer LLP	13	OCAHO	1332d	2020
	13	OCAHO	1332e	2020
Terrence McCaffrey v. LSI Logic Corporation	6	OCAHO	883	1996
United States v. Chancery Staffing Solutions, LLC et al.	13	OCAHO	1326a	2019
	13	OCAHO	1326	2019
United States v. Facebook, Inc.	14	OCAHO	1386a	2021

United States v. Facebook, Inc.	14	OCAHO	1386d	2021
	14	OCAHO	1386c	2021
United States v. Mar-Jac Poultry, Inc.	10	OCAHO	1157	2012
United States v. Naim Ojeil & Samoeil Ishk	7	OCAHO	976	1997

DISCOVERY

Purpose of Discovery is to Require Disclosure of All Relevant Information

Temitope Ogunrinu v. Law Resources	13	OCAHO	1332	2020

Purpose of Requirements for a Motion to Compel

A.S. v. Amazon WerServices, Inc.	14	OCAHO	1381	2020
Martine Mbitaze v. Greenbelt Police Department	14	OCAHO	1360a	2020
Zaji Obatala Zajradhara v. Gig Partners	14	OCAHO	1363a	2020

Relevance

Dinko Sefic v. Marconi Wireless	9	OCAHO	1125	2007
Robert Heath v. ASTA CRS, Inc.	14	OCAHO	1385b	2021
Robert Heath v. ConsultAdd and an Anonymous Employer	15	OCAHO	1395	2021
United States v. Allen Holdings, Inc.	9	OCAHO	1059	2000
United States v. Durable, Inc.	11	OCAHO	1221	2014
United States v. Mar-Jac Poultry, Inc.	10	OCAHO	1157	2012
United States v. Rose Acre Farms, Inc.	12	OCAHO	1285a	2018
	12	OCAHO	1285	2016
United States v. Select Temporaries, Inc. d/b/a Select Personnel Services	9	OCAHO	1082	2002
United States v. Select Temporaries, Inc. d/b/a Select Personnel Services	9	OCAHO	1082	2002
United States v. Select Temporaries, Inc. d/b/a Select Personnel Services	9	OCAHO	1082	2002

DISCOVERY

Relevance Broadly Construed

United States v. Autobuses Ejecutivos, LLC d/b/a Omnibus Express	11	OCAHO	1220	2014

DISCOVERY

Relevance Includes Any Matter Bearing on an Issue (Or Possible Issue) In Case

United States v. Autobuses Ejecutivos, LLC d/b/a Omnibus Express 11 OCAHO 1220 2014

Relevance Includes Any Matter That Could Reasonably Lead to Matter Bearing on Issue In Case

United States v. Autobuses Ejecutivos, LLC d/b/a Omnibus Express 11 OCAHO 1220 2014

Request to Extend Discovery Period

A.S. v. Amazon WebServices, Inc. 14 OCAHO 1381e 2021

14 OCAHO 1381i 2021

Robert Heath v. Asta CRS, Inc. 14 OCAHO 1385 2021

Requests for Production of Documents

Ravi Sharma v. Lattice Semiconductor	14	OCAHO	1362	2020
Temitope Ogunrinu v. Law Resources and Arnold & Porter Kaye Scholer LLP	13	OCAHO	1332e	2020
Zaji Obatala Zajradhara v. Gig Partners	14	OCAHO	1363a	2020

DISCOVERY

Sanctions

Guy Santiglia v. Sun Microsystems, Inc.	9	OCAHO	1104	2004
Iron Workers Local 455 v. Lake Construction & Development Corporation	7	OCAHO	964	1997
Jenlih John Hsieh v. PMC - Sierra, Inc.	9	OCAHO	1091	2003
Mike De Leon v. Longoria Farms/Martin Longoria	13	OCAHO	1320a	2019
Mike De Leon, et al. v. Longoria Farms, et al.	13	OCAHO	1320	2019
Temitope Ogunrinu v. Law Resources and Arnold & Porter Kaye Scholer LLP	13	OCAHO	1332d	2020
United States v. Alberto Noriega-Perez	5	OCAHO	798	1995
United States v. Armando Alvarez-Suarez	4	OCAHO	699	1994
United States v. Giamblis Enterprises	5	OCAHO	807	1995

United States v. Primera Enterprises, Inc. d/b/a J.B.'s Lounge	3	OCAHO	560	1993
United States v. Roberto C. Davila	6	OCAHO	895	1996
United States v. Rosario Strano and Vito Strano d/b/a Strano Farms	4	OCAHO	636	1994
Zaji Obatala Zajradhara v. Gig Partners	14	OCAHO	1363a	2020

DISCOVERY

Sanctions for Failure to Timely Produce Documents

John A. Breda v. Kindred Braintree Hospital, LLC	10	OCAHO	1202	2013

Scope

Dinko Sefic v. Marconi Wireless	9	OCAHO	1125	2007
Olatunji Moshood Fakunmoju v. Claims Administration Corporation	4	OCAHO	613	1994

Scope Commonly Extended to Reasonable Number of Years Before and After Alleged Discriminatory Action

United States v. Autobuses Ejecutivos, LLC d/b/a Omnibus Express 11 OCAHO 1220 2014

DISCOVERY

Scope Generally Extends to Any Relevant Information That is Not Privileged

Temitope Ogunrinu v. Law Resources and Arnold & Porter Kaye Scholer LLP 13 OCAHO 1332e 2020

United States v. Autobuses Ejecutivos, LLC d/b/a Omnibus Express 11 OCAHO 1220 2014

Selective Prosecution/Enforcement

United States v. Martin Palominos-Talavera 6 OCAHO 896 1996

Show Cause

Jose Proto Alcaraz v. General Motors Corporation 7 OCAHO 962 1997

Robert Heath v. ConsultAdd and an Anonymous Employer 15 OCAHO 1395 2021

DISCOVERY

Specific/Detailed Summary Not Required for Document Identification

United States v. Durable, Inc.	11	OCAHO	1221	2014

Stay of Discovery Is Not Automatic Pending a Motion to Dismiss

United States v. Facebook, Inc.	14	OCAHO	1386a	2021

Subpoena

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc.	14	OCAHO	1370b	2021
In re Investigation of ABM Industries, Subpoena	5	OCAHO	763	1995
In re Investigation of Hyatt Regency Lake Tahoe, Subpoena	5	OCAHO	751	1995
In re Investigation of Norfolk Public Schools, Subpoena	4	OCAHO	621	1994
In re Investigation of Wal-Mart Distribution Center, Subpoena	5	OCAHO	788	1995

Jenlih John Hsieh v. PMC - Sierra, Inc.	9	OCAHO	1087	2002
Leonid Naginsky v. Department of Defense	5	OCAHO	813	1995
Robert Heath v. Asta CRS, Inc.	14	OCAHO	1385	2021
Robert Heath v. ConsultAdd and an Anonymous Employer	15	OCAHO	1395	2021
United States v. Rosario Strano and Vito Strano d/b/a Strano Farms	5	OCAHO	748	1995
Zaji Obatala Zajradhara v. GIG Partners	14	OCAHO	1363	2020
	14	OCAHO	1363a	2020
	14	OCAHO	1363b	2020

DISCOVERY

Subpoena Is Appropriate Avenue for Obtaining Discovery From Non-Parties

Robert Heath v. IKON Systems and an Anonymous Employer	14	OCAHO	1377	2020

Subpoena Requires ALJ's Signature

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc.	14	OCAHO	1370b	2021

DISCOVERY

Sufficiency of Response to Discovery Requests

Temitope Ogunrinu v. Law Resources and Arnold & Porter Kaye Scholer LLP	13	OCAHO	1332d	2020
	13	OCAHO	1332e	2020
Zaji Obatala Zajradhara v. Gig Partners	14	OCAHO	1363a	2020

Summary Decision

United States v. The Beverly Center	5	OCAHO	762	1995

Telephonic Depositions

Temitope Ogunrinu v. Law Resources and Arnold & Porter Kaye Scholer LLP	13	OCAHO	1332f	2020

Temporal Scope May Be Limited Where Requests Are Overly Broad and Unduly Burdensome

United States v. Durable, Inc. 11 OCAHO 1221 2014

DISCOVERY

That Information Sought Is Equally Available to Propounding Party Is An Infficient Objection

United States v. Capital Fireproof Door 14 OCAHO 1372 2020

Timeliness

Robert Heath v. ASTA CRS, Inc. 14 OCAHO 1385b 2021

United States v. Alberta Sosa, Inc. 5 OCAHO 731 1995

United States v. Four Star Knitting, Inc. 5 OCAHO 815 1995

Timing of Discovery Responses

United States v. Facebook, Inc. 14 OCAHO 1386e 2021

DISCOVERY

Unauthorized Subpoena

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc. 14 OCAHO 1370b 2021

Whether and When Individual Was Employed Relevant to Whether Employer Had Duty to Retain I-9

United States v. Employer Solutions Staffing Group II, LLC 11 OCAHO 1234 2014

Work Product Privilege

United States v. Capital Fireproof Door 14 OCAHO 1372 2020

Written Discovery Should Be Propounded 30 Days Before Discovery Deadline

Robert Heath v. ASTA CRS, Inc. 14 OCAHO 1385a 2021

DISCRIMINATION

5/10 Year Rule

Alan Rusk v. Northrop Corporation and Department of Defense 4 OCAHO 607 1994

Leonid Naginsky v. Department of Defense and EG&G Dynatrend 6 OCAHO 891 1996

Wartan Bozoghlanian v. Magnavox Advanced Products and Systems Company 4 OCAHO 653 1994

A Pay Cut or Demotion May Be Indicative of Constructive Discharge

Steven Brown, et al. v. Pilgrims Pride Corporation 14 OCAHO 1379 2020

Actual Termination Can Occur Even When the Employer Offers Alternative Positions to the Employee

Steven Brown, et al. v. Pilgrims Pride Corporation 14 OCAHO 1379 2020

DISCRIMINATION

Charge

Dr. Mahmoud M. Hammoudah v. Rush-Presbyterian St. Luke's Medical Center	8	OCAHO	1031	1999
Esther Din Brooks v. Watts Window World	3	OCAHO	558	1993
Glauco Luiz Ortolano v. Wordperfect Company	4	OCAHO	716	1994
Joan A. Lardy v. United Airlines, Inc.	4	OCAHO	595	1994
Margarita Yefremov v. New York City Department of Transportation	3	OCAHO	466	1992
Roman Udala v. New York State Department of Education	4	OCAHO	633	1994
Sellaro v. Elektra Records	3	OCAHO	495	1993
United States v. Mesa Airlines	1	OCAHO	74	1989
	1	OCAHO	74	1989

Charge Must Allege Conduct Encompassed by Section 1324b in Order To Be Sufficient

M.S v. Dave S.B. Hoon - John Wayne Cancer Institute	12	OCAHO	1305	2017

M.S. v. Dave S.B. Hoon - John Wayne Cancer Institute 12 OCAHO 1305a 2018

12 OCAHO 1305b 2018

Ravi Narayana Kumar Dakarapu v. Arvy Tech, Inc. 13 OCAHO 1308 2018

DISCRIMINATION

Charge Must Be Minimally Sufficient In Order to Constitute a Charge

M.S v. Dave S.B. Hoon - John Wayne Cancer Institute 12 OCAHO 1305 2017

M.S. v. Dave S.B. Hoon - John Wayne Cancer Institute 12 OCAHO 1305a 2018

12 OCAHO 1305b 2018

Charge Must Identify Name & Address of the Person or Entity Against Whom the Charge is Being Made

Temitope Ogunrinu v. Law Resources 13 OCAHO 1332 2019

Charge Requirement Is Intended to Put Respondent on Notice and Provide Opportunity for Concilliation

Temitope Ogunrinu v. Law Resources & Arnold and Porter Kaye Scholer LLP	13	OCAHO	1332c	2020

DISCRIMINATION

Citizenship Status

Adnan Niaz Mir v. Federal Bureau of Prisons	3	OCAHO	577	1993
Adolfo Cruz Deguzman v. First America Bank Corporation	3	OCAHO	585	1993
Alan Rusk v. Northrop Corporation and Department of Defense	4	OCAHO	607	1994
Amadeo Gonzalez v. Phoenix Motor Company	3	OCAHO	410	1992
Armando Huberth Crespo v. FAMSA, Inc.	13	OCAHO	1337	2019
	13	OCAHO	1337	2019
Aurelia Forden v. Dr. Lothar Griessbach	5	OCAHO	735	1995
Benjamin A. K. Yohan v. Central State Hospital	4	OCAHO	593	1994
Benjamin Barone v. Superior Washer and Gasket Corp.	10	OCAHO	1176	2013
Benjamin Stephen Mackinnon v. The Financial Times	13	OCAHO	1316	2019
Bertalina Monjaras v. Blue Ribbon Cleaners, Inc.	3	OCAHO	526	1993
Boris Gerardo Salazar-Castro v. Cincinnati Public Schools	3	OCAHO	406	1992
Brent Leslie Reed v. Dupont Pioneer Hi-Bred International, Inc.	13	OCAHO	1321	2019

Brent Leslie Reed v. Dupont Pioneer Hi-Bred International, Inc.	13	OCAHO	1321a	2019
Carlos Aciar v. Rosen's Delicatessen	9	OCAHO	1086	2002
Cecilia Araceli Basua v. Walmart #1554	3	OCAHO	547	1993
	3	OCAHO	535	1993
	3	OCAHO	549	1993
Celia Simon v. Ingram Micro, Inc.	9	OCAHO	1088	2003
Chand Wije v. Barton Springs/Edwards Aquifier C.D.	5	OCAHO	785	1995
Chao v. McDonnell Douglas Corporation	6	OCAHO	824	1995
Christopher Winkler v. Timlin Corporation	6	OCAHO	912	1997
Costigan v. NYNEX	6	OCAHO	918	1997
Dalila Kamal-Griffin v. Cahill Gordon & Reindel	3	OCAHO	568	1993
Dalila Kamal-Griffin v. Curtis, Mallet-Prevost, Colt & Mosle	3	OCAHO	550	1993
Daniel Joseph Bendig v. Conoco, Inc.	9	OCAHO	1077	2001
Dinko Sefic v. Marconi Wireless	9	OCAHO	1123	2007
Dolores Garcia Contreras v. Cascade Fruit Company	9	OCAHO	1090	2003
Dr. Mahmoud M. Hammoudah v. Rush-Presbyterian St. Luke's Medical Center	8	OCAHO	1050	2000
Eden Harrison Adatsi v. Citizens & Southern National Bank of Georgia	1	OCAHO	203	1990

Elizabeth Klimas v. Department of Treasury	3	OCAHO	419	1992
Elodia Guzman v. Yakima Fruit & Cold Storage	9	OCAHO	1066	2001
	9	OCAHO	1066	2001
Eric Robin Cholerton v. Robert M. Hadley Company, Inc.	7	OCAHO	934	1997
Errol Williams v. Lucas & Associates	2	OCAHO	357	1991
Esther Din Brooks v. KNK Textile	3	OCAHO	545	1993
	3	OCAHO	528	1993
Eusebio Huesca v. Rojas Bakery	4	OCAHO	654	1994
Frank Thomas Brown v. Baltimore City Public Schools	3	OCAHO	480	1992
Frederick John Harris v. Mr. Bob Marbut, Chairman & CEO, Argyle Television Operations, Inc.	7	OCAHO	943	1997
Frederick John Harris v. State of Hawaii, Department of Education	6	OCAHO	922	1997
George Suchta v. United States Postal Service	2	OCAHO	327	1991
Ghaffar Sepahpour v. Unisys, Inc.	3	OCAHO	500	1993
Gloria Ondina-Mendez v. Sugar Creek Packing Company	9	OCAHO	1085	2002
Grzegirz Pioterek v. Anderson Cleaning Systems, Inc.	3	OCAHO	590	1993
	3	OCAHO	539	1993
	3	OCAHO	484	1993

Guy Santiglia v. Sun Microsystems, Inc.	9	OCAHO	1110	2004
Haddon Speakman v. The Rehabilitation Hospital of South Texas	3	OCAHO	469	1992
Henry O. Akinwande v. Mr. Rick Weyel, Erol's, Inc.	1	OCAHO	144	1990
Hollingsworth v. Applied Research Associates	7	OCAHO	942	1997
Howard Eugene McNier v. Arthur Wallace in his capacity as Dean, College of Business, San Francisco State University, et al	9	OCAHO	1074	2001
Howard Eugene McNier v. San Francisco State University College of Business	7	OCAHO	947	1997
Hutchinson v. End Stage Renal Disease Network of Florida, Inc.	7	OCAHO	939	1997
In re Investigation of University of South Florida, Subpoena	8	OCAHO	1056	2000
Irma Leticia Sosa v. United States Postal Service	1	OCAHO	115	1989
Iron Workers Local 455 v. Lake Construction & Development Corporation	7	OCAHO	964	1997
Jack N. Toussaint v. Tekwood Data Processing Consulting	6	OCAHO	892	1996
Jacob Roginsky v. Department of Defense, Center for Naval Analyses, EPL Analysis	2	OCAHO	348	1991
Jarvis v. AK Steel	7	OCAHO	930	1997
Jarvis v. AK Steel	7	OCAHO	930	1997
Jaycee George v. Bridgeport Jai-Alai, Inc.	3	OCAHO	537	1993
Jenlih John Hsieh v. PMC - Sierra, Inc.	9	OCAHO	1093	2003
Jenlih John Hsieh v. PMC - Sierra, Inc.	9	OCAHO	1093	2003

Jesse Charles Jones v. DeWitt Nursing Home	1	OCAHO	189	1990
Jimmy Jack Jackai v. Dallas County Data Services	3	OCAHO	569	1993
Joan A. Lardy v. United Airlines, Inc.	4	OCAHO	595	1994
John R. Alvarez v. Interstate Highway Construction	3	OCAHO	430	1992
Jorge Mario Ipina v. Michigan Department of Labor	2	OCAHO	386	1991
Jorge Mario Ipina v. Michigan Jobs Commission	8	OCAHO	1036	1999
Jose Carlos De Araujo v. Joan Smith Enterprises, Inc., aka California Pools and Spas and or California Pools and Landscape	10	OCAHO	1187	2013
Jose Jasso v. Danbury Hilton & Towers	3	OCAHO	522	1993
Jose Ortega v. Vermont Bread	3	OCAHO	475	1993
Jose Pablo Martinez v. Superior Linen	10	OCAHO	1180	2013
Juan Antonio Martinez v. Ray's Bar-B-Que	9	OCAHO	1120	2005
Juan Francisco Martinez v. Lott Constructors, Inc.	2	OCAHO	323	1991
Juan Manuel Alamprese v. MNSH, Inc.	9	OCAHO	1094	2003
Kenneth Wade Parker, Jr. v. Wild Goose Storage, Inc.	9	OCAHO	1081	2002
Kosatschkow v. Allen-Stevens Corporation	7	OCAHO	938	1997
Krzysztof Zarazinski v. Anglo Fabrics, Company	4	OCAHO	638	1994
	3	OCAHO	470	1992

Krzysztof Zarazinski v. Anglo Fabrics, Company	4	OCAHO	626	1994
Lee v. AT&T	7	OCAHO	924	1997
Loleitha Atheria Wilson v. Waste Connections, Inc.	13	OCAHO	1315	2019
Marcos Valencio v. VASP Brazilian Airlines	5	OCAHO	740	1995
Margarita Yefremov v. New York City Department of Transportation	3	OCAHO	562	1993
Maria Fuentes v. Grace Culinary Systems	6	OCAHO	873	1996
Maria Gordillo v. Illinois Department of Employment Security	3	OCAHO	542	1993
Martin A. Holguin v. Dona Ana Fashions	3	OCAHO	582	1993
Martin John Shortt v. Dick Clark's American Bandstand Grill	10	OCAHO	1130	2009
McNier v. San Francisco State University College of Business	7	OCAHO	998	1998
Miguel A. Gallegos v. Magna-View, Inc.	4	OCAHO	619	1994
Moises Reyes v. Pilgrim Psychiatric Center	3	OCAHO	529	1993
Mr. Doron Tal v. M. L. Energia, Inc.	3	OCAHO	519	1993
Mr. Wahab E. Ekunsumi v. Hyatt Regency Hotel of Cincinnati	1	OCAHO	128	1990
Nripendra S. Dhillon v. Regents of the University of California	3	OCAHO	497	1993
Olatunji Moshood Fakunmoju v. Claims Administration Corporation	4	OCAHO	624	1994
Programmer's Guild, Inc. v. Value Consulting, Inc.	10	OCAHO	1135	2010

Richard F. Lareau v. US Airways, Inc.	7	OCAHO	932	1997
Robert S. Mathews v. Goodyear Tire & Rubber Company	7	OCAHO	929	1997
Roberto Decasez-Martinez v. Tyson Foods, Inc.	2	OCAHO	372	1991
Salim J. Hajiani v. ESHA USA, Inc. and Sameer Ramjee	10	OCAHO	1212	2014
Salvador Chavarin-Lopez v. Nichols Farms	2	OCAHO	371	1991
Sara Caspi v. William J. Hoffman and Trigild Corporation	6	OCAHO	838	1996
	6	OCAHO	838	1996
Sargon Bethishou v. Ohmite Manufacturing Company	1	OCAHO	77	1989
Sellaro v. Elektra Records	3	OCAHO	495	1993
Stephen A. Lewis v. McDonald's Corporation	2	OCAHO	383	1991
Stephen Salerno v. ICL Retail Systems, Inc.	3	OCAHO	481	1993
Travis John Guth v. Kaiser Permanente Hawaii	10	OCAHO	1190	2013
United States v. A.J. Bart, Inc.	3	OCAHO	538	1993
United States v. Auburn University	4	OCAHO	617	1994
	3	OCAHO	564	1993
United States v. Diversified Technology and Services of Virginia, Inc.	9	OCAHO	1095	2003
United States v. General Dynamics	3	OCAHO	517	1993

United States v. Guardsmark	3	OCAHO	572	1993
United States v. Jerry Estopy and Manuel Bortoni, d/b/a Estopy Farms	11	OCAHO	1256	2015
	11	OCAHO	1252	2015
United States v. Marcel Watch Corporation	1	OCAHO	143	1990
United States v. McDonnell Douglas Corporation	4	OCAHO	676	1994
United States v. San Diego Semiconductors, Inc.	2	OCAHO	314	1991
United States v. Weld County School District	2	OCAHO	326	1991
Yves Nguyen v. ADT Engineering, Inc.	3	OCAHO	489	1993

DISCRIMINATION

Citizenship Status Discrimination

Alex J. Montalvo v. Kering Americas, Inc.	14	OCAHO	1350	2020
Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021
Zaji Obatala Zajradhara	14	OCAHO	1363c	2021

Citizenship Status Jurisdiction

Temitope Ogunrinu v. Law Resources & Arnold & Porter Kaye Scholer LLP 13 OCAHO 1332g 2020

DISCRIMINATION

Complainant Generally May Not Bring OCAHO Claim Against Party Not Named in the Charge

Temitope Ogunrinu v. Law Resources 13 OCAHO 1332b 2019

13 OCAHO 1332 2019

Complainant in Section 1324b Case Must Show That Discrimination Was Intentional

Victor Guerrero v. California Department of Corrections and Rehabilitation 11 OCAHO 1264 2015

Complainant May Prove a Case of Employment Discrimination by Direct or Circumstantial Evidence

Martine Mbitaze v. City of Greenbelt 13 OCAHO 1345a 2020

Complainant Must Raise Genuine Issue as to Whether Proffered Reasons for Termination Were Pretext

Linda Chellouf v. Inter American University of Puerto Rico	12	OCAHO	1269	2016
Martine Mbitaze v. City of Greenbelt	13	OCAHO	1345a	2020
Norberto Sagal Torres v. Pacific Continental Textiles, Inc.	10	OCAHO	1203	2013

DISCRIMINATION

Complainant Not Required to Plead Facts of Prima Facie Case for Claim Under Section 1324b

Alex J. Montalvo v. Kering Americas, Inc.	14	OCAHO	1350	2020
Steven Brown, et al. v. Pilgrims Pride Corporation	14	OCAHO	1379	2020
Terri Ann Jablonski v. Kelly Legal Services, et al.	12	OCAHO	1282	2016
Terri Ann Jablonski v. Robert Half legal a/k/a Robert Half International Stock Symbol RHI	12	OCAHO	1272	2016
Terri Ann Jablonski v. Yorkson Legal, et al.	12	OCAHO	1273	2016

Constructive Discharge

Marlene Singh Palacio v. Seaside Custom Harvesting/Zinn Packing Company	4	OCAHO	675	1994

Steven Brown, et al. v. Pilgrims Pride Corporation 14 OCAHO 1379 2020

DISCRIMINATION

Denial of Preference for Part Time Work Does Not Alone Support Claim of Constructive Discharge

Julio Ricardo Sanchez Molina v. Securitas Security Services USA, Inc. 11 OCAHO 1261 2015

Derivative Citizen

Martine Mbitaze v. City of Greenbelt 13 OCAHO 1345a 2020

Direct Evidence

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP 13 OCAHO 1332j 2021

DISCRIMINATION

Habukuk Ndzerre v. Washington Metropolitan Area Transit Authority 13 OCAHO 1306 2017

DISCRIMINATION

Discrimination Actionable Only If OSC/IER Charge Filed Within 180 Days of Alleged Act

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc. 14 OCAHO 1370 2020

Aurelio Galindo v. Smithfield Foods & Yuma County 14 OCAHO 1369 2020

Bienvenido Antonio Thompson v. Prestige Towing Services 13 OCAHO 1309 2018

Habukuk Ndzerre v. Washington Metropolitan Area Transit Authority 13 OCAHO 1306a 2018

13 OCAHO 1306 2017

Julio Ricardo Sanchez Molina v. Securitas Security Services USA, Inc. 11 OCAHO 1261 2015

M.S v. Dave S.B. Hoon - John Wayne Cancer Institute 12 OCAHO 1305 2017

M.S. v. Dave S.B. Hoon - John Wayne Cancer Institute 12 OCAHO 1305a 2018

12 OCAHO 1305b 2018

Nicasio Angulo v. Securitas Security Services USA, Inc. 11 OCAHO 1259 2015

Oswalde Woode v. Central Regional Hospital NCDHHS Agency 11 OCAHO 1235 2014

Prakash Sinha v. Infosys 14 OCAHO 1373 2020

Ravi Narayana Kumar Dakarapu v. Arvy Tech, Inc. 13 OCAHO 1308 2018

Salim J. Hajiani v. ESHA USA, Inc. and Sameer Ramjee	10	OCAHO	1212	2014
Walter Oswaldo Paz-Martinez v. Securitas Security Services USA, Inc.	11	OCAHO	1260	2015
Zaji Obatala Zajradhara	14	OCAHO	1363c	2021

DISCRIMINATION

Discrimination Can Occur At Any Point In The Hiring Process

Martine Mbitaze v. City of Greenbelt	13	OCAHO	1345a	2020
United States v. Life Generations Healthcare, LLC d/b/a Generations Healthcare	11	OCAHO	1227	2014

Discrimination Claims Against Employment Agencies

Robert Heath v. Asta CRS, Inc.	14	OCAHO	1385	2021

Discrimination Suits Require Some Evidence of Discrimination

Julio Ricardo Sanchez Molina v. Securitas Security Services USA, Inc.	11	OCAHO	1261	2015

Nicasio Angulo v. Securitas Security Services USA, Inc. 11 OCAHO 1259 2015

Walter Oswaldo Paz-Martinez v. Securitas Security Services USA, Inc. 11 OCAHO 1260 2015

DISCRIMINATION

Discriminatory Intent Shown By Direct or Circumstantial Evidence, or Inferred From Statistics

United States v. Life Generations Healthcare, LLC d/b/a Generations Healthcare 11 OCAHO 1227 2014

Discriminatory Pattern Can Create Inference of Intent

United States v. Life Generations Healthcare, LLC d/b/a Generations Healthcare 11 OCAHO 1227 2014

Discriminatory Pattern Probative of Motive

United States v. Life Generations Healthcare, LLC d/b/a Generations Healthcare 11 OCAHO 1227 2014

Disparate Impact

Dolores Garcia Contreras v. Cascade Fruit Company	9	OCAHO	1090	2003

DISCRIMINATION

Disparate Treatment

Chand Wije v. Barton Springs/Edwards Aquifier C.D.	5	OCAHO	785	1995
Dalila Kamal-Griffin v. Cahill Gordon & Reindel	3	OCAHO	568	1993
Daniel Joseph Bendig v. Conoco, Inc.	9	OCAHO	1077	2001
Dolores Garcia Contreras v. Cascade Fruit Company	9	OCAHO	1090	2003
Gurpreet Sodhi v. Maricopa County Special Health Care District	9	OCAHO	1124	2007
Henry O. Akinwande v. Mr. Rick Weyel, Erol's, Inc.	1	OCAHO	144	1990
Jesse Charles Jones v. DeWitt Nursing Home	1	OCAHO	189	1990
Juan Antonio Martinez v. Ray's Bar-B-Que	9	OCAHO	1120	2005
Kenneth Wade Parker, Jr. v. Wild Goose Storage, Inc.	9	OCAHO	1081	2002
Krzysztof Zarazinski v. Anglo Fabrics, Company	4	OCAHO	638	1994
	3	OCAHO	470	1992

Leandro Miraon Aguinaldo v. McDonnell Douglas Corporation	4	OCAHO	707	1994
Lydia Annella Anderson v. Newark Public Schools	8	OCAHO	1024	1999
Martin John Shortt v. Dick Clark's American Bandstand Grill	10	OCAHO	1130	2009
Michael K. Lee v. Airtouch Communications	6	OCAHO	901	1996
Mr. Doron Tal v. M. L. Energia, Inc.	4	OCAHO	705	1994
Roberto Decasez-Martinez v. Tyson Foods, Inc.	2	OCAHO	372	1991
Rosa Maria Tovar v. Rick Misquez d/b/a A.P. Esteve Sales	3	OCAHO	458	1992
Sargon Bethishou v. Ohmite Manufacturing Company	1	OCAHO	77	1989
United States v. Farmers Insurance Group of Companies	1	OCAHO	22	1988
United States v. Lasa Marketing Firms, a California Partnership	1	OCAHO	141	1990
	1	OCAHO	106	1989
United States v. Marcel Watch Corporation	1	OCAHO	143	1990
United States v. Mesa Airlines	1	OCAHO	74	1989
	1	OCAHO	74	1989
United States v. Weld County School District	2	OCAHO	326	1991
Wartan Bozoghlanian v. Raytheon Company, Electromagnetic Systems Division	4	OCAHO	660	1994
Wisniewski v. Douglas County School System	1	OCAHO	29	1988

DISCRIMINATION

Document Abuse

Ahadu Tadesse v. United States Postal Service	7	OCAHO	979	1997
Celia Simon v. Ingram Micro, Inc.	9	OCAHO	1088	2003
Christopher Winkler v. Timlin Corporation	6	OCAHO	912	1997
Christopher Winkler v. West Capital Financial Services	7	OCAHO	928	1997
Costigan v. NYNEX	6	OCAHO	918	1997
Daniel DeNardo v. WH Smith USA Travel	9	OCAHO	1080	2002
Earl Russel Horne v. Town of Hampstead	6	OCAHO	906	1997
Elizabeth S. Mengarpuan v. Asbury Methodist Village	4	OCAHO	612	1994
Elodia Guzman v. Yakima Fruit & Cold Storage	9	OCAHO	1066	2001
	9	OCAHO	1066	2001
Eric Robin Cholerton v. Robert M. Hadley Company, Inc.	7	OCAHO	934	1997
Frederick John Harris v. State of Hawaii, Department of Education	6	OCAHO	922	1997
Gloria Ondina-Mendez v. Sugar Creek Packing Company	9	OCAHO	1085	2002
	9	OCAHO	1075	2001

Hutchinson v. End Stage Renal Disease Network of Florida, Inc.	7	OCAHO	939	1997
Jack N. Toussaint v. Tekwood Data Processing Consulting	6	OCAHO	892	1996
Kosatschkow v. Allen-Stevens Corporation	7	OCAHO	938	1997
Lee v. AT&T	7	OCAHO	924	1997
Manikandan Sivasankar v. Strategic Staffing Solutions	14	OCAHO	1354	2020
Maria Fuentes v. Grace Culinary Systems	6	OCAHO	873	1996
Martine Mbitaze v. City of Greenbelt	13	OCAHO	1345a	2020
Michael K. Lee v. Airtouch Communications	6	OCAHO	901	1996
	6	OCAHO	888	1996
Ramnik M. Trivedi v. Northrop Corporation and Department of Defense	4	OCAHO	600	1994
Richard F. Lareau v. US Airways, Inc.	7	OCAHO	932	1997
Roman Udala v. New York State Department of Education	4	OCAHO	633	1994
Rosa Isela Olivares Aguirre v. KDI American Products, Inc.	6	OCAHO	882	1996
Temitope Ogunrinu v. Law Resources & Arnold & Porter Kaye Scholer LLP	13	OCAHO	1332g	2020
Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021
United States v. Acosta, Inc. d/b/a McDonald's	7	OCAHO	961	1997
United States v. Diversified Technology and Services of Virginia, Inc.	9	OCAHO	1095	2003

United States v. Guardsmark	3	OCAHO	572	1993
United States v. Hyatt Regency Lake Tahoe	6	OCAHO	879	1996
	6	OCAHO	861	1996
United States v. Robison Fruit Ranch, Inc.	6	OCAHO	855	1996
	4	OCAHO	594	1994
United States v. Rosario Strano and Vito Strano d/b/a Strano Farms	5	OCAHO	748	1995
United States v. Zabala Vineyards	6	OCAHO	830	1995
Werline v. Public Service Electric & Gas Company	7	OCAHO	935	1997

DISCRIMINATION

Documents

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Daniel DeNardo v. WH Smith USA Travel	9	OCAHO	1080	2002

Employer's Broad Discretion Expectations for Employee's Performance

Jose Carlos De Araujo v. Joan Smith Enterprises, Inc., aka California Pools and Spas and or California Pools and Landscape	10	OCAHO	1187	2013

DISCRIMINATION

Employer's Constantly Shifting Explanations for Adverse Action Can Alone Show Pretext

United States v. Jerry Estopy and Manuel Bortoni, d/b/a Estopy Farms	11	OCAHO	1252	2015

Evidence

Benjamin Barone v. Superior Washer and Gasket Corp.	10	OCAHO	1176	2013
Carlos Aciar v. Rosen's Delicatessen	9	OCAHO	1086	2002
Corneliu Curuta v. Tomball College	9	OCAHO	1099	2003
Crecencio Cabrera Mendez v. Jim Daniels	2	OCAHO	374	1991
Dalila Kamal-Griffin v. Cahill Gordon & Reindel	3	OCAHO	568	1993
	3	OCAHO	460	1992
Dalila Kamal-Griffin v. Curtis, Mallet-Prevost, Colt & Mosle	3	OCAHO	550	1993
Daniel Bendig v. Conoco, Inc.	9	OCAHO	1065	2001
Daniel Joseph Bendig v. Conoco, Inc.	9	OCAHO	1077	2001

Dolores Garcia Contreras v. Cascade Fruit Company	9	OCAHO	1090	2003
Dr. Mahmoud M. Hammoudah v. Rush-Presbyterian St. Luke's Medical Center	8	OCAHO	1050	2000
Errol Williams v. Lucas & Associates	2	OCAHO	357	1991
George Suchta v. United States Postal Service	2	OCAHO	327	1991
Gloria Ondina-Mendez v. Sugar Creek Packing Company	9	OCAHO	1075	2001
Howard Eugene McNier v. Arthur Wallace in his capacity as Dean, College of Business, San Francisco State University, et al	9	OCAHO	1074	2001
Iron Workers Local 455 v. Lake Construction & Development Corporation	7	OCAHO	964	1997
Jack Huang v. Queens Motel	2	OCAHO	364	1991
Jenlih John Hsieh v. PMC - Sierra, Inc.	9	OCAHO	1093	2003
Jenlih John Hsieh v. PMC - Sierra, Inc.	9	OCAHO	1093	2003
Jesse Charles Jones v. DeWitt Nursing Home	1	OCAHO	189	1990
Jimmy Jack Jackai v. Dallas County Data Services	3	OCAHO	569	1993
Jose Carlos De Araujo v. Joan Smith Enterprises, Inc., aka California Pools and Spas and or California Pools and Landscape	10	OCAHO	1187	2013
Jose Jasso v. Danbury Hilton & Towers	3	OCAHO	522	1993
Jose Pablo Martinez v. Superior Linen	10	OCAHO	1180	2013
Juan Francisco Martinez v. Lott Constructors, Inc.	2	OCAHO	323	1991
Juan Manuel Alamprese v. MNSH, Inc.	9	OCAHO	1094	2003

Kenneth Wade Parker, Jr. v. Wild Goose Storage, Inc.	9	OCAHO	1081	2002
Krzysztof Zarazinski v. Anglo Fabrics, Company	3	OCAHO	470	1992
	4	OCAHO	626	1994
Martin John Shortt v. Dick Clark's American Bandstand Grill	10	OCAHO	1130	2009
Olegario Munoz v. Pastel Furniture Manufacturing Company	3	OCAHO	457	1992
Programmer's Guild, Inc. v. Value Consulting, Inc.	10	OCAHO	1135	2010
Robert Y. Chu v. Fujitsu Network Transmission System, Inc.	5	OCAHO	778	1995
Roberto Decasez-Martinez v. Tyson Foods, Inc.	2	OCAHO	372	1991
Rosa Maria Tovar v. Rick Misquez d/b/a A.P. Esteve Sales	3	OCAHO	458	1992
Salim J. Hajiani v. ESHA USA, Inc. and Sameer Ramjee	10	OCAHO	1212	2014
Stephen A. Lewis v. McDonald's Corporation	2	OCAHO	383	1991
Travis John Guth v. Kaiser Permanente Hawaii	10	OCAHO	1190	2013
United States v. Diversified Technology and Services of Virginia, Inc.	9	OCAHO	1095	2003
United States v. General Dynamics	3	OCAHO	517	1993
United States v. Guardsmark	4	OCAHO	614	1994
United States v. Lasa Marketing Firms, a California Partnership	1	OCAHO	141	1990
	1	OCAHO	106	1989

United States v. Marcel Watch Corporation	1	OCAHO	143	1990
United States v. Mesa Airlines	1	OCAHO	74	1989
	1	OCAHO	74	1989
United States v. San Diego Semiconductors, Inc.	2	OCAHO	314	1991
United States v. Zabala Vineyards	6	OCAHO	830	1995
Wisniewski v. Douglas County School System	1	OCAHO	29	1988

DISCRIMINATION

Evidence Necessary to Establish Prima Facie Case of Discrimination

Steven Brown, et al. v. Pilgrims Pride Corporation	14	OCAHO	1379	2020

Exceptions to Requirement That Complainant Must Name Party in Charge Before Bringing OCAHO Claim

Temitope Ogunrinu v. Law Resources	13	OCAHO	1332b	2019
	13	OCAHO	1332	2019
Temitope Ogunrinu v. Law Resources & Arnold and Porter Kaye Scholer LLP	13	OCAHO	1332c	2020

DISCRIMINATION

Failure to Demonstrate That Similarly Situated Comparators Were Treated Differently

Brent Leslie Reed v. DuPont Pioneer Hi-Bred International, Inc.	13	OCAHO	1321a	2019

Failure to State a Claim

Aurelio Galindo v. Smithfield Foods & Yuma County	14	OCAHO	1369	2020

Filing A Timely IER Charge Is A Condition Precedent to Filing a 1324b Complaint With OCAHO

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc.	14	OCAHO	1370	2020
Aurelio Galindo v. Smithfield Foods & Yuma County	14	OCAHO	1369	2020
Bienvenido Antonio Thompson v. Prestige Towing Services	13	OCAHO	1309	2018
Habukuk Ndzerre v. Washington Metropolitan Area Transit Authority	13	OCAHO	1306a	2018
M.S v. Dave S.B. Hoon - John Wayne Cancer Institute	12	OCAHO	1305	2017

M.S. v. Dave S.B. Hoon - John Wayne Cancer Institute	12	OCAHO	1305a	2018
	12	OCAHO	1305b	2018
Prakash Sinha v. Infosys	14	OCAHO	1373	2020
Temitope Ogunrinu v. Law Resources	13	OCAHO	1332	2019
Temitope Ogunrinu v. Law Resources & Arnold and Porter Kaye Scholer LLP	13	OCAHO	1332c	2020
Zaji Obatala Zajradhara	14	OCAHO	1363c	2021

DISCRIMINATION

Filing of EEOC Charge Is Not A Condition Precedent to Filing of OSC Charge

Oswalde Woode v. Central Regional Hospital NCDHHS Agency	11	OCAHO	1235	2014

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Daniel DeNardo v. WH Smith USA Travel	9	OCAHO	1080	2002

Generally

Adnan Niaz Mir v. Federal Bureau of Prisons	3	OCAHO	510	1993
Carlos Aciar v. Rosen's Delicatessen	9	OCAHO	1086	2002
Daniel Joseph Bendig v. Conoco, Inc.	9	OCAHO	1077	2001
Earl Russel Horne v. Town of Hampstead	6	OCAHO	906	1997
Gloria Ondina-Mendez v. Sugar Creek Packing Company	9	OCAHO	1085	2002
Grzegirz Pioterek v. Anderson Cleaning Systems, Inc.	3	OCAHO	590	1993
	3	OCAHO	539	1993
Grzegirz Pioterek v. Scott Worldwide Food Service	3	OCAHO	530	1993
Howard Eugene McNier v. San Francisco State University College of Business	7	OCAHO	947	1997
	7	OCAHO	947	1997
James D. Westendorf v. Brown & Root, Inc.	3	OCAHO	477	1992
Jesse Charles Jones v. DeWitt Nursing Home	1	OCAHO	189	1990
Jose Jasso v. Danbury Hilton & Towers	3	OCAHO	522	1993
Kenneth Wade Parker, Jr. v. Wild Goose Storage, Inc.	9	OCAHO	1081	2002
Krzysztof Zarazinski v. Anglo Fabrics, Company	4	OCAHO	661	1994
Leandro Miraon Aguinaldo v. McDonnell Douglas Corporation	4	OCAHO	707	1994

Leonid Naginsky v. Department of Defense and EG&G Dynatrend	6	OCAHO	891	1996
Lydia Annella Anderson v. Newark Public Schools	8	OCAHO	1035	1999
Marcos Valencio v. VASP Brazilian Airlines	5	OCAHO	740	1995
Margarita Yefremov v. New York City Department of Transportation	3	OCAHO	466	1992
Maria Gordillo v. Illinois Department of Employment Security	3	OCAHO	542	1993
Michael K. Lee v. Airtouch Communications	6	OCAHO	901	1996
Ronald C. Wilson v. Harrisburg School District	6	OCAHO	919	1997
Rosa Isela Olivares Aguirre v. KDI American Products, Inc.	6	OCAHO	882	1996
United States v. Auburn University	3	OCAHO	564	1993
United States v. General Dynamics	3	OCAHO	517	1993
United States v. Marcel Watch Corporation	1	OCAHO	143	1990
United States v. Weld County School District	2	OCAHO	326	1991
United States v. Zabala Vineyards	6	OCAHO	844	1996
	6	OCAHO	844	1996
Yadira Azucena Ocampo Soto v. Top Industrial, Inc.	7	OCAHO	999	1998

DISCRIMINATION

Individual Alleging Discrimination Has Initial Burden of Establishing Prima Facie Case

Armando Huberth Crespo v. FAMSA, Inc.	13	OCAHO	1337	2019
	13	OCAHO	1337	2019
Brent Leslie Reed v. DuPont Pioneer Hi-Bred International, Inc.	13	OCAHO	1321a	2019
Linda Chellouf v. Inter American University of Puerto Rico	12	OCAHO	1269	2016
Loleitha Atheria Wilson v. Waste Connections, Inc.	13	OCAHO	1315	2019
Manikandan Sivasankar v. Strategic Staffing Solutions	14	OCAHO	1354	2020
Michael Edward Johnson v. Progressive Roofing	12	OCAHO	1295	2017
Victor Guerrero v. California Department of Corrections and Rehabilitation	11	OCAHO	1264	2015
Zaji Obatala Zajradhara	14	OCAHO	1363c	2021

DISCRIMINATION

Individual's Subjective Perception of Discrimination Does Not Substitute for Evidence

Julio Ricardo Sanchez Molina v. Securitas Security Services USA, Inc.	11	OCAHO	1261	2015
Nicasio Angulo v. Securitas Security Services USA, Inc.	11	OCAHO	1259	2015
Walter Oswaldo Paz-Martinez v. Securitas Security Services USA, Inc.	11	OCAHO	1260	2015

DISCRIMINATION

Inference that Discrimination Not Determinative Where Same Person Hires & Fires Within Short Time

Salim J. Hajiani v. ESHA USA, Inc. and Sameer Ramjee 10 OCAHO 1212 2014

INS Guidelines

Technical or Procedural Verification Failures

Daniel DeNardo v. WH Smith USA Travel 9 OCAHO 1080 2002

Intent To Discriminate If Person Would Have Acted Differently But For Protected Characteristic

United States v. Life Generations Healthcare, LLC d/b/a Generations Healthcare 11 OCAHO 1227 2014

Intentional

Ahadu Tadesse v. United States Postal Service 7 OCAHO 979 1997

Benjamin Barone v. Superior Washer and Gasket Corp.	10	OCAHO	1176	2013
Dolores Garcia Contreras v. Cascade Fruit Company	9	OCAHO	1090	2003
Gloria Ondina-Mendez v. Sugar Creek Packing Company	9	OCAHO	1085	2002
Iron Workers Local 455 v. Lake Construction & Development Corporation	7	OCAHO	964	1997
Jimmy Jack Jackai v. Dallas County Data Services	3	OCAHO	569	1993
Jorge Mario Ipina v. Michigan Jobs Commission	8	OCAHO	1036	1999
Jose Carlos De Araujo v. Joan Smith Enterprises, Inc., aka California Pools and Spas and or California Pools and Landscape	10	OCAHO	1187	2013
Jose Pablo Martinez v. Superior Linen	10	OCAHO	1180	2013
Juan Manuel Alamprese v. MNSH, Inc.	9	OCAHO	1094	2003
Raul A. Gonzalez v. Tri-Component Products, Inc.	9	OCAHO	1118	2005
United States v. Diversified Technology and Services of Virginia, Inc.	9	OCAHO	1095	2003
United States v. Lasa Marketing Firms, a California Partnership	1	OCAHO	141	1990
	1	OCAHO	106	1989
United States v. Marcel Watch Corporation	1	OCAHO	143	1990

DISCRIMINATION

Intentional Discrimination If Employer Treats Some People Less Favorably Due to Prohibited Factor

United States v. Life Generations Healthcare, LLC d/b/a Generations Healthcare	11	OCAHO	1227	2014

DISCRIMINATION

Jurisdiction

A.S. v. Amazon WebServices, Inc.	14	OCAHO	1381a	2021
Adolfo Cruz Deguzman v. First America Bank Corporation	3	OCAHO	585	1993
Aurelio Galindo v. Smithfield Foods & Yuma County	14	OCAHO	1369	2020
Cecilia Araceli Basua v. Walmart #1554	3	OCAHO	535	1993
Christopher Winkler v. West Capital Financial Services	7	OCAHO	928	1997
Cormia v. Home Care Giver Services	10	OCAHO	1160	2012
Corneliu Curuta v. United States Water Conservation Laboratory	3	OCAHO	459	1992
Daniel D. Tiplea v. Reynolds Electrical & Engineering Company, Inc.	3	OCAHO	548	1993
Eric Robin Cholerton v. Robert M. Hadley Company, Inc.	7	OCAHO	934	1997
Esther Din Brooks v. KNK Textile	3	OCAHO	528	1993
Frank Thomas Brown v. Baltimore City Public Schools	3	OCAHO	480	1992
Frederick John Harris v. Mr. Bob Marbut, Chairman & CEO, Argyle Television Operations, Inc.	7	OCAHO	943	1997
Ghaffar Sepahpour v. Unisys, Inc.	3	OCAHO	500	1993

Gloria Ondina-Mendez v. Sugar Creek Packing Company	9	OCAHO	1085	2002
Haddon Speakman v. The Rehabilitation Hospital of South Texas	3	OCAHO	469	1992
Hollingsworth v. Applied Research Associates	7	OCAHO	942	1997
Howard Eugene McNier v. San Francisco State University College of Business	7	OCAHO	947	1997
	7	OCAHO	947	1997
	8	OCAHO	1030	1999
Hutchinson v. GTE Data Services	7	OCAHO	954	1997
In re Investigation of University of South Florida, Subpoena	8	OCAHO	1056	2000
Jamal Y. Elhaj-Chehade v. University of Texas Southwestern Medical School	8	OCAHO	1022	1999
Jay S. Manning v. The City of Jacksonville	7	OCAHO	956	1997
Jesus Morales v. Cromwell's Tavern Restaurant	3	OCAHO	524	1993
Jose N. Hernandez v. City of Santa Ana	4	OCAHO	663	1994
Margarita Yefremov v. New York City Department of Transportation	3	OCAHO	466	1992
Maria Fuentes v. Grace Culinary Systems	6	OCAHO	873	1996
Martin A. Holguin v. Dona Ana Fashions	3	OCAHO	582	1993
Mr. Doron Tal v. M. L. Energia, Inc.	4	OCAHO	639	1994
Programmer's Guild, Inc. v. Value Consulting, Inc.	10	OCAHO	1135	2010

Richard F. Lareau v. US Airways, Inc.	7	OCAHO	932	1997
Robert Heath v. Vbeyond Corporation and an Anonymous Employer	14	OCAHO	1368a	2020
Sellaro v. Elektra Records	3	OCAHO	495	1993
Steven Brown, et al. v. Pilgrims Pride Corporation	14	OCAHO	1379	2020
Temitope Ogunrinu v. Law Resources & Arnold & Porter Kaye Scholer LLP	13	OCAHO	1332g	2020
United States v. Auburn University	4	OCAHO	617	1994
Werline v. Public Service Electric & Gas Company	7	OCAHO	935	1997
William S. Monda v. Staryhab, Inc.	8	OCAHO	1002	1998

DISCRIMINATION

Knowledge of Citizenship Status

Juan Manuel Alamprese v. MNSH, Inc.	9	OCAHO	1094	2003

Legitimate, Nondiscriminatory Reason

Benjamin Barone v. Superior Washer and Gasket Corp.	10	OCAHO	1176	2013

Celia Simon v. Ingram Micro, Inc.	9	OCAHO	1088	2003
Daniel Bendig v. Conoco, Inc.	9	OCAHO	1065	2001
Daniel Joseph Bendig v. Conoco, Inc.	9	OCAHO	1077	2001
Dinko Sefic v. Marconi Wireless	9	OCAHO	1123	2007
Dolores Garcia Contreras v. Cascade Fruit Company	9	OCAHO	1090	2003
Gloria Ondina-Mendez v. Sugar Creek Packing Company	9	OCAHO	1085	2002
Gurpreet Sodhi v. Maricopa County Special Health Care District	9	OCAHO	1124	2007
Jenlih John Hsieh v. PMC - Sierra, Inc.	9	OCAHO	1093	2003
Jose Carlos De Araujo v. Joan Smith Enterprises, Inc., aka California Pools and Spas and or California Pools and Landscape	10	OCAHO	1187	2013
Jose Pablo Martinez v. Superior Linen	10	OCAHO	1180	2013
Kasathsko v. Internal Revenue Service	6	OCAHO	840	1996
Linda Chellouf v. Inter American University of Puerto Rico	12	OCAHO	1269	2016
Loleitha Atheria Wilson v. Waste Connections, Inc.	13	OCAHO	1315	2019
Luigia Wiesner v. CIT Tours, Inc.	5	OCAHO	773	1995
Martin John Shortt v. Dick Clark's American Bandstand Grill	10	OCAHO	1130	2009
Norberto Sagal Torres v. Pacific Continental Textiles, Inc.	10	OCAHO	1203	2013
Robert Y. Chu v. Fujitsu Network Transmission System, Inc.	5	OCAHO	778	1995

Travis John Guth v. Kaiser Permanente Hawaii	10	OCAHO	1190	2013
United States v. Diversified Technology and Services of Virginia, Inc.	9	OCAHO	1095	2003
Zaji Obatala Zajradhara	14	OCAHO	1363c	2021

DISCRIMINATION

Legitimate, Nondiscriminatory Reason for Employment Decision

Brent Leslie Reed v. DuPont Pioneer Hi-Bred International, Inc.	13	OCAHO	1321a	2019
Manikandan Sivasankar v. Strategic Staffing Solutions	14	OCAHO	1354	2020
Martine Mbitaze v. City of Greenbelt	13	OCAHO	1345a	2020
Zaji Obatala Zajradhara	14	OCAHO	1363c	2021

Malice Or Ill Will Is Not Required to Establish Discrimination

United States v. Life Generations Healthcare, LLC d/b/a Generations Healthcare	11	OCAHO	1227	2014

National Origin

Albert Gimein v. Department of Defense & Grumman Aerospace Corporation	3	OCAHO	503	1993
Bassey J. Udofot v. General Electric Company, Astro-Space Division	1	OCAHO	205	1990
Benjamin A. K. Yohan v. Central State Hospital	4	OCAHO	593	1994
Bertalina Monjaras v. Blue Ribbon Cleaners, Inc.	3	OCAHO	526	1993
Carlos Aciar v. Rosen's Delicatessen	9	OCAHO	1086	2002
Carlos Aciar v. Rosen's Delicatessen	9	OCAHO	1086	2002
Cecilia Araceli Basua v. Walmart #1554	3	OCAHO	535	1993
Christopher Winkler v. Timlin Corporation	6	OCAHO	912	1997
Crecencio Cabrera Mendez v. Jim Daniels	2	OCAHO	392	1991
	2	OCAHO	374	1991
Dr. Mahmoud M. Hammoudah v. Rush-Presbyterian St. Luke's Medical Center	8	OCAHO	1015	1998
Drahomira Adame v. Dunkin Donuts	5	OCAHO	722	1995
Elizabeth S. Mengarpuan v. Asbury Methodist Village	4	OCAHO	612	1994
Frederick John Harris v. Mr. Bob Marbut, Chairman & CEO, Argyle Television Operations, Inc.	7	OCAHO	943	1997
Frederick John Harris v. State of Hawaii, Department of Education	6	OCAHO	922	1997
Ghaffar Sepahpour v. Unisys, Inc.	3	OCAHO	500	1993

Gloria Ondina-Mendez v. Sugar Creek Packing Company	9	OCAHO	1085	2002
Gloria Ondina-Mendez v. Sugar Creek Packing Company	9	OCAHO	1085	2002
Howard Eugene McNier v. San Francisco State University College of Business	7	OCAHO	947	1997
	7	OCAHO	947	1997
In re Investigation of University of South Florida, Subpoena	8	OCAHO	1056	2000
Jack Huang v. Queens Motel	2	OCAHO	364	1991
Jack N. Toussaint v. Tekwood Data Processing Consulting	6	OCAHO	892	1996
Jose Jasso v. Danbury Hilton & Towers	3	OCAHO	522	1993
Krzysztof Zarazinski v. Anglo Fabrics, Company	4	OCAHO	626	1994
Leonid Naginsky v. Department of Defense and EG&G Dynatrend	6	OCAHO	891	1996
Marcos Valencio v. VASP Brazilian Airlines	5	OCAHO	740	1995
Maria Gordillo v. Illinois Department of Employment Security	3	OCAHO	542	1993
Martin Flores v. Logan Foods Company	6	OCAHO	874	1995
Michael K. Lee v. Airtouch Communications	6	OCAHO	901	1996
Michael K. Wockenfuss v. Bureau of Prisons	5	OCAHO	767	1995
Moises Reyes v. Pilgrim Psychiatric Center	3	OCAHO	529	1993
Mr. Wahab E. Ekunsumi v. Hyatt Regency Hotel of Cincinnati	1	OCAHO	128	1990

Richard F. Lareau v. US Airways, Inc.	7	OCAHO	932	1997
Sara Caspi v. William J. Hoffman and Trigild Corporation	6	OCAHO	838	1996
	6	OCAHO	838	1996
	6	OCAHO	907	1997
Stephen A. Lewis v. McDonald's Corporation	2	OCAHO	383	1991
United States v. Great Earth Companies, Inc.	9	OCAHO	1070	2001
United States v. Guardsmark	3	OCAHO	572	1993
United States v. San Diego Semiconductors, Inc.	2	OCAHO	314	1991
United States v. Shirley Fuimoto, Hawaii Government Employees Association	7	OCAHO	937	1997
United States v. TKJ, Inc. d/b/a Snelling Personnel Services, a Florida Corporation	3	OCAHO	413	1992

DISCRIMINATION

National Origin Discrimination

Zaji Obatala Zajradhara	14	OCAHO	1363c	2021

No Mandate That U.S. Citizen Be Afforded Preference Over Equally Qualified Alien Individual

United States v. Jerry Estopy and Manuel Bortoni, d/b/a Estopy Farms 11 OCAHO 1252 2015

DISCRIMINATION

Nonimmigrant

H-1B visa

William S. Monda v. Staryhab, Inc. 8 OCAHO 1002 1998

OCAHO Case Law, Unlike Title VII, Has Never Recognized the Disparate Impact Theory

Victor Guerrero v. California Department of Corrections and Rehabilitation 11 OCAHO 1264 2015

OCAHO Does Not Have Jurisdiction to Hear Age-Related Discrimination Claims

Brent Leslie Reed v. DuPont Pioneer Hi-Bred International, Inc. 13 OCAHO 1321a 2019

OCAHO Has No Authority Over Discrimination Claims Covered by Statutes Other Than Section 1324b

Julio Ricardo Sanchez Molina v. Securitas Security Services USA, Inc.	11	OCAHO	1261	2015
Nicasio Angulo v. Securitas Security Services USA, Inc.	11	OCAHO	1259	2015
Walter Oswaldo Paz-Martinez v. Securitas Security Services USA, Inc.	11	OCAHO	1260	2015

DISCRIMINATION

OCAHO Has No Authority to Hear Discrimination Claim Based on Third Party's Citizenship Status

Brent Leslie Reed v. DuPont Pioneer Hi-Bred International, Inc.	13	OCAHO	1321a	2019

OCAHO Jurisprudence Looks To Cases Under Title VII for General Guidance in Interpreting Section 1324b

Linda Chellouf v. Inter American University of Puerto Rico	12	OCAHO	1269	2016
Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021

OSC, A Separate and Distinct Party, Can Pursue Complaint-In-Intervention Without Charging Party

United States v. Jerry Estopy and Manuel Bortoni, d/b/a Estopy Farms	11	OCAHO	1252	2015

DISCRIMINATION

Party Invoking Jurisdiction Bears the Burden to Establish That The Court Has Jurisdiction

Robert Heath v. F18 Consulting and an Anonymous Employer	14	OCAHO	1365	2020
Robert Heath v. VBeyond Corporation and an Anonymous Employer	14	OCAHO	1368	2020
	14	OCAHO	1368a	2020

Pattern or Practice

Dr. Mahmoud M. Hammoudah v. Rush-Presbyterian St. Luke's Medical Center	8	OCAHO	1050	2000
Guy Santiglia v. Sun Microsystems, Inc.	9	OCAHO	1097	2003
Linda S. Walker v. United Airlines, Inc.	4	OCAHO	686	1994
United States v. Diversified Technology and Services of Virginia, Inc.	9	OCAHO	1095	2003
United States v. Fairfield Jersey, Inc.	9	OCAHO	1069	2001
United States v. Rosario Strano and Vito Strano d/b/a Strano Farms	4	OCAHO	601	1994

United States v. Volvo Trucks North America, Inc.	7	OCAHO	994	1998

DISCRIMINATION

Pattern Or Practice of Discrimination Shown If Employer Discriminates As Standard Operating Procedure

United States v. Life Generations Healthcare, LLC d/b/a Generations Healthcare	11	OCAHO	1227	2014

Prescreening of Employment Applicants Based on Their Documentation is Impermissible

United States v. Life Generations Healthcare, LLC d/b/a Generations Healthcare	11	OCAHO	1227	2014

Pretext

Corneliu Curuta v. Tomball College	9	OCAHO	1099	2003
Dolores Garcia Contreras v. Cascade Fruit Company	9	OCAHO	1090	2003
Jenlih John Hsieh v. PMC - Sierra, Inc.	9	OCAHO	1093	2003
Jose Carlos De Araujo v. Joan Smith Enterprises, Inc., aka California Pools and Spas and or California Pools and Landscape	10	OCAHO	1187	2013

Jose Pablo Martinez v. Superior Linen	10	OCAHO	1180	2013
Linda Chellouf v. Inter American University of Puerto Rico	12	OCAHO	1269	2016
Loleitha Atheria Wilson v. Waste Connections, Inc.	13	OCAHO	1315	2019
Travis John Guth v. Kaiser Permanente Hawaii	10	OCAHO	1190	2013
United States v. Diversified Technology and Services of Virginia, Inc.	9	OCAHO	1095	2003

DISCRIMINATION

Prima Facie Case

Steven Brown, et al. v. Pilgrims Pride Corporation	14	OCAHO	1379	2020
Zaji Obatala Zajradhara	14	OCAHO	1363c	2021

Reduction in Force

Daniel Bendig v. Conoco, Inc.	9	OCAHO	1065	2001
Daniel Joseph Bendig v. Conoco, Inc.	9	OCAHO	1077	2001
Jenlih John Hsieh v. PMC - Sierra, Inc.	9	OCAHO	1093	2003

DISCRIMINATION

Retaliation

Alex J. Montalvo v. Kering Americas, Inc.	14	OCAHO	1350	2020
Armando Huberth Crespo v. FAMSA, Inc.	13	OCAHO	1337	2019
	13	OCAHO	1337	2019
Benjamin A. K. Yohan v. Central State Hospital	4	OCAHO	593	1994
Brenda Bent v. Brotman Medical Center Pulse Health Services	5	OCAHO	764	1995
Chand Wije v. Barton Springs/Edwards Aquifier C.D.	4	OCAHO	668	1994
Dinko Sefic v. Marconi Wireless	9	OCAHO	1123	2007
Doris Rainwater v. Doctor's Hospice of Georgia, Inc.	12	OCAHO	1300	2017
Drahomira Adame v. Dunkin Donuts	5	OCAHO	722	1995
	4	OCAHO	691	1994
Eric Robin Cholerton v. Robert M. Hadley Company, Inc.	7	OCAHO	934	1997
Frederick John Harris v. State of Hawaii, Department of Education	6	OCAHO	922	1997
Gurpreet Sodhi v. Maricopa County Special Health Care District	9	OCAHO	1124	2007
Gurpreet Sodhi v. Maricopa Medical Center	10	OCAHO	1127	2008

Guy Santiglia v. Sun Microsystems, Inc.	9	OCAHO	1097	2003
Howard Eugene McNier v. Arthur Wallace in his capacity as Dean, College of Business, San Francisco State University, et al	9	OCAHO	1074	2001
Howard Eugene McNier v. San Francisco State University College of Business	7	OCAHO	947	1997
	7	OCAHO	947	1997
In re Investigation of University of South Florida, Subpoena	8	OCAHO	1056	2000
Jayaben Patel v. USCIS Boston	14	OCAHO	1353	2020
	14	OCAHO	1353a	2020
Joan A. Lardy v. United Airlines, Inc.	4	OCAHO	595	1994
John A. Breda v. Kindred Braintree Hospital, LLC	10	OCAHO	1202	2013
Jorge Mario Ipina v. Michigan Jobs Commission	8	OCAHO	1036	1999
Jose Danilo Cruz v. Able Service Contractors, Inc.	6	OCAHO	837	1996
Jose N. Hernandez v. City of Santa Ana	4	OCAHO	663	1994
Krzysztof Zarazinski v. Anglo Fabrics, Company	4	OCAHO	638	1994
	4	OCAHO	626	1994
Linda Chellouf v. Inter American University of Puerto Rico	12	OCAHO	1269	2016
Lonnie W. Hogenmiller v. Lincare, Inc.	7	OCAHO	953	1997
Manikandan Sivasankar v. Strategic Staffing Solutions	14	OCAHO	1354	2020

Marlene Singh Palacio v. Seaside Custom Harvesting/Zinn Packing Company	4	OCAHO	675	1994
Martin John Shortt v. Dick Clark's American Bandstand Grill	10	OCAHO	1130	2009
Olatunji Moshood Fakunmoju v. Claims Administration Corporation	4	OCAHO	624	1994
Robert Y. Chu v. Fujitsu Network Transmission System, Inc.	5	OCAHO	778	1995
Seidou Diarrassouba v. Medallion Financial Corporation	9	OCAHO	1076	2001
Temitope Ogunrinu v. Law Resources & Arnold & Porter Kaye Scholer LLP	13	OCAHO	1332g	2020
	13	OCAHO	1332g	2020
Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021
United States v. Guardsmark	3	OCAHO	572	1993
United States v. Hotel Martha Washington Corporation	5	OCAHO	786	1995
United States v. Shirley Fuimoto, Hawaii Government Employees Association	7	OCAHO	937	1997
United States v. Zabala Vineyards	6	OCAHO	844	1996
	6	OCAHO	844	1996
Zaji Obatala Zajradhara	14	OCAHO	1363c	2021

DISCRIMINATION

Section 1324b Does Not Encompass All Immigration-Related Discrimination Claims

Jayaben Patel v. USCIS Boston	14	OCAHO	1353	2020
	14	OCAHO	1353a	2020

DISCRIMINATION

Section 1324b Does Not Encompass Complaints About Terms and Conditions of Employment

Bienvenido Antonio Thompson v. Sanchez Auto Services, LLC	12	OCAHO	1302	2017
Habukuk Ndzerre v. Washington Metropolitan Area Transit Authority	13	OCAHO	1306a	2018
	13	OCAHO	1306	2017
Julio Ricardo Sanchez Molina v. Securitas Security Services USA, Inc.	11	OCAHO	1261	2015
Nicasio Angulo v. Securitas Security Services USA, Inc.	11	OCAHO	1259	2015
Ravi Narayana Kumar Dakarapu v. Arvy Tech, Inc.	13	OCAHO	1308	2018
Steven Brown, et al. v. Pilgrims Pride Corporation	14	OCAHO	1379	2020
Walter Oswaldo Paz-Martinez v. Securitas Security Services USA, Inc.	11	OCAHO	1260	2015

Similarly Situated Comparators

Jose Pablo Martinez v. Superior Linen	10	OCAHO	1180	2013
Loleitha Atheria Wilson v. Waste Connections, Inc.	13	OCAHO	1315	2019
Norberto Sagal Torres v. Pacific Continental Textiles, Inc.	10	OCAHO	1203	2013

DISCRIMINATION

Subject Matter Jurisdiction

Aurelio Galindo v. Smithfield Foods & Yuma County	14	OCAHO	1369	2020
Donna Yvette Miller v. United States Postal Service, Greater South Carolina District Office	12	OCAHO	1284	2016
Hutchinson v. End Stage Renal Disease Network of Florida, Inc.	7	OCAHO	939	1997
Jayaben Patel v. USCIS Boston	14	OCAHO	1353	2020
	14	OCAHO	1353a	2020
Leola Branch v. Duong Schumacher	14	OCAHO	1358	2020
Li Zu v. Avalon Valley Rehabilitation Center	14	OCAHO	1376	2020
Lonnie W. Hogenmiller v. Lincare, Inc.	7	OCAHO	953	1997
Lydia Annella Anderson v. Newark Public Schools	8	OCAHO	1024	1999
Martine Mbitaze v. City of Greenbelt	13	OCAHO	1345a	2020
Prakash Sinha v. Infosys	14	OCAHO	1373	2020

Richard F. Lareau v. US Airways, Inc.	7	OCAHO	932	1997
Robert Heath v. F18 Consulting and an Anonymous Employer	14	OCAHO	1365	2020
Robert Heath v. VBeyond Corporation and an Anonymous Employer	14	OCAHO	1368	2020
	14	OCAHO	1368a	2020
Steven Brown, et al. v. Pilgrims Pride Corporation	14	OCAHO	1379	2020
Temitope Ogunrinu v. Law Resources & Arnold & Porter Kaye Scholer LLP	13	OCAHO	1332g	2020
United States v. Capital Fireproof Door	14	OCAHO	1372	2020
Washington Younggil Kim Jung Windsor	12	OCAHO	1294	2016
Washington Younggil Kim v. Randall T. Getz, Sergeant, Flushing Recruiting Center	12	OCAHO	1279	2016

DISCRIMINATION

Tax Protester

Bunn v. USX/US Steel	7	OCAHO	985	1998
Christopher Winkler v. Timlin Corporation	6	OCAHO	912	1997
Christopher Winkler v. West Capital Financial Services	7	OCAHO	928	1997
Costigan v. NYNEX	6	OCAHO	918	1997
Earl Russel Horne v. Town of Hampstead	6	OCAHO	906	1997

Hollingsworth v. Applied Research Associates	7	OCAHO	942	1997
Hutchinson v. End Stage Renal Disease Network of Florida, Inc.	7	OCAHO	939	1997
Hutchinson v. GTE Data Services	7	OCAHO	954	1997
James R. Cook v. Pro Source, Inc.	7	OCAHO	960	1997
Jay S. Manning v. The City of Jacksonville	7	OCAHO	956	1997
Kosatschkow v. Allen-Stevens Corporation	7	OCAHO	938	1997
Lee v. AT&T	7	OCAHO	924	1997
Lonnie W. Hogenmiller v. Lincare, Inc.	7	OCAHO	953	1997
Michael C. Smiley v. City of Philadelphia Department of Licenses & Inspection	7	OCAHO	925	1997
	7	OCAHO	925	1997
Michael K. Lee v. Airtouch Communications	6	OCAHO	901	1996
Michael K. Lee v. Airtouch Communications	7	OCAHO	926	1997
Ronald C. Wilson v. Harrisburg School District	6	OCAHO	919	1997
Werline v. Public Service Electric & Gas Company	7	OCAHO	935	1997

DISCRIMINATION

To Rebut Prima Facie Case, Employer Must State Non-Discriminatory Reason for Employment Decision

Brent Leslie Reed v. DuPont Pioneer Hi-Bred International, Inc.	13	OCAHO	1321a	2019
Linda Chellouf v. Inter American University of Puerto Rico	12	OCAHO	1269	2016
Loleitha Atheria Wilson v. Waste Connections, Inc.	13	OCAHO	1315	2019
Martine Mbitaze v. City of Greenbelt	13	OCAHO	1345a	2020
Michael Edward Johnson v. Progressive Roofing	12	OCAHO	1295	2017
Victor Guerrero v. California Department of Corrections and Rehabilitation	11	OCAHO	1264	2015

DISCRIMINATION

U.S. Workers Cannot Be Discriminated Against in Favor of Foreign Workers

United States v. Jerry Estopy and Manuel Bortoni, d/b/a Estopy Farms	11	OCAHO	1252	2015

Under Section 1324b Disparate Treatment Must Be Shown

United States v. Life Generations Healthcare, LLC d/b/a Generations Healthcare	11	OCAHO	1227	2014
Victor Guerrero v. California Department of Corrections and Rehabilitation	11	OCAHO	1264	2015

Where Two Legally Independent Remedies Are Provided, No Barrier To Pursuing Both Simultaneously

Oswalde Woode v. Central Regional Hospital NCDHHS Agency 11 OCAHO 1235 2014

DISCRIMINATION

Whether An Employee Was Constructively Discharged is a Fact-Intensive Inquiry

Steven Brown, et al. v. Pilgrims Pride Corporation 14 OCAHO 1379 2020

Who Qualifies as a Protected Individual for Citizenship Status Discrimination

Alex J. Montalvo v. Kering Americas, Inc. 14 OCAHO 1350 2020

Benjamin Stephen Mackinnon v. The Financial Times 13 OCAHO 1316 2019

Bienvenido Antonio Thompson v. Sanchez Auto Services, LLC 12 OCAHO 1302 2017

Li Zu v. Avalon Valley Rehabilitation Center 14 OCAHO 1376 2020

Loleitha Atheria Wilson v. Waste Connections, Inc. 13 OCAHO 1315 2019

Norberto Sagal Torres v. Pacific Continental Textiles, Inc. 10 OCAHO 1203 2013

Ricardo Farhard Gamez Caltzoncin v. GSM Insurors-Glass, Sorenson & McDavid 12 OCAHO 1287a 2016

Ricardo Farhard Gamez Caltzoncin v. GSM Insurors-Glass, Sorenson & McDavid	12	OCAHO	1287	2016
Travis John Guth v. Kaiser Permanente Hawaii	10	OCAHO	1190	2013
United States v. Jerry Estopy and Manuel Bortoni, d/b/a Estopy Farms	11	OCAHO	1252	2015
Vieri Verdesi v. Ark Rustic Inn, LLC	13	OCAHO	1311	2018

DISMISSAL

Abandonment

Abdul Hamid Kadir v. Regal Dental Ceramics	4	OCAHO	598	1994
Benjamin A. K. Yohan v. Central State Hospital	4	OCAHO	622	1994
Esther Din Brooks v. Watts Window World	3	OCAHO	570	1993
LeEdwards v. Kumagai International USA Corporation	4	OCAHO	609	1994
Martin A. Holguin v. Dona Ana Fashions	4	OCAHO	605	1994
Miguel A. Gallegos v. Magna-View, Inc.	4	OCAHO	628	1994
Noe Rodriguez v. Tyson Foods, Inc.	9	OCAHO	1109	2004
Tito Ponce Chavez v. National By-Products	4	OCAHO	620	1994
United States v. AMA Repiping, LLC	15	OCAHO	1391	2021
United States v. Cordin Company	10	OCAHO	1162	2012

United States v. Erlina Fashions, Inc. d/b/a Song Designs, Inc.	4	OCAHO	656	1994
United States v. Mitchell Greif, President, Coast Poly, LLC	10	OCAHO	1177	2013
United States v. Quickstuff, LLC, Its Member Maria Castillo, and A&C Staffing, LLC	11	OCAHO	1265	2015
Uthaiwan Wong-Opasi v. State of Tennessee, Governor Don Sundquist, et al	8	OCAHO	1054	2000
Zoila Palma v. Farley Foods	5	OCAHO	757	1995

DISMISSAL

Acting Lawfully Under a Regulation

Tanya Louise Seaver v. BAE Systems	9	OCAHO	1111	2004

After-Acquired Information

Olatunji Moshood Fakunmoju v. Claims Administration Corporation	4	OCAHO	624	1994

ALJ May Dismiss Complaint Without Prejudice When Service of Complaint Cannot Be Effectuated

Robert Heath v. Vbeyond Corporation and an Anonymous Employer 14 OCAHO 1368a 2020

United States v. Capital Fireproof Door 14 OCAHO 1372 2020

United States v. Emiliano Rios-Villatoro 14 OCAHO 1364 2020

DISMISSAL

ALJ May Require Complainant to Show Cause Why Complaint Should Not Be Dismissed

A.S. v. Amazon WebServices, Inc. 14 OCAHO 1381a 2021

Jayaben Patel v. USCIS Boston 14 OCAHO 1353 2020

Robert Heath v. Vbeyond Corporation and an Anonymous Employer 14 OCAHO 1368a 2020

ALJ May sua sponte Dismiss Complaint For Failure to State a Claim

Jayaben Patel v. USCIS Boston 14 OCAHO 1353 2020

Citizenship Status Claim(s)

Zaji Obatala Zajradhara	14	OCAHO	1363c	2021

DISMISSAL

Citizenship Status Discrimination

Benjamin Barone v. Superior Washer and Gasket Corp.	10	OCAHO	1176	2013
Brent Leslie Reed v. Dupont Pioneer Hi-Bred International, Inc.	13	OCAHO	1321	2019
Hollingsworth v. Applied Research Associates	7	OCAHO	942	1997
Jose Pablo Martinez v. Superior Linen	10	OCAHO	1180	2013
Olisaemeka Eze v. West County Transportation Agency	10	OCAHO	1140	2011
Salim J. Hajiani v. ESHA USA, Inc. and Sameer Ramjee	10	OCAHO	1212	2014
Travis John Guth v. Kaiser Permanente Hawaii	10	OCAHO	1190	2013

Citizenship Status Jurisdiction

Christopher Winkler v. Timlin Corporation	6	OCAHO	912	1997
Elizabeth S. Mengarpuan v. Asbury Methodist Village	4	OCAHO	612	1994

Gloria Ondina-Mendez v. Sugar Creek Packing Company	9	OCAHO	1085	2002
Jack N. Toussaint v. Tekwood Data Processing Consulting	6	OCAHO	892	1996
Jenlih John Hsieh v. PMC - Sierra, Inc.	9	OCAHO	1083	2002
Lee v. AT&T	7	OCAHO	924	1997
Olatunji Moshood Fakunmoju v. Claims Administration Corporation	4	OCAHO	624	1994
Robert Heath v. Vbeyond Corporation and an Anonymous Employer	14	OCAHO	1368a	2020
Zaji Obatala Zajradhara v. Donghui Kengxindun Corporation d/b/a Kengxindun Apartment Rental	14	OCAHO	1382	2020

DISMISSAL

Collateral Estoppel

Chester A. Mackentire, Jr. v. Ricoh Corporation, et al.	5	OCAHO	746	1995
Li Zu v. Avalon Valley Rehabilitation Center	14	OCAHO	1376	2020

Default

LeEdwards v. Kumagai International USA Corporation	4	OCAHO	609	1994

Sanford J. Strauss v. Rite Aid Corporation	4	OCAHO	721	1994
United States v. Quickstuff, LLC, Its Member Maria Castillo, and A&C Staffing, LLC	11	OCAHO	1265	2015

DISMISSAL

Dismissal Under Rule 41(a) of the Federal Rules of Civil Procedure

Dave O'Brian Tingling v. City of Richmond, VA	13	OCAHO	1324e	2021
Temitope Ogunrinu v. Law Resources & Arnold & Porter Kaye Scholer LLP	13	OCAHO	1332g	2020
United States v. La Parisienne Bakery, LLC	15	OCAHO	1390a	2021
Zaji Obatala Zajradhara v. Changxing Corporation	14	OCAHO	1356	2020

Dismissal With Prejudice Bars Any Further Proceedings Based on Identical Facts

United States v. Frimmel Management, LLC	12	OCAHO	1271	2017
United States v. Frimmel Management, LLC d/b/a Uncle Sam's	13	OCAHO	1271	2019
	12	OCAHO	1271	2016
	12	OCAHO	1271	2016

United States v. Frimmel Management, LLC d/b/a Uncle Sam's	12	OCAHO	1271	2016
United States v. Frimmel Management, LLS	12	OCAHO	1271	2016

DISMISSAL

Dismissal With Prejudice Has Both Res Judicata and Collateral Estoppel Consequences

United States v. Frimmel Management, LLC	12	OCAHO	1271	2017
United States v. Frimmel Management, LLC d/b/a Uncle Sam's	13	OCAHO	1271	2019
	12	OCAHO	1271	2016
	12	OCAHO	1271	2016
	12	OCAHO	1271	2016
United States v. Frimmel Management, LLS	12	OCAHO	1271	2016
Zaji Obatala Zajradhara v. Changxing Corporation	14	OCAHO	1356	2020

Dismissal With Prejudice is the Equivalent of a Decision on the Merits

Mike De Leon v. Longoria Farms/Martin Longoria	13	OCAHO	1320a	2019

Mike De Leon, et al. v. Longoria Farms, et al.	13	OCAHO	1320	2019
United States v. Frimmel Management, LLC	12	OCAHO	1271	2017
United States v. Frimmel Management, LLC d/b/a Uncle Sam's	13	OCAHO	1271	2019
	12	OCAHO	1271	2016
	12	OCAHO	1271	2016
	12	OCAHO	1271	2016
United States v. Frimmel Management, LLS	12	OCAHO	1271	2016
United States v. Sahara Wireless International, Inc.	11	OCAHO	1262	2015
Zaji Obatala Zajradhara v. Changxing Corporation	14	OCAHO	1356	2020

DISMISSAL

Dismissal Without Prejudice

United States v. La Parisienne Bakery, LLC	15	OCAHO	1390a	2021

Dismissal Without Prejudice Leaves the Parties As If No Action Had Been Brought At All

United States v. Frimmel Management, LLC	12	OCAHO	1271	2017
United States v. Frimmel Management, LLC d/b/a Uncle Sam's	13	OCAHO	1271	2019
	12	OCAHO	1271	2016
	12	OCAHO	1271	2016
	12	OCAHO	1271	2016
United States v. Frimmel Management, LLS	12	OCAHO	1271	2016
United States v. Sahara Wireless International, Inc.	11	OCAHO	1262	2015

DISMISSAL

Document Abuse Claim Dismissed on Summary Decision

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021

Documents Attached to Complaint Considered Part of Complaint

A.S. v. Neiman Marcus Group	13	OCAHO	1323	2020
Brent Leslie Reed v. Dupont Pioneer Hi-Bred International, Inc.	13	OCAHO	1321	2019

DISMISSAL

Even Under Liberal Pleading Standards, Claims Lacking Adequate Basis Must Be Dismissed

Terri Ann Jablonski v. Kelly Legal Services, et al. 12 OCAHO 1282 2016

Factors Relevant to the Consideration of a Motion to Dismiss Without Prejudice

Temitope Ogunrinu v. Law Resources & Arnold & Porter Kaye Scholer LLP 13 OCAHO 1332g 2020

Failure to Comply With ALJ Orders May Warrant Dismissal

Ana Maria Ravines de Schur v. Easter Seals-Goodwill Northern Rocky Mountain, Inc. 15 OCAHO 1388 2021

Failure to Respond

United States v. Mitchell Greif, President, Coast Poly, LLC 10 OCAHO 1177 2013

DISMISSAL

Failure to Respond to an Order May Be Deemed an Abandonment of a Party's Complaint

United States v. Ferrantino Fuel Corp.	13	OCAHO	1335	2020

Failure To Respond to an Order May Be Deemed an Abandonment of a Party's Request for a Hearing

United States v. Arctic Air Conditioning & Heating, Inc., Cesar Rodriguez and Rosa Rodriguez	13	OCAHO	1341	2020
United States v. Pita Pit Bakery, LLC	13	OCAHO	1339	2020
United States v. Quickstuff, LLC, Its Member Maria Castillo, and A&C Staffing, LLC	11	OCAHO	1265	2015

Failure to State a Claim

A.S. v. Discover Financial Services, LLC	12	OCAHO	1292	2016
Alex J. Montalvo v. Kering Americas, Inc.	14	OCAHO	1350	2020
Amadeo Gonzalez v. Phoenix Motor Company	3	OCAHO	410	1992

Aurelia Forden v. Dr. Lothar Griessbach	5	OCAHO	735	1995
Aurelio Galindo v. Smithfield Foods & Yuma County	14	OCAHO	1369	2020
Brenda Bent v. Brotman Medical Center Pulse Health Services	5	OCAHO	764	1995
Brent Leslie Reed v. Dupont Pioneer Hi-Bred International, Inc.	13	OCAHO	1321	2019
Carlos Alfredo Osorno v. Cesar Geraldo, Owner, Reliable Graphics, Inc.	1	OCAHO	275	1990
Christopher Winkler v. Timlin Corporation	6	OCAHO	912	1997
Costigan v. NYNEX	6	OCAHO	918	1997
Daniel Cavazos v. Wanxiang America Corporation	10	OCAHO	1138	2011
Earl Russel Horne v. Town of Hampstead	6	OCAHO	906	1997
Elizabeth Klimas v. Department of Treasury	3	OCAHO	419	1992
Elizabeth S. Mengarpuan v. Asbury Methodist Village	4	OCAHO	612	1994
Eric Robin Cholerton v. Robert M. Hadley Company, Inc.	7	OCAHO	934	1997
Frank Thomas Brown v. Baltimore City Public Schools	3	OCAHO	480	1992
Grzegirz Pioterek v. Scott Worldwide Food Service	3	OCAHO	530	1993
Haddon Speakman v. The Rehabilitation Hospital of South Texas	3	OCAHO	469	1992
Hollingsworth v. Applied Research Associates	7	OCAHO	942	1997
Jack N. Toussaint v. Tekwood Data Processing Consulting	6	OCAHO	892	1996

Jarvis v. AK Steel	7	OCAHO	930	1997
Jayaben Patel v. USCIS Boston	14	OCAHO	1353	2020
Jaycee George v. Bridgeport Jai-Alai, Inc.	3	OCAHO	537	1993
Kosatschkow v. Allen-Stevens Corporation	7	OCAHO	938	1997
Leandro Miraon Aguinaldo v. McDonnell Douglas Corporation	4	OCAHO	707	1994
Lee v. AT&T	7	OCAHO	924	1997
Mr. Doron Tal v. M. L. Energia, Inc.	4	OCAHO	705	1994
Richard F. Lareau v. US Airways, Inc.	7	OCAHO	932	1997
Robert S. Mathews v. Goodyear Tire & Rubber Company	7	OCAHO	929	1997
Roman Udala v. New York State Department of Education	4	OCAHO	633	1994
Sellaro v. Elektra Records	3	OCAHO	495	1993
	3	OCAHO	461	1992
Susan K. Horst v. Juneau School District City and Borough of Juneau	7	OCAHO	957	1997
United States v. Azteca Restaurant, Northgate	1	OCAHO	33	1988
United States v. Capitol Arts & Frames, Inc.	1	OCAHO	229	1990
United States v. Garcia-Guaneros	13	OCAHO	1334	2020
Wartan Bozoghlanian v. Raytheon Company, Electromagnetic Systems Division	4	OCAHO	660	1994

Werline v. Public Service Electric & Gas Company 7 OCAHO 935 1997

DISMISSAL

Final Order of Dismissal Based on Abandonment Analogous to Entry of Default Judgment

United States v. AMA Repiping, LLC 15 OCAHO 1391 2021

United States v. Arctic Air Conditioning & Heating, Inc., Cesar Rodriguez and Rosa Rodriguez 13 OCAHO 1341 2020

United States v. Pita Pit Bakery, LLC 13 OCAHO 1339 2020

United States v. Vilardo Vineyards 11 OCAHO 1248 2015

Frivolous Complaint

Daniel Ojeda-Ojeda v. Booth Farms, L.P. 9 OCAHO 1121 2006

Hutchinson v. End Stage Renal Disease Network of Florida, Inc. 7 OCAHO 939 1997

Generally

Adnan Niaz Mir v. Federal Bureau of Prisons	3	OCAHO	577	1993
Adolfo Cruz Deguzman v. First America Bank Corporation	3	OCAHO	585	1993
Ahmad S. Elhajomar v. City and County of Honolulu	1	OCAHO	246	1990
Alan Rusk v. Northrop Corporation and Department of Defense	4	OCAHO	607	1994
Alexander T. Mikhailine v. WebSci Technologies, Inc.	8	OCAHO	1033	1999
Aranka M. Palancz v. Cedars Medical Center	3	OCAHO	443	1992
Bassey J. Udofot v. 88 Vapor Technologies	3	OCAHO	506	1993
Bassey J. Udofot v. General Electric Company, Astro-Space Division	1	OCAHO	205	1990
Bassey J. Udofot v. Kaman Sciences Corporation	1	OCAHO	208	1990
Bertalina Monjaras v. Blue Ribbon Cleaners, Inc.	3	OCAHO	526	1993
Boris Gerardo Salazar-Castro v. Cincinnati Public Schools	3	OCAHO	406	1992
Cecilia Araceli Basua v. Walmart #1554	3	OCAHO	547	1993
	3	OCAHO	535	1993
Crecencio Cabrera Mendez v. Jim Daniels	2	OCAHO	392	1991
Cristina Escalante v. California Commerce Bank	1	OCAHO	64	1989
Earl Russel Horne v. Town of Hampstead	6	OCAHO	884	1996
Eden Harrison Adatsi v. Citizens & Southern National Bank of Georgia	1	OCAHO	203	1990

Errol Williams v. Lucas & Associates	2	OCAHO	357	1991
	1	OCAHO	272	1990
Errol Williams v. Touche Ross & Company d/b/a Deloitte & Touche	1	OCAHO	222	1990
Esther Din Brooks v. Watts Window World	3	OCAHO	558	1993
Eusebio Huesca v. Rojas Bakery	4	OCAHO	654	1994
Fordjour v. General Dynamics	1	OCAHO	286	1991
Ghaffar Sepahpour v. Unisys, Inc.	3	OCAHO	500	1993
Grzegirz Pioterek v. Anderson Cleaning Systems, Inc.	3	OCAHO	484	1993
Haddon Speakman v. The Rehabilitation Hospital of South Texas	3	OCAHO	476	1992
Hector Cascante v. Kayak Club	1	OCAHO	223	1990
Henry O. Akinwande v. Mr. Rick Weyel, Erol's, Inc.	1	OCAHO	144	1990
Ironsi C. Ndusorouwa v. Prepared Foods, Inc.	1	OCAHO	192	1990
Jacob Roginsky v. Department of Defense, Center for Naval Analyses, EPL Analysis	3	OCAHO	432	1992
Jaime Banuelos v. Transportation Leasing Company	1	OCAHO	227	1990
	1	OCAHO	214	1990
Jesse Charles Jones v. DeWitt Nursing Home	1	OCAHO	266	1990
Jesus Morales v. Cromwell's Tavern Restaurant	3	OCAHO	524	1993

Jimmy-Jack Jackai v. Frito-Lay, Inc. and North Texas State University Career Planning and Placement Service	1	OCAHO	188	1990
John C. Grodzki v. OOCL, Inc.	1	OCAHO	295	1991
Juan Antonio Cardona Godinez v. Armguard Security Patrol	3	OCAHO	490	1993
Lazaro Antonio Arrieta v. Michigan Employment Security Commission	3	OCAHO	471	1992
LeEdwards v. Kumagai International USA Corporation	4	OCAHO	609	1994
Linda S. Walker v. United Airlines, Inc.	4	OCAHO	686	1994
Malek Ebrahim Hatam v. Mr. Nasser Zaghi, Park General, Inc.	1	OCAHO	160	1990
Manuel Garcia v. Watertown Nurseries	1	OCAHO	233	1990
Marcelino Rivera v. Trees Now, Inc.	1	OCAHO	234	1990
Margarita Yefremov v. New York City Department of Transportation	3	OCAHO	562	1993
Maria Guzman v. Guardian Electric Manufacturing Company	3	OCAHO	546	1993
Maria Lourdes Castillo v. Hotel Casa Marina (Marriott)	3	OCAHO	508	1993
Marian Ryba v. Temple Steel Company	1	OCAHO	289	1991
Michael Williamson v. Autorama, Inc.	1	OCAHO	174	1990
Moises Reyes v. Pilgrim Psychiatric Center	3	OCAHO	529	1993
Roman Udala v. New York State Department of Education	4	OCAHO	633	1994
Sellaro v. Elektra Records	3	OCAHO	495	1993

Stephen Salerno v. ICL Retail Systems, Inc.	3	OCAHO	481	1993
Tina B. Boyd v. Amzi Sherling, DDS	6	OCAHO	916	1997
Troncoso v. Ferlin Service Industries	1	OCAHO	110	1989
United States v. ABC Roofing & Waterproofing, Inc.	2	OCAHO	391	1991
United States v. Auburn University	4	OCAHO	658	1994
United States v. Azteca Restaurant, Northgate	1	OCAHO	33	1988
United States v. Bayley's Quality Seafoods, Inc.	1	OCAHO	249	1990
United States v. Broadway Tire, Inc.	1	OCAHO	250	1990
United States v. Casa Orozco, Inc.	1	OCAHO	92	1989
United States v. Commander Construction, Inc. t/a Commander Construction Company	1	OCAHO	32	1988
United States v. Cristina Galeas	5	OCAHO	790	1995
United States v. Farmers Insurance Group of Companies	1	OCAHO	22	1988
United States v. Francisco's Restaurant, Inc.	1	OCAHO	206	1990
United States v. Guillermo Perales d/b/a Mexican Bakery	2	OCAHO	320	1991
United States v. Hosung Cleaning Corporation d/b/a Sun Cleaner	4	OCAHO	681	1994
United States v. James Q. Carlson d/b/a Jimmy On The Spot	1	OCAHO	264	1990
United States v. Jupiter Crab Company Restaurant	1	OCAHO	6	1988

United States v. Law Offices of Manulkin, Glaser & Bennett	1	OCAHO	100	1989
United States v. Lectro Tek Services, Inc.	1	OCAHO	172	1990
United States v. Leticia Cruz-Mandoza	5	OCAHO	750	1995
United States v. Lighthouse Restaurant	1	OCAHO	7	1988
United States v. Marcos Iniguez-Casillas	6	OCAHO	870	1996
United States v. McDonnell Douglas Corporation	2	OCAHO	351	1991
	3	OCAHO	507	1993
United States v. Nu Look Cleaners of Pembroke Pines, Inc.	1	OCAHO	202	1990
United States v. Ramada Inn Old Town	1	OCAHO	103	1989
United States v. Redi-Cut Foods, Inc.	4	OCAHO	659	1994
United States v. Simon Osagie Iyawe	5	OCAHO	744	1995
United States v. Sizzler Restaurants International, Inc.	2	OCAHO	325	1991
United States v. Sparky's Waterfront Saloon, Inc.	1	OCAHO	126	1990
United States v. Tenampa Ballroom	1	OCAHO	38	1988
United States v. Victor Hugo Baches-Corado	3	OCAHO	571	1993
United States v. Visit USA Bureau - San Francisco, Inc.	1	OCAHO	155	1990
Wartan Bozoghlanian v. Hughes Radar Systems Group	5	OCAHO	741	1995

DISMISSAL

In Considering Motion to Dismiss, ALJ Must View Complaint in Light Most Favorable to Complainant

Alex J. Montalvo v. Kering Americas, Inc. 14 OCAHO 1350 2020

Issue of Subject Matter Jurisdiction May Be Raised Sua Sponte by the Court

Martine Mbitaze v. City of Greenbelt 13 OCAHO 1345a 2020

Joint Motion

LeEdwards v. Kumagai International USA Corporation 4 OCAHO 609 1994

Jurisdiction

Alexander T. Mikhailine v. WebSci Technologies, Inc. 8 OCAHO 1033 1999

Aurelio Galindo v. Smithfield Foods & Yuma County	14	OCAHO	1369	2020
Brent Leslie Reed v. Dupont Pioneer Hi-Bred International, Inc.	13	OCAHO	1321	2019
Christopher Winkler v. Timlin Corporation	6	OCAHO	912	1997
Earl Russel Horne v. Town of Hampstead	6	OCAHO	906	1997
Frederick John Harris v. Mr. Bob Marbut, Chairman & CEO, Argyle Television Operations, Inc.	7	OCAHO	943	1997
Gloria Ondina-Mendez v. Sugar Creek Packing Company	9	OCAHO	1085	2002
Jenlih John Hsieh v. PMC - Sierra, Inc.	9	OCAHO	1083	2002
Lee v. AT&T	7	OCAHO	924	1997
Michael C. Smiley v. City of Philadelphia Department of Licenses & Inspection	7	OCAHO	925	1997
	7	OCAHO	925	1997
Robert Heath v. Vbeyond Corporation and an Anonymous Employer	14	OCAHO	1368a	2020
Shensheng Zhao v. Sacot, Inc. and/or Grand CMS Company, Ltd.	6	OCAHO	850	1996
Temitope Ogunrinu v. Law Resources & Arnold & Porter Kaye Scholer LLP	13	OCAHO	1332g	2020
Zaji Obatala Zajradhara v. Donghui Kengxindun Corporation d/b/a Kengxindun Apartment Rental	14	OCAHO	1382	2020

DISMISSAL

Motions for Voluntary Dismissal Generally Granted Unless Non-Moving Party Will Suffer Prejudice

Cheryl Ann Hughes v. Fiat Chrysler Automotive	13	OCAHO	1336	2020
Mark Scheller Hooper v. Intel Corporatiion	13	OCAHO	1330	2019
Mark Scheller Hooper v. Nokia Corporatiion	13	OCAHO	1328	2019
Mark Scheller Hooper v. Skyworks, Inc.	13	OCAHO	1329	2019
Mike De Leon v. Longoria Farms/Martin Longoria	13	OCAHO	1320a	2019
Mike De Leon, et al. v. Longoria Farms, et al.	13	OCAHO	1320	2019
United States v. Johnny & Leona Entertainment, LLS d/b/a Rockin Bar & Grill	13	OCAHO	1325	2019
United States v. La Parisienne Bakery, LLC	15	OCAHO	1390a	2021
Zaji Obatala Zajradhara v. Changxing Corporation	14	OCAHO	1356	2020

DISMISSAL

National Origin Claim(s)

Zaji Obatala Zajradhara	14	OCAHO	1363c	2021

National Origin Discrimination

Kevin Raffay v. Western Digital	10	OCAHO	1159	2012
Zaji Obatala Zajradhara v. Donghui Kengxindun Corporation d/b/a Kengxindun Apartment Rental	14	OCAHO	1382	2020

DISMISSAL

National Origin Jurisdiction

Alexander T. Mikhailine v. WebSci Technologies, Inc.	8	OCAHO	1033	1999
Christopher Winkler v. Timlin Corporation	6	OCAHO	912	1997
Drahomira Adame v. Dunkin Donuts	5	OCAHO	722	1995
Elizabeth S. Mengarpuan v. Asbury Methodist Village	4	OCAHO	612	1994
Frederick John Harris v. Mr. Bob Marbut, Chairman & CEO, Argyle Television Operations, Inc.	7	OCAHO	943	1997
Garth Anton Hayden v. New York Police Department	13	OCAHO	1313	2018
Gloria Ondina-Mendez v. Sugar Creek Packing Company	9	OCAHO	1085	2002
Li Zu v. Avalon Valley Rehabilitation Center	14	OCAHO	1376	2020
Martin A. Holguin v. Dona Ana Fashions	3	OCAHO	582	1993
Martine Mbitaze v. City of Greenbelt	13	OCAHO	1345a	2020
Michael K. Wockenfuss v. Bureau of Prisons	5	OCAHO	767	1995
Robert Heath v. Vbeyond Corporation and an Anonymous Employer	14	OCAHO	1368a	2020

Sara Caspi v. William J. Hoffman and Trigild Corporation	6	OCAHO	907	1997
Temitope Ogunrinu v. Law Resources & Arnold & Porter Kaye Scholer LLP	13	OCAHO	1332g	2020
United States v. Shirley Fuimoto, Hawaii Government Employees Association	7	OCAHO	937	1997

DISMISSAL

OCAHO Rules Do Not Specifically Cover Voluntary Dismissal By The Complainant

Cheryl Ann Hughes v. Fiat Chrysler Automotive	13	OCAHO	1336	2020
Dave O'Brian Tingling v. City of Richmond, VA	13	OCAHO	1324e	2021
Mark Scheller Hooper v. Intel Corporatiion	13	OCAHO	1330	2019
Mark Scheller Hooper v. Nokia Corporatiion	13	OCAHO	1328	2019
Mark Scheller Hooper v. Skyworks, Inc.	13	OCAHO	1329	2019
Mike De Leon v. Longoria Farms/Martin Longoria	13	OCAHO	1320a	2019
Mike De Leon, et al. v. Longoria Farms, et al.	13	OCAHO	1320	2019
Temitope Ogunrinu v. Law Resources & Arnold & Porter Kaye Scholer LLP	13	OCAHO	1332g	2020
United States v. Johnny & Leona Entertainment, LLS d/b/a Rockin Bar & Grill	13	OCAHO	1325	2019
United States v. La Parisienne Bakery, LLC	15	OCAHO	1390a	2021
Zaji Obatala Zajradhara v. Changxing Corporation	14	OCAHO	1356	2020

DISMISSAL

Opportunity to Respond to ALJ's Potential sua sponte Dismissal

Jayaben Patel v. USCIS Boston 14 OCAHO 1353 2020

Persons Protected

Gloria Ondina-Mendez v. Sugar Creek Packing Company 9 OCAHO 1085 2002

Olatunji Moshood Fakunmoju v. Claims Administration Corporation 4 OCAHO 624 1994

Respondent

Ramnik M. Trivedi v. Northrop Corporation and Department of Defense 4 OCAHO 600 1994

Retaliation

Zaji Obatala Zajradhara	14	OCAHO	1363c	2021

DISMISSAL

Retaliation Claim Dismissed on Summary Decision

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021

Service

United States v. Mayfly Fashion, Inc.	6	OCAHO	894	1996

Settlement

A.S. v. Discover Financial Services, LLC	12	OCAHO	1292	2016
A.S. v. Neiman Marcus Group	13	OCAHO	1323	2020
Azia Aityahia v. Sabena Airline Training Center, Inc.	9	OCAHO	1122	2006
LeEdwards v. Kumagai International USA Corporation	4	OCAHO	609	1994

United States v. California Mantel, Inc.	10	OCAHO	1168	2013
United States v. Eduardo Sotelo a/k/a Eduardo Sotelo-Montes	6	OCAHO	921	1997
United States v. IBP, Inc.	5	OCAHO	766	1995
United States v. Torres Mexican Food, Inc.	4	OCAHO	596	1994
United States v. Turner's Japanese Auto Repair	8	OCAHO	1009	1998

DISMISSAL

Subject Matter Jurisdiction

Alex J. Montalvo v. Kering Americas, Inc.	14	OCAHO	1350	2020
Aurelio Galindo v. Smithfield Foods & Yuma County	14	OCAHO	1369	2020
Christopher Winkler v. West Capital Financial Services	7	OCAHO	928	1997
Costigan v. NYNEX	6	OCAHO	918	1997
Donna Yvette Miller v. United States Postal Service, Greater South Carolina District Office	12	OCAHO	1284	2016
Eric Robin Cholerton v. Robert M. Hadley Company, Inc.	7	OCAHO	934	1997
Frederick John Harris v. Mr. Bob Marbut, Chairman & CEO, Argyle Television Operations, Inc.	7	OCAHO	943	1997
Garth Anton Hayden v. New York Police Department	13	OCAHO	1313	2018
Hollingsworth v. Applied Research Associates	7	OCAHO	942	1997

Hutchinson v. GTE Data Services	7	OCAHO	954	1997
Jack N. Toussaint v. Tekwood Data Processing Consulting	6	OCAHO	892	1996
Jamal Y. Elhaj-Chehade v. University of Texas Southwestern Medical School	8	OCAHO	1022	1999
Jay S. Manning v. The City of Jacksonville	7	OCAHO	956	1997
Jayaben Patel v. USCIS Boston	14	OCAHO	1353	2020
	14	OCAHO	1353a	2020
Joyce J. Austin v. Jitney-Jungle Stores of America, Inc.	6	OCAHO	923	1997
Kosatschkow v. Allen-Stevens Corporation	7	OCAHO	938	1997
Leola Branch v. Duong Schumacher	14	OCAHO	1358	2020
Li Zu v. Avalon Valley Rehabilitation Center	14	OCAHO	1376	2020
Lonnie W. Hogenmiller v. Lincare, Inc.	7	OCAHO	953	1997
Martine Mbitaze v. City of Greenbelt	13	OCAHO	1345a	2020
Massala Prince Reffell v. Prairie View A&M University	9	OCAHO	1057	2000
MD Shakhawat Hossain v. Job Service North Dakota	14	OCAHO	1352	2020
Robert Heath v. Vbeyond Corporation and an Anonymous Employer	14	OCAHO	1368a	2020
Ronald C. Wilson v. Harrisburg School District	6	OCAHO	919	1997
Temitope Ogunrinu v. Law Resources & Arnold & Porter Kaye Scholer LLP	13	OCAHO	1332g	2020

United States v. American Airlines	8	OCAHO	1044	2000
United States v. Capital Fireproof Door	14	OCAHO	1372	2020
Uthaiwan Wong-Opasi v. State of Tennessee, Governor Don Sundquist, et al	8	OCAHO	1054	2000
Washington Younggil Kim Jung Windsor	12	OCAHO	1294	2016
Washington Younggil Kim v. Randall T. Getz, Sergeant, Flushing Recruiting Center	12	OCAHO	1279	2016
Werline v. Public Service Electric & Gas Company	7	OCAHO	935	1997
Zaji Obatala Zajradhara v. Donghui Kengxindun Corporation d/b/a Kengxindun Apartment Rental	14	OCAHO	1382	2020

DISMISSAL

Summary Decision

Armando Huberth Crespo v. FAMSA, Inc.	13	OCAHO	1337	2019
	13	OCAHO	1337	2019
Benjamin Barone v. Superior Washer and Gasket Corp.	10	OCAHO	1176	2013
Brent Leslie Reed v. DuPont Pioneer Hi-Bred International, Inc.	13	OCAHO	1321a	2019
Chao v. McDonnell Douglas Corporation	6	OCAHO	824	1995
Guy Santiglia v. Sun Microsystems, Inc.	9	OCAHO	1110	2004
Jack N. Toussaint v. Tekwood Data Processing Consulting	6	OCAHO	892	1996

Jose Carlos De Araujo v. Joan Smith Enterprises, Inc., aka California Pools and Spas and or California Pools and Landscape	10	OCAHO	1187	2013
Jose Pablo Martinez v. Superior Linen	10	OCAHO	1180	2013
Jose R. Lima v. New York City Department of Education	10	OCAHO	1128	2009
	10	OCAHO	1128	2009
Li Zu v. Avalon Valley Rehabilitation Center	14	OCAHO	1376	2020
Manikandan Sivasankar v. Strategic Staffing Solutions	14	OCAHO	1354	2020
Martin John Shortt v. Dick Clark's American Bandstand Grill	10	OCAHO	1130	2009
Rosa Isela Olivares Aguirre v. KDI American Products, Inc.	6	OCAHO	882	1996
Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021
United States v. Hyatt Regency Lake Tahoe	6	OCAHO	879	1996
	6	OCAHO	861	1996
Zaji Obatala Zajradhara	14	OCAHO	1363c	2021
Zaji Obatala Zajradhara v. Donghui Kengxindun Corporation d/b/a Kengxindun Apartment Rental	14	OCAHO	1382	2020

DISMISSAL

Tax Protester

Christopher Winkler v. West Capital Financial Services	7	OCAHO	928	1997

Hollingsworth v. Applied Research Associates	7	OCAHO	942	1997
Hutchinson v. GTE Data Services	7	OCAHO	954	1997
Jay S. Manning v. The City of Jacksonville	7	OCAHO	956	1997
Kosatschkow v. Allen-Stevens Corporation	7	OCAHO	938	1997
Lonnie W. Hogenmiller v. Lincare, Inc.	7	OCAHO	953	1997

DISMISSAL

Timeliness

Joseph E. Sabol v. Northern Michigan University	9	OCAHO	1107	2004
Kosatschkow v. Allen-Stevens Corporation	7	OCAHO	938	1997
United States v. Performance Printing Corporation	5	OCAHO	779	1995

Treated as Motion for Summary Decision Where Evidence Outside Pleadings is Considered

United States v. Split Rail Fence Company, Inc.	11	OCAHO	1216	2015
	11	OCAHO	1216	2014

DISMISSAL

Untimely Filing

Ashwani Goel v. Indotronix Internation Corporation	9	OCAHO	1102	2003
Ernestina C. Lopez v. James Jung, Hallmark Cleaners	10	OCAHO	1171	2013
Galdino Casillas Garcia v. McCarron Electric Company	5	OCAHO	747	1995
Glauco Luiz Ortolano v. Wordperfect Company	4	OCAHO	716	1994
Joan A. Lardy v. United Airlines, Inc.	6	OCAHO	843	1996
Joseph E. Sabol v. Northern Michigan University	9	OCAHO	1107	2004
Julian Sahagun v. Bend-Pack, Inc.	5	OCAHO	809	1995
Leonid Naginsky v. Department of Defense and EG&G Dynatrend	5	OCAHO	726	1995
Roman Udala v. New York State Department of Education	4	OCAHO	633	1994
Ronald C. Wilson v. Harrisburg School District	6	OCAHO	919	1997
Salim J. Hajiani v. Ali Properties, LLC, Airport Shell	10	OCAHO	1188	2013
Sall v. Wal-Mart Stores, Inc.	10	OCAHO	1161	2012
Yadira Azucena Ocampo Soto v. Top Industrial, Inc.	7	OCAHO	999	1998

DISMISSAL

Voluntary Dismissal by Complainant

Cheryl Ann Hughes v. Fiat Chrysler Automotive	13	OCAHO	1336	2020
Dave O'Brian Tingling v. City of Richmond, VA	13	OCAHO	1324e	2021
Mark Scheller Hooper v. Intel Corporatiion	13	OCAHO	1330	2019
Mark Scheller Hooper v. Nokia Corporatiion	13	OCAHO	1328	2019
Mark Scheller Hooper v. Skyworks, Inc.	13	OCAHO	1329	2019
Mike De Leon v. Longoria Farms/Martin Longoria	13	OCAHO	1320a	2019
Mike De Leon, et al. v. Longoria Farms, et al.	13	OCAHO	1320	2019
Temitope Ogunrinu v. Law Resources & Arnold & Porter Kaye Scholer LLP	13	OCAHO	1332g	2020
United States v. La Parisienne Bakery, LLC	15	OCAHO	1390a	2021
Zaji Obatala Zajradhara v. Changxing Corporation	14	OCAHO	1356	2020

When Considering Motion to Dismiss, Court Limits Analysis to the Four Corners of the Complaint

Alex J. Montalvo v. Kering Americas, Inc.	14	OCAHO	1350	2020
Robert Heath v. Optnation and an Anonymous Employer	14	OCAHO	1374a	2021

DISMISSAL

With Prejudice

Dave O'Brian Tingling v. City of Richmond, VA	13	OCAHO	1324e	2021
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United States v. Two For Seven, LLC d/b/a Black & Blue Restaurant	10	OCAHO	1208	2014

EMPLOYEES

Employee Defined as Individual Who Provides Services or Labor for an Employer for Wages or Other Remuneration

United States v. Eriksmoen Cottages, Ltd.	14	OCAHO	1355	2020
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12	OCAHO	1286	2016
United States v. Metropolitan Enterprises, Inc.	12	OCAHO	1297	2017
United States v. SKZ Harvesting, Inc.	11	OCAHO	1266	2016
United States v. Speedy Gonzalez Construction, Inc.	11	OCAHO	1228	2014

Function of Individual Within Entity is Determinative of Employee Status

United States v. Intelli Transport Services, Inc.	13	OCAHO	1319	2019
United States v. Jalisco's Bar and Grill, Inc.	11	OCAHO	1224	2014

EMPLOYEES

Generally

Lydia Annella Anderson v. Newark Public Schools	8	OCAHO	1035	1999
Natasha Dionne Humphries v. PalmOne	9	OCAHO	1112	2004
Sanchez v. Leobardo and Carmen Ocanas d/b/a Leo Ocanas Farm	9	OCAHO	1115	2005
United States v. Hudson Delivery Service, Inc. d/b/a Home Delivery Service	7	OCAHO	945	1997

Grandfathered

United States v. Anodizing Industries, Inc.	10	OCAHO	1184	2013
United States v. Crescent City Meat Company, Inc.	11	OCAHO	1217	2014
	11	OCAHO	1217	2014

United States v. The Red Coach Restaurant, Inc. 10 OCAHO 1195 2013

EMPLOYEES

Hearsay

United States v. Jula888, LLC d/b/a Para Tacos La Chilanga 12 OCAHO 1286 2016

Independent Contractor Determination Looks to Regulation, OCAHO Cases and Federal Agency Law

United States v. Saidabror Siddikov d/b/a Beyond Cleaning Services 11 OCAHO 1257 2015

Independent Contractor(s)

United States v. Saidabror Siddikov d/b/a Beyond Cleaning Services 11 OCAHO 1257 2015

Victor B. Palma v. Alufase USA, LLC 10 OCAHO 1213 2014

Individual Not an Employee Where There Is a Showing of Ownership and Control Over the Enterprise

United States v. Intelli Transport Services, Inc. 13 OCAHO 1319 2019

United States v. Speedy Gonzalez Construction, Inc. 11 OCAHO 1228 2014

United States v. Visiontron Corp. 13 OCAHO 1348 2020

EMPLOYEES

Loss of Grandfathered Status

United States v. Anodizing Industries, Inc. 10 OCAHO 1184 2013

Mere Name on List or I-9 Without Proof of Remuneration Insufficient to Prove Employment

United States v. Dr. Robert Schaus, D.D.S. 11 OCAHO 1239 2014

United States v. Leed Construction, Megan Burkholder 11 OCAHO 1237 2014

United States v. Metropolitan Enterprises, Inc. 12 OCAHO 1297 2017

Must Look At Indivudual's Level of Control Within Entity to Determine Whether Employee

United States v. Jalisco's Bar and Grill, Inc. 11 OCAHO 1224 2014

EMPLOYEES

National Origin

Martin Flores v. Logan Foods Company 6 OCAHO 874 1995

National Origin Claim(s)

Cormia v. Home Care Giver Services 10 OCAHO 1160 2012

Leonid Naginsky v. Department of Defense and EG&G Dynatrend 6 OCAHO 891 1996

Michael K. Lee v. Airtouch Communications 6 OCAHO 901 1996

Neither Form of Entity Nor Individual's Title is Determinative of Employee Status

United States v. Jalisco's Bar and Grill, Inc. 11 OCAHO 1224 2014

EMPLOYEES

Owner/Partner Not an Employee Where There is a Showing of Ownership and Control Over the Enterprise

United States v. Homestead Metal Recycling Corp. 11 OCAHO 1251 2015

United States v. Two For Seven, LLC d/b/a Black & Blue Restaurant 10 OCAHO 1208 2014

United States v. Visiontron Corp. 13 OCAHO 1348 2020

Three Level Inquiry to Determinine Whether Individual Is An Independent Contractor Or An Employee

United States v. Saidabror Siddikov d/b/a Beyond Cleaning Services 11 OCAHO 1257 2015

Work Authorization

Zelleka Getahun v. Dupont Merck Pharmaceutical Company 6 OCAHO 880 1996

EMPLOYER PRACTICES

Burden of Proof

Corneliu Curuta v. Tomball College	9	OCAHO	1099	2003

Compliance with Employer Sanctions

United States v. Diversified Technology and Services of Virginia, Inc.	9	OCAHO	1095	2003
United States v. Robison Fruit Ranch, Inc.	6	OCAHO	855	1996
United States v. Walden Station, Inc.	8	OCAHO	1053	2000
Wisniewski v. Douglas County School System	1	OCAHO	29	1988

Continuing Violation(s)

Jacob Roginsky v. Department of Defense, Center for Naval Analyses, EPL Analysis	2	OCAHO	348	1991
Jorge Mario Ipina v. Michigan Jobs Commission	8	OCAHO	1036	1999

Linda S. Walker v. United Airlines, Inc.	4	OCAHO	686	1994
United States v. Curran Engineering Company, Inc.	7	OCAHO	975	1997
United States v. Fairfield Jersey, Inc.	9	OCAHO	1069	2001
United States v. Mesa Airlines	1	OCAHO	74	1989
	1	OCAHO	74	1989
United States v. Southwest Marine Corporation, a California Corporation	3	OCAHO	429	1992
	2	OCAHO	400	1989
United States v. Weld County School District	2	OCAHO	326	1991

EMPLOYER PRACTICES

Discharge

Cecilia Araceli Basua v. Walmart #1554	3	OCAHO	535	1993
Daniel Joseph Bendig v. Conoco, Inc.	9	OCAHO	1077	2001
Dinko Sefic v. Marconi Wireless	9	OCAHO	1123	2007
Dolores Garcia Contreras v. Cascade Fruit Company	9	OCAHO	1090	2003
Elizabeth S. Mengarpuan v. Asbury Methodist Village	4	OCAHO	612	1994
Esther Din Brooks v. Watts Window World	3	OCAHO	558	1993

Joan A. Lardy v. United Airlines, Inc.	4	OCAHO	595	1994
Kenneth Wade Parker, Jr. v. Wild Goose Storage, Inc.	9	OCAHO	1081	2002
Martin A. Holguin v. Dona Ana Fashions	3	OCAHO	582	1993
Olatunji Moshood Fakunmoju v. Claims Administration Corporation	4	OCAHO	624	1994
Ramnik M. Trivedi v. Northrop Corporation and Department of Defense	4	OCAHO	600	1994
Robert Y. Chu v. Fujitsu Network Transmission System, Inc.	5	OCAHO	778	1995
Steven Brown, et al. v. Pilgrims Pride Corporation	14	OCAHO	1379	2020

EMPLOYER PRACTICES

Discrimination

Corneliu Curuta v. Tomball College	9	OCAHO	1099	2003
Corneliu Curuta v. Tomball College	9	OCAHO	1099	2003
Daniel Joseph Bendig v. Conoco, Inc.	9	OCAHO	1077	2001
Daniel Joseph Bendig v. Conoco, Inc.	9	OCAHO	1077	2001
Dinko Sefic v. Marconi Wireless	9	OCAHO	1123	2007
Eric Robin Cholerton v. Robert M. Hadley Company, Inc.	7	OCAHO	934	1997
Howard Eugene McNier v. San Francisco State University College of Business	7	OCAHO	947	1997

Howard Eugene McNier v. San Francisco State University College of Business	7	OCAHO	947	1997
Iron Workers Local 455 v. Lake Construction & Development Corporation	7	OCAHO	964	1997
Jorge Mario Ipina v. Michigan Jobs Commission	8	OCAHO	1036	1999
Kenneth Wade Parker, Jr. v. Wild Goose Storage, Inc.	9	OCAHO	1081	2002
Kenneth Wade Parker, Jr. v. Wild Goose Storage, Inc.	9	OCAHO	1081	2002
Luigia Wiesner v. CIT Tours, Inc.	5	OCAHO	773	1995
Maria Fuentes v. Grace Culinary Systems	6	OCAHO	873	1996
Olisaemeka Eze v. West County Transportation Agency	10	OCAHO	1140	2011
Robert Y. Chu v. Fujitsu Network Transmission System, Inc.	5	OCAHO	778	1995
United States v. Diversified Technology and Services of Virginia, Inc.	9	OCAHO	1095	2003
United States v. Diversified Technology and Services of Virginia, Inc.	9	OCAHO	1095	2003
United States v. Guardsmark	4	OCAHO	614	1994
United States v. Shirley Fuimoto, Hawaii Government Employees Association	7	OCAHO	937	1997

EMPLOYER PRACTICES

Document Abuse

Carlos Alberto Martinez v. Noah's New York Bagels, Inc.	6	OCAHO	917	1997

Christopher Winkler v. Timlin Corporation	6	OCAHO	912	1997
Costigan v. NYNEX	6	OCAHO	918	1997
Earl Russel Horne v. Town of Hampstead	6	OCAHO	906	1997
Eric Robin Cholerton v. Robert M. Hadley Company, Inc.	7	OCAHO	934	1997
Jack N. Toussaint v. Tekwood Data Processing Consulting	6	OCAHO	892	1996
Maria Fuentes v. Grace Culinary Systems	6	OCAHO	873	1996
Roman Udala v. New York State Department of Education	4	OCAHO	633	1994
United States v. Diversified Technology and Services of Virginia, Inc.	9	OCAHO	1095	2003
United States v. Rosario Strano and Vito Strano d/b/a Strano Farms	5	OCAHO	748	1995
United States v. The Beverly Center	5	OCAHO	762	1995
United States v. Zabala Vineyards	6	OCAHO	830	1995

EMPLOYER PRACTICES

Documents

Dolores Garcia Contreras v. Cascade Fruit Company	9	OCAHO	1090	2003
Elizabeth S. Mengarpuan v. Asbury Methodist Village	4	OCAHO	612	1994
Fordjour v. General Dynamics	1	OCAHO	286	1991

Jack N. Toussaint v. Tekwood Data Processing Consulting	6	OCAHO	892	1996
James D. Westendorf v. Brown & Root, Inc.	3	OCAHO	477	1992
Jesse Charles Jones v. DeWitt Nursing Home	1	OCAHO	189	1990
Michael K. Lee v. Airtouch Communications	6	OCAHO	888	1996
Omar Egal v. Sears Roebuck & Company	3	OCAHO	442	1992
Stephen A. Lewis v. McDonald's Corporation	2	OCAHO	383	1991
United States v. A.J. Bart, Inc.	3	OCAHO	538	1993
United States v. Lasa Marketing Firms, a California Partnership	1	OCAHO	141	1990
	1	OCAHO	106	1989
United States v. Lasa Marketing Firms, a California Partnership	1	OCAHO	141	1990
	1	OCAHO	106	1989
United States v. Marcel Watch Corporation	1	OCAHO	143	1990
United States v. Robison Fruit Ranch, Inc.	6	OCAHO	855	1996
United States v. TKJ, Inc. d/b/a Snelling Personnel Services, a Florida Corporation	3	OCAHO	413	1992
United States v. Weld County School District	2	OCAHO	326	1991
United States v. Zabala Vineyards	6	OCAHO	830	1995

EMPLOYER PRACTICES

Generally

Earl Russel Horne v. Town of Hampstead	6	OCAHO	906	1997
Frederick John Harris v. State of Hawaii, Department of Education	6	OCAHO	922	1997
United States v. The Beverly Center	5	OCAHO	762	1995

Hire/Hiring

Dalila Kamal-Griffin v. Curtis, Mallet-Prevost, Colt & Mosle	3	OCAHO	550	1993
Eric Robin Cholerton v. Robert M. Hadley Company, Inc.	7	OCAHO	934	1997
Esther Din Brooks v. Watts Window World	3	OCAHO	558	1993
Gurpreet Sodhi v. Maricopa Medical Center	10	OCAHO	1127	2008
Juan Manuel Alamprese v. MNSH, Inc.	9	OCAHO	1094	2003
Krzysztof Zarazinski v. Anglo Fabrics, Company	4	OCAHO	661	1994
Nripendra S. Dhillon v. Regents of the University of California	3	OCAHO	497	1993

Rosa Isela Olivares Aguirre v. KDI American Products, Inc.	6	OCAHO	882	1996
United States v. Aid Maintenance Company, Inc.	7	OCAHO	951	1997
United States v. Diversified Technology and Services of Virginia, Inc.	9	OCAHO	1095	2003
United States v. Mesa Airlines	1	OCAHO	74	1989
	1	OCAHO	74	1989
United States v. Yin Tien Chen, Individually and Winning Orchards, LLC	9	OCAHO	1092	2003

EMPLOYER PRACTICES

Knowledge

United States v. Yin Tien Chen, Individually and Winning Orchards, LLC	9	OCAHO	1092	2003

Pattern or Practice

Linda S. Walker v. United Airlines, Inc.	4	OCAHO	686	1994
United States v. Robison Fruit Ranch, Inc.	4	OCAHO	594	1994
United States v. Rosario Strano and Vito Strano d/b/a Strano Farms	4	OCAHO	601	1994

EMPLOYER PRACTICES

Prescreening

United States v. Lasa Marketing Firms, a California Partnership	1	OCAHO	141	1990
	1	OCAHO	106	1989
United States v. Marcel Watch Corporation	1	OCAHO	143	1990

Reduction in Force

Daniel Bendig v. Conoco, Inc.	9	OCAHO	1065	2001
Daniel Joseph Bendig v. Conoco, Inc.	9	OCAHO	1077	2001
Guy Santiglia v. Sun Microsystems, Inc.	9	OCAHO	1110	2004

Retaliation

Benjamin A. K. Yohan v. Central State Hospital	4	OCAHO	593	1994

Cecilia Araceli Basua v. Walmart #1554	3	OCAHO	547	1993
	3	OCAHO	535	1993
Drahomira Adame v. Dunkin Donuts	5	OCAHO	722	1995
	4	OCAHO	691	1994
Eric Robin Cholerton v. Robert M. Hadley Company, Inc.	7	OCAHO	934	1997
Gurpreet Sodhi v. Maricopa County Special Health Care District	9	OCAHO	1124	2007
Gurpreet Sodhi v. Maricopa Medical Center	10	OCAHO	1127	2008
Jimmy Jack Jackai v. Dallas County Data Services	3	OCAHO	569	1993
Joan A. Lardy v. United Airlines, Inc.	4	OCAHO	595	1994
Krzysztof Zarazinski v. Anglo Fabrics, Company	4	OCAHO	638	1994
Linda Chellouf v. Inter American University of Puerto Rico	12	OCAHO	1269	2016
Margarita Yefremov v. New York City Department of Transportation	3	OCAHO	562	1993
Martin John Shortt v. Dick Clark's American Bandstand Grill	10	OCAHO	1130	2009
Olatunji Moshood Fakunmoju v. Claims Administration Corporation	4	OCAHO	624	1994
United States v. Hotel Martha Washington Corporation	5	OCAHO	786	1995
United States v. Shirley Fuimoto, Hawaii Government Employees Association	7	OCAHO	937	1997
United States v. Southwest Marine Corporation, a California Corporation	3	OCAHO	429	1992

EMPLOYER PRACTICES

Summary Decision

Knowledge of Employer

United States v. Haim Co., Inc. 7 OCAHO 988 1998

EMPLOYER PRACTICES/REDUCTION IN FORCE

Summary Decision

Jenlih John Hsieh v. PMC - Sierra, Inc. 9 OCAHO 1100 2003

EMPLOYER(S)

Burden of Proof

Chand Wije v. Barton Springs/Edwards Aquifier C.D. 5 OCAHO 785 1995

Jimmy Jack Jackai v. Dallas County Data Services 3 OCAHO 569 1993

Joan A. Lardy v. United Airlines, Inc. 4 OCAHO 595 1994

Leonid Naginsky v. Department of Defense and EG&G Dynatrend 6 OCAHO 891 1996

Robert Y. Chu v. Fujitsu Network Transmission System, Inc. 5 OCAHO 778 1995

United States v. Marcel Watch Corporation	1	OCAHO	143	1990
Wartan Bozoghlanian v. Raytheon Company, Electromagnetic Systems Division	4	OCAHO	660	1994

EMPLOYER(S)

Definition

Natasha Dionne Humphries v. PalmOne	9	OCAHO	1112	2004
Programmer's Guild, Inc. v. Value Consulting, Inc.	10	OCAHO	1135	2010
United States v. Ronning Landscaping, Inc.	10	OCAHO	1149	2012
United States v. Shirley Fuimoto, Hawaii Government Employees Association	7	OCAHO	937	1997

Duty

United States v. R&M Fashion, Inc.	6	OCAHO	826	1995

Generally

Marlene Singh Palacio v. Seaside Custom Harvesting/Zinn Packing Company	4	OCAHO	675	1994
Ramnik M. Trivedi v. Northrop Corporation and Department of Defense	4	OCAHO	600	1994
United States v. General Dynamics	3	OCAHO	517	1993

EMPLOYER(S)

Independent Contractor(s)

Alan Rusk v. Northrop Corporation and Department of Defense	4	OCAHO	607	1994
United States v. Hudson Delivery Service, Inc. d/b/a Home Delivery Service	7	OCAHO	945	1997

Individual Capacity

Howard Eugene McNier v. Arthur Wallace in his capacity as Dean, College of Business, San Francisco State University, et al	9	OCAHO	1074	2001
Mr. Doron Tal v. M. L. Energia, Inc.	4	OCAHO	639	1994

Joint Employer Not Established

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021

EMPLOYER(S)

Knowledge

Juan Manuel Alamprese v. MNSH, Inc.	9	OCAHO	1094	2003
United States v. Sunshine Building Maintenance, Inc.	7	OCAHO	997	1998

Responsibility

Juan Manuel Alamprese v. MNSH, Inc.	9	OCAHO	1094	2003
United States v. Robison Fruit Ranch, Inc.	6	OCAHO	855	1996
United States v. The Beverly Center	5	OCAHO	762	1995

Successorship Liability

Joan A. Lardy v. United Airlines, Inc.	4	OCAHO	595	1994

United States v. Jonel, Inc.	7	OCAHO	967	1997
United States v. Spectrum Technical Staffing Services, Inc., and Personnel Plus, Inc.	12	OCAHO	1291	2016
United States v. Spring & Soon Fashion, Inc.	7	OCAHO	982	1997

EMPLOYER(S)

Union(s)

Richard Becker v. Ademco Corporation d/b/a Alarm Device Manufacturing Corporation	1	OCAHO	107	1989

Unnamed or Fictitiously-named Respondent

United States v. Capital Fireproof Door	14	OCAHO	1372	2020

EMPLOYMENT

Authorization

Dolores Garcia Contreras v. Cascade Fruit Company	9	OCAHO	1090	2003
Gloria Ondina-Mendez v. Sugar Creek Packing Company	9	OCAHO	1075	2001

Juan Manuel Alamprese v. MNSH, Inc.	9	OCAHO	1094	2003
United States v. 4431, Inc. t/a Candlelight Inn	4	OCAHO	611	1994
United States v. China Wok Restaurant, Inc., a Nebraska Corporation	4	OCAHO	608	1994
United States v. Monica Zapata-Cosio	5	OCAHO	822	1995
United States v. Yin Tien Chen, Individually and Winning Orchards, LLC	9	OCAHO	1092	2003

EMPLOYMENT

Continue to Employ

United States v. 4431, Inc. t/a Candlelight Inn	4	OCAHO	611	1994
United States v. Buckingham Limited Partnership d/b/a Mr. Wash	1	OCAHO	151	1990
United States v. Cafe Camino Real, Inc.	2	OCAHO	307	1991
United States v. China Wok Restaurant, Inc., a Nebraska Corporation	4	OCAHO	608	1994
United States v. Collins Food International, Inc. d/b/a Sizzler Restaurant	1	OCAHO	123	1990
United States v. Giamblis Enterprises	6	OCAHO	834	1996
United States v. Great Bend Packing Company	6	OCAHO	835	1996
United States v. Ketchikan Drywall Services, Inc.	10	OCAHO	1139	2011
United States v. Mester Manufacturing Company	1	OCAHO	18	1988

United States v. Nevada Lifestyles, Inc. d/b/a Commercial Drapery Cleaners	3	OCAHO	518	1993
United States v. New El Rey Sausage Company	1	OCAHO	66	1989
United States v. Noel Plastering & Stucco, Inc.	2	OCAHO	396	1991
United States v. PPJV, Inc. d/b/a Publishers Press	2	OCAHO	337	1991
United States v. Randall Kurzon, Individually and Alonza Restaurant Ventures, inc.	3	OCAHO	583	1993
United States v. Saeed Rahimzadeh Corporation	3	OCAHO	551	1993
United States v. Sophie Valdez d/b/a La Parilla Restaurant	1	OCAHO	91	1989
United States v. YES Industries d/b/a Soft Touch Carwash	1	OCAHO	198	1990

EMPLOYMENT

Definition

United States v. Cafe Camino Real, Inc.	2	OCAHO	307	1991
United States v. David Jenkins	4	OCAHO	649	1994
United States v. Dubois Farms, Inc.	2	OCAHO	376	1991
United States v. Ronning Landscaping, Inc.	10	OCAHO	1149	2012
United States v. Tom & Yu, Inc. t/a Peking Garden Restaurant	3	OCAHO	412	1993

EMPLOYMENT

Discrimination

Mid-Atlantic Regional Organizing Coalition v. Heritage Landscaping Services, LLC	10	OCAHO	1134	2010

Duty

United States v. Hosung Cleaning Corporation d/b/a Sun Cleaner	4	OCAHO	670	1994
United States v. Nevada Lifestyles, Inc. d/b/a Commercial Drapery Cleaners	3	OCAHO	518	1993
United States v. Randall Kurzon, Individually and Alonza Restaurant Ventures, inc.	3	OCAHO	583	1993

Employee

Johnson v. Florida Power Corporation	7	OCAHO	981	1997
United States v. 4431, Inc. t/a Candlelight Inn	4	OCAHO	611	1994
United States v. Charo's Corporation d/b/a Charo's Restaurant	2	OCAHO	369	1991

United States v. Christie Automotive Products	2	OCAHO	361	1991
United States v. Davis Nursery, Inc.	4	OCAHO	694	1994
United States v. Doug Eier d/b/a Blue Mountain Recreation and Cyclery	1	OCAHO	256	1990
United States v. El Paso Hospitality, Inc.	5	OCAHO	737	1995
United States v. El Paso Hospitality, Inc.	5	OCAHO	737	1995
United States v. Goldenfield Corporation d/b/a Rodeway Inn	2	OCAHO	321	1991
United States v. GRS, Inc. d/b/a Gasket Engineering	4	OCAHO	627	1994
United States v. Halshan, Inc. d/b/a California Pacific	1	OCAHO	278	1990
United States v. Hilario Rodriguez, Jr.	1	OCAHO	276	1990
United States v. Jennifer Dittman d/b/a Ready Room Restaurant	1	OCAHO	195	1990
United States v. John Gasper, Individually and d/b/a John Gasper Labor Contractor	1	OCAHO	218	1990
United States v. Mario Saikhon, Inc.	1	OCAHO	279	1990

EMPLOYMENT

Employer(s)

Apparent or Implied Authority

Dolores Garcia Contreras v. Cascade Fruit Company	9	OCAHO	1090	2003
Gloria Ondina-Mendez v. Sugar Creek Packing Company	9	OCAHO	1075	2001

United States v. 4431, Inc. t/a Candlelight Inn	4	OCAHO	611	1994
United States v. 4431, Inc. t/a Candlelight Inn	4	OCAHO	611	1994
United States v. 4431, Inc. t/a Candlelight Inn	4	OCAHO	611	1994
United States v. ABC Roofing & Waterproofing, Inc.	2	OCAHO	358	1991
	2	OCAHO	358	1991
United States v. Basim Aziz Hanna d/b/a Ferris & Ferris Pizza	1	OCAHO	200	1990
United States v. Big Bear Market	1	OCAHO	48	1989
United States v. Boo Bears Den	1	OCAHO	71	1989
United States v. Buckingham Limited Partnership d/b/a Mr. Wash	1	OCAHO	151	1990
United States v. Buckingham Limited Partnership d/b/a Mr. Wash	1	OCAHO	151	1990
United States v. Burns and Intra-Continental Enterprises	5	OCAHO	768	1995
United States v. China Wok Restaurant, Inc., a Nebraska Corporation	4	OCAHO	608	1994
United States v. China Wok Restaurant, Inc., a Nebraska Corporation	4	OCAHO	608	1994
United States v. Corporate Loss Prevention Associates, Ltd.	6	OCAHO	886	1996
United States v. David Jenkins	4	OCAHO	649	1994
United States v. Davis Nursery, Inc.	4	OCAHO	694	1994
United States v. Dubois Farms, Inc.	2	OCAHO	376	1991

United States v. Dubois Farms, Inc.	1	OCAHO	242	1990
United States v. El Paso Hospitality, Inc.	5	OCAHO	737	1995
United States v. Enrique Reyes d/b/a King's Produce	4	OCAHO	592	1994
United States v. Giamblis Enterprises	5	OCAHO	817	1995
United States v. Giannini Landscaping, Inc.	3	OCAHO	573	1993
United States v. GRS, Inc. d/b/a Gasket Engineering	4	OCAHO	627	1994
United States v. Guillermo Perales d/b/a Mexican Bakery	2	OCAHO	320	1991
United States v. Hosung Cleaning Corporation d/b/a Sun Cleaner	4	OCAHO	670	1994
United States v. Jennifer Dittman d/b/a Ready Room Restaurant	1	OCAHO	195	1990
United States v. Karnival Fashion, Inc.	5	OCAHO	769	1995
United States v. Land Coast Insulation, Inc.	2	OCAHO	379	1991
United States v. Land Coast Insulation, Inc.	2	OCAHO	379	1991
United States v. Manos & Associates, Inc. d/b/a The Bread Basket Restaurant	1	OCAHO	130	1989
United States v. Manuel Orozco-Minjares	4	OCAHO	606	1994
United States v. Mester Manufacturing Company	1	OCAHO	18	1988
United States v. Min Goldblatt & Sons, Inc. t/a Richfield Caterers	1	OCAHO	154	1990
United States v. New El Rey Sausage Company	1	OCAHO	78	1989

United States v. Noel Plastering & Stucco, Inc.	2	OCAHO	377	1991
United States v. Noel Plastering & Stucco, Inc.	3	OCAHO	427	1992
	2	OCAHO	377	1991
United States v. Oscar Chacon, Sr.	3	OCAHO	578	1993
United States v. Oscar Chacon, Sr.	3	OCAHO	578	1993
United States v. PPJV, Inc. d/b/a Publishers Press	2	OCAHO	354	1991
United States v. Richard Bakovic	3	OCAHO	482	1991
United States v. Sophie Valdez d/b/a La Parilla Restaurant	1	OCAHO	91	1989
United States v. Sophie Valdez d/b/a La Parilla Restaurant	1	OCAHO	91	1989
United States v. Sophie Valdez d/b/a La Parilla Restaurant	1	OCAHO	91	1989
United States v. The Wrangler's Country Café, Inc. and Henry D. Stieben	1	OCAHO	138	1990
United States v. The Wrangler's Country Café, Inc. and Henry D. Stieben	1	OCAHO	138	1990
United States v. Ulysses, Inc. and Ulysses Restaurant Group, Inc.	3	OCAHO	409	1992
United States v. Vogue Pleating, Stitching & Embroidery Corporation	5	OCAHO	782	1995
United States v. Wood 'N Stuff	3	OCAHO	574	1993
United States v. YES Industries d/b/a Soft Touch Carwash	1	OCAHO	198	1990

EMPLOYMENT

Evidence

Cormia v. Home Care Giver Services	10	OCAHO	1160	2012
Mid-Atlantic Regional Organizing Coalition v. Heritage Landscaping Services, LLC	10	OCAHO	1134	2010

Generally

United States v. Alberta Sosa, Inc.	6	OCAHO	831	1996
United States v. David Jenkins	5	OCAHO	743	1995
United States v. Honeybake Farms, Inc.	2	OCAHO	311	1991
United States v. Mr. Z Enterprise	1	OCAHO	288	1991
United States v. Power Operating Company	3	OCAHO	580	1993
United States v. Ricardo Calderon, Inc.	6	OCAHO	832	1996
	6	OCAHO	832	1996

Grandfathered Employees

United States v. The Red Coach Restaurant, Inc.	10	OCAHO	1195	2013

EMPLOYMENT

Independent Contractor(s)

United States v. David Jenkins	5	OCAHO	743	1995
United States v. Lorenzo Robles d/b/a Lorenzo Robles Roofing and Construction	2	OCAHO	309	1991
United States v. Mr. Z Enterprise	1	OCAHO	288	1991
United States v. Power Operating Company	3	OCAHO	580	1993
United States v. Richard Bakovic	3	OCAHO	482	1991
United States v. Saidabror Siddikov d/b/a Beyond Cleaning Services	11	OCAHO	1257	2015
United States v. Sophie Valdez d/b/a La Parilla Restaurant	1	OCAHO	91	1989
United States v. U.S. Style, Inc.	5	OCAHO	793	1995
Victor B. Palma v. Alufase USA, LLC	10	OCAHO	1213	2014

Knowledge

United States v. American Terrazzo Corporation d/b/a John Delallo Foods	6	OCAHO	828	1995
	6	OCAHO	828	1995
United States v. Mark Steven Carter d/b/a Dixie Industrial Service Company	7	OCAHO	931	1997
United States v. Randall Kurzon, Individually and Alonza Restaurant Ventures, inc.	3	OCAHO	583	1993
United States v. Yin Tien Chen, Individually and Winning Orchards, LLC	9	OCAHO	1092	2003

EMPLOYMENT

Number of Hours an Employee Worked Not Determinative of Duration of Employment

United States v. Golden Employment Group, Inc.	12	OCAHO	1274	2016

Seasonal Agricultural Workers

Sanchez v. Leobardo and Carmen Ocanas d/b/a Leo Ocanas Farm	9	OCAHO	1115	2005
United States v. Hilario Rodriguez, Jr.	1	OCAHO	276	1990
United States v. Ralph Sanchez, Labor Contractor	1	OCAHO	58	1989

EMPLOYMENT AUTHORIZATION

A Restricted Social Security Card is Not Sufficient to Establish Employment Authorization

Manikandan Sivasankar v. Strategic Staffing Solutions 14 OCAHO 1354 2020

Documents

Gloria Ondina-Mendez v. Sugar Creek Packing Company 9 OCAHO 1075 2001

Michael K. Lee v. Airtouch Communications 6 OCAHO 888 1996

Roman Udala v. New York State Department of Education 4 OCAHO 633 1994

United States v. Diversified Technology and Services of Virginia, Inc. 9 OCAHO 1095 2003

United States v. Robison Fruit Ranch, Inc. 6 OCAHO 855 1996

Generally

Dolores Garcia Contreras v. Cascade Fruit Company 9 OCAHO 1090 2003

Gloria Ondina-Mendez v. Sugar Creek Packing Company	9	OCAHO	1085	2002
Juan Manuel Alamprese v. MNSH, Inc.	9	OCAHO	1094	2003
Luigia Wiesner v. CIT Tours, Inc.	5	OCAHO	773	1995
United States v. Hyatt Regency Lake Tahoe	6	OCAHO	861	1996
United States v. Robison Fruit Ranch, Inc.	6	OCAHO	855	1996

EQUAL ACCESS TO JUSTICE ACT

"Substantially Justified" EAJA Standard Does Not Apply in Private Cases Under Section 1324b

Mike De Leon v. Longoria Farms/Martin Longoria	13	OCAHO	1320a	2019
Mike De Leon, et al. v. Longoria Farms, et al.	13	OCAHO	1320	2019

Generally

Charo's Corporation d/b/a Charo's Restaurant v. United States	5	OCAHO	761	1995
	7	OCAHO	980	1997
United States v. ABC Roofing & Waterproofing, Inc.	2	OCAHO	382	1991

United States v. ABC Roofing & Waterproofing, Inc.	2	OCAHO	391	1991
United States v. Charo's Corporation d/b/a Charo's Restaurant	3	OCAHO	467	1992
	3	OCAHO	402	1992
	3	OCAHO	401	1992
United States v. G.L.C. Restaurant d/b/a Capriccio Restaurant	3	OCAHO	439	1992
United States v. G.L.C. Restaurant, Inc. d/b/a Capriccio Restaurant	2	OCAHO	389	1991
	1	OCAHO	270	1990
	1	OCAHO	216	1990
United States v. Mourad Abu Remileh	6	OCAHO	864	1996
United States v. Nu Look Cleaners of Pembroke Pines, Inc.	2	OCAHO	308	1991

EQUAL ACCESS TO JUSTICE ACT

Prevailing Party

Charo's Corporation d/b/a Charo's Restaurant v. United States	5	OCAHO	761	1995

Reasonableness Standard

Charo's Corporation d/b/a Charo's Restaurant v. United States 5 OCAHO 761 1995

EQUAL ACCESS TO JUSTICE ACT

Substantial Justification

Charo's Corporation d/b/a Charo's Restaurant v. United States 5 OCAHO 761 1995

EQUITABLE TOLLING

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc. 14 OCAHO 1370 2020

14 OCAHO 1370 2020

180-Day Period

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc. 14 OCAHO 1370 2020

Aurelio Galindo v. Smithfield Foods & Yuma County 14 OCAHO 1369 2020

Ephrain Manuel Berlanga v. Butterball Company	4	OCAHO	669	1994
Galdino Casillas Garcia v. McCarron Electric Company	5	OCAHO	747	1995
Glauco Luiz Ortolano v. Wordperfect Company	4	OCAHO	716	1994
Jack N. Toussaint v. Tekwood Data Processing Consulting	6	OCAHO	892	1996
Jixian Pan v. Christian Engineering Company d/b/a Jude Engineering	4	OCAHO	648	1994
Joan A. Lardy v. United Airlines, Inc.	4	OCAHO	595	1994
Joseph E. Sabol v. Northern Michigan University	9	OCAHO	1107	2004
Oswalde Woode v. Central Regional Hospital NCDHHS Agency	11	OCAHO	1235	2014
Wartan Bozoghlanian v. Magnavox Advanced Products and Systems Company	4	OCAHO	695	1994

EQUITABLE TOLLING

5/10 Year Rule

Alan Rusk v. Northrop Corporation and Department of Defense	4	OCAHO	607	1994
Leonid Naginsky v. Department of Defense and EG&G Dynatrend	5	OCAHO	726	1995
Wartan Bozoghlanian v. Lockheed-Advanced Development Corporation	4	OCAHO	711	1994
Wartan Bozoghlanian v. Magnavox Advanced Products and Systems Company	4	OCAHO	653	1994
Wartan Bozoghlanian v. Raytheon Company, Electromagnetic Systems Division	4	OCAHO	660	1994

EQUITABLE TOLLING

Available in Extraordinary Circumstances Beyond Party's Control That Prevented Timely Filing

Temitope Ogunrinu v. Law Resources	13	OCAHO	1332	2019
United States v. Chen Wilmington, Inc.	11	OCAHO	1241	2015
United States v. Quickstuff, LLC, Its Member Maria Castillo, and A&C Staffing, LLC	11	OCAHO	1265	2015

Available Where Party Prevented From Filing By Wrongful Conduct of Opponent

United States v. Chen Wilmington, Inc.	11	OCAHO	1241	2015

Charge

Ephrain Manuel Berlanga v. Butterball Company	4	OCAHO	669	1994
Glauco Luiz Ortolano v. Wordperfect Company	4	OCAHO	716	1994
Jixian Pan v. Christian Engineering Company d/b/a Jude Engineering	4	OCAHO	648	1994

Linda S. Walker v. United Airlines, Inc.	4	OCAHO	686	1994
Roman Udala v. New York State Department of Education	4	OCAHO	633	1994
Rosa Isela Olivares Aguirre v. KDI American Products, Inc.	6	OCAHO	882	1996
Sara Caspi v. William J. Hoffman and Trigild Corporation	6	OCAHO	838	1996
	6	OCAHO	838	1996
United States v. Auburn University	4	OCAHO	602	1994
Wartan Bozoghlanian v. Magnavox Advanced Products and Systems Company	4	OCAHO	695	1994
	4	OCAHO	653	1994
Wartan Bozoghlanian v. Raytheon Company, Electromagnetic Systems Division	4	OCAHO	660	1994

EQUITABLE TOLLING

Complaint

Alexander T. Mikhailine v. WebSci Technologies, Inc.	8	OCAHO	1033	1999
Ashwani Goel v. Indotronix Internation Corporation	9	OCAHO	1102	2003
Jixian Pan v. Christian Engineering Company d/b/a Jude Engineering	4	OCAHO	648	1994
Roman Udala v. New York State Department of Education	4	OCAHO	633	1994
Salim J. Hajiani v. Ali Properties, LLC, Airport Shell	10	OCAHO	1188	2013

United States v. Rosario Strano and Vito Strano d/b/a Strano Farms	4	OCAHO	601	1994
United States v. Workrite Uniform Company, Inc.	5	OCAHO	736	1995
Wartan Bozoghlanian v. Magnavox Advanced Products and Systems Company	4	OCAHO	653	1994

EQUITABLE TOLLING

Complaint Filing Period

In Re Investigation of: NHS Human Services	10	OCAHO	1198	2013

Discrimination Actionable Only If OSC/IER Charge Filed Within 180 Days of Alleged Act

Oswalde Woode v. Central Regional Hospital NCDHHS Agency	11	OCAHO	1235	2014

Equitable Estoppel

Ashwani Goel v. Indotronix Internation Corporation	9	OCAHO	1102	2003
Roman Udala v. New York State Department of Education	4	OCAHO	633	1994

EQUITABLE TOLLING

Equitable Tolling Does Not Extend to Garden Variety Claim of Excusable Neglect

United States v. Chen Wilmington, Inc.	11	OCAHO	1241	2015

Equitable Tolling is Rare Remedy Available Only Where Requesting Party Exercised Due Diligence

Alvin J. Green, III v. All Desert Appliances d/b/a ADA Repair, Inc.	14	OCAHO	1370a	2020
Bienvenido Antonio Thompson v. Prestige Towing Services	13	OCAHO	1309	2018
Habukuk Ndzerre v. Washington Metropolitan Area Transit Authority	13	OCAHO	1306a	2018
	13	OCAHO	1306	2017
Ravi Narayana Kumar Dakarapu v. Arvy Tech, Inc.	13	OCAHO	1308	2018
United States v. Chen Wilmington, Inc.	11	OCAHO	1241	2015
United States v. Vilardo Vineyards	11	OCAHO	1248	2015

Equitable Tolling May Apply If the Charging Party Timely Filed a Change in the Wrong Forum

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc. 14 OCAHO 1370 2020

EQUITABLE TOLLING

Equitable Tolling of Charge Filing Period

Alvin J. Green, III v. All Desert Appliances d/b/a ADA Repair, Inc. 14 OCAHO 1370a 2020

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc. 14 OCAHO 1370 2020

Aurelio Galindo v. Smithfield Foods & Yuma County 14 OCAHO 1369 2020

M.S v. Dave S.B. Hoon - John Wayne Cancer Institute 12 OCAHO 1305 2017

M.S. v. Dave S.B. Hoon - John Wayne Cancer Institute 12 OCAHO 1305a 2018

12 OCAHO 1305b 2018

Ravi Narayana Kumar Dakarapu v. Arvy Tech, Inc. 13 OCAHO 1308 2018

Temitope Ogunrinu v. Law Resources 13 OCAHO 1332 2019

Filing of EEOC Charge Does Not Toll Limitations Period for Filing of IER/OSC Charge

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc. 14 OCAHO 1370 2020

Garth Anton Hayden v. New York Police Department	13	OCAHO	1313	2018
Oswalde Woode v. Central Regional Hospital NCDHHS Agency	11	OCAHO	1235	2014

EQUITABLE TOLLING

Generally

Alexander T. Mikhailine v. WebSci Technologies, Inc.	8	OCAHO	1033	1999
Anthony F. Lundy v. OOCL, Inc.	1	OCAHO	215	1990
Daniel D. Tiplea v. Reynolds Electrical & Engineering Company, Inc.	3	OCAHO	548	1993
Emil Anis Halim v. Accu-Labs Research, Inc.	3	OCAHO	474	1992
Errol Williams v. Touche Ross & Company d/b/a Deloitte & Touche	1	OCAHO	258	1990
John C. Grodzki v. OOCL, Inc.	1	OCAHO	295	1991
Jorge Mario Ipina v. Michigan Jobs Commission	8	OCAHO	1036	1999
Jose N. Hernandez v. City of Santa Ana	4	OCAHO	674	1994
Juan J. Salcido v. New-Way Pork Company	3	OCAHO	425	1992
Linda S. Walker v. United Airlines, Inc.	4	OCAHO	686	1994
Michael K. Wockenfuss v. Bureau of Prisons	5	OCAHO	767	1995
Moises Reyes v. Pilgrim Psychiatric Center	3	OCAHO	529	1993

Roman Udala v. New York State Department of Education	4	OCAHO	633	1994
United States v. Mesa Airlines	1	OCAHO	74	1989
	1	OCAHO	74	1989
United States v. Weld County School District	2	OCAHO	326	1991
Uthaiwan Wong-Opasi v. State of Tennessee, Governor Don Sundquist, et al	8	OCAHO	1037	1999
Yadira Azucena Ocampo Soto v. Top Industrial, Inc.	7	OCAHO	999	1998

EQUITABLE TOLLING

May Be Available Where Party Prevented From Timely Filing by Circumstances Beyond Party's Control

United States v. Vilardo Vineyards	11	OCAHO	1248	2015

Memorandum of Understanding (MOU)

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc.	14	OCAHO	1370	2020
Jack N. Toussaint v. Tekwood Data Processing Consulting	6	OCAHO	892	1996
Linda S. Walker v. United Airlines, Inc.	4	OCAHO	686	1994

M.S v. Dave S.B. Hoon - John Wayne Cancer Institute	12	OCAHO	1305	2017
M.S. v. Dave S.B. Hoon - John Wayne Cancer Institute	12	OCAHO	1305a	2018
	12	OCAHO	1305b	2018
United States v. Auburn University	4	OCAHO	617	1994
United States v. Hyatt Regency Lake Tahoe	6	OCAHO	879	1996

EQUITABLE TOLLING

Mere Ignorance of Filing Requirements Does Not Justify Equitable Tolling

Alvin J. Green, III v. All Desert Appliances d/b/a ADA Repair, Inc.	14	OCAHO	1370a	2020
Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc.	14	OCAHO	1370	2020
Ravi Narayana Kumar Dakarapu v. Arvy Tech, Inc.	13	OCAHO	1308	2018

No Basis for Equitable Tolling When Party Had Actual Notice of Limitations Period and Ignored It

M.S v. Dave S.B. Hoon - John Wayne Cancer Institute	12	OCAHO	1305	2017
M.S. v. Dave S.B. Hoon - John Wayne Cancer Institute	12	OCAHO	1305a	2018

M.S. v. Dave S.B. Hoon - John Wayne Cancer Institute	12	OCAHO	1305b	2018

EQUITABLE TOLLING

Notification

Joseph E. Sabol v. Northern Michigan University	9	OCAHO	1107	2004
Sara Caspi v. William J. Hoffman and Trigild Corporation	7	OCAHO	991	1998
United States v. Auburn University	4	OCAHO	617	1994

Pro Se

Anthony F. Lundy v. OOCL, Inc.	1	OCAHO	215	1990
Ashwani Goel v. Indotronix Internation Corporation	9	OCAHO	1102	2003
Bienvenido Antonio Thompson v. Prestige Towing Services	13	OCAHO	1309	2018
Crecencio Cabrera Mendez v. Jim Daniels	2	OCAHO	374	1991
Daniel D. Tiplea v. Reynolds Electrical & Engineering Company, Inc.	3	OCAHO	548	1993
Emil Anis Halim v. Accu-Labs Research, Inc.	3	OCAHO	474	1992

John C. Grodzki v. OOCL, Inc.	1	OCAHO	295	1991
	1	OCAHO	243	1990
Joseph E. Sabol v. Northern Michigan University	9	OCAHO	1107	2004
Juan J. Salcido v. New-Way Pork Company	3	OCAHO	425	1992

EQUITABLE TOLLING

Pro Se Status Alone Is Not Sufficient to Justify Equitable Tolling

Alvin J. Green, III v. All Desert Appliances d/b/a ADA Repair, Inc.	14	OCAHO	1370a	2020
M.S v. Dave S.B. Hoon - John Wayne Cancer Institute	12	OCAHO	1305	2017
M.S. v. Dave S.B. Hoon - John Wayne Cancer Institute	12	OCAHO	1305a	2018
	12	OCAHO	1305b	2018
Ravi Narayana Kumar Dakarapu v. Arvy Tech, Inc.	13	OCAHO	1308	2018

Requires Showing of Extraordinary Circumstances

Salim J. Hajiani v. Ali Properties, LLC, Airport Shell	10	OCAHO	1188	2013

EQUITABLE TOLLING

Time Computation(s)

Joseph E. Sabol v. Northern Michigan University	9	OCAHO	1107	2004
Ramnik M. Trivedi v. Northrop Corporation and Department of Defense	4	OCAHO	600	1994
Rosa Isela Olivares Aguirre v. KDI American Products, Inc.	6	OCAHO	882	1996
Salim J. Hajiani v. Ali Properties, LLC, Airport Shell	10	OCAHO	1188	2013
Yadira Azucena Ocampo Soto v. Top Industrial, Inc.	7	OCAHO	999	1998

Where Employer Resists Producing Information to Office of Special Counsel

In Re Investigation of: NHS Human Services	10	OCAHO	1198	2013

ESTOPPEL

Collateral

Chester A. Mackentire, Jr. v. Ricoh Corporation, et al.	5	OCAHO	746	1995

Linda S. Walker v. United Airlines, Inc.	4	OCAHO	686	1994
United States v. Power Operating Company	3	OCAHO	580	1993
United States v. Yin Tien Chen, Individually and Winning Orchards, LLC	9	OCAHO	1092	2003

ESTOPPEL

Equitable

Linda S. Walker v. United Airlines, Inc.	4	OCAHO	686	1994
United States v. Hosung Cleaning Corporation d/b/a Sun Cleaner	4	OCAHO	670	1994

Estoppel Against the Government Not Created Merely by Silence or Delay

United States v. Hartmann Studios, Inc.	11	OCAHO	1255	2015

Estoppel Must at a Minimum Be Premised Upon Some Affirmative Government Misconduct

United States v. Hartmann Studios, Inc.	11	OCAHO	1255	2015

ESTOPPEL

Generally

Dr. Mahmoud M. Hammoudah v. Rush-Presbyterian St. Luke's Medical Center	8	OCAHO	1047	2000
Hernandez v. Farley Candy Company	5	OCAHO	765	1995
In re Investigation of ABM Industries, Subpoena	5	OCAHO	763	1995

Government Is Virtually Impervious to Claims of Equitable Estoppel

United States v. Hartmann Studios, Inc.	11	OCAHO	1255	2015

Government May Not Be Estopped on the Same Terms as Other Litigants

United States v. Hartmann Studios, Inc.	11	OCAHO	1255	2015

Judicial

United States v. Yin Tien Chen, Individually and Winning Orchards, LLC 9 OCAHO 1092 2003

ETHICAL CONDUCT

Admonishment of a Party for Misconduct

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc. 14 OCAHO 1370b 2021

Applicable State Bar and ABA Model Rules Provide Guidance on Ethical Issues in OCAHO Proceedings

United States v. Louisiana Crane Company, LLC d/b/a Louisiana Crane and Construction 11 OCAHO 1246 2015

Deviation From Standards of Ethical Conduct May Lead to Dismissal of Complaint

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc. 14 OCAHO 1370b 2021

Ethics Rules Require Counsel to Cite to Known Authority Contrary to Client's Position

United States v. Louisiana Crane Company, LLC d/b/a Louisiana Crane and Construction	11	OCAHO	1246	2015

ETHICAL CONDUCT

Failure to Provide Adequate Legal Support of Claims Renders a Pleading Deficient

United States v. Louisiana Crane Company, LLC d/b/a Louisiana Crane and Construction	11	OCAHO	1246	2015

Frivolous Filing

Temitope Ogunrinu v. Law Resources & Arnold and Porter Kaye Scholer LLP	13	OCAHO	1332c	2020

Generally

United States v. McDonnell Douglas Corporation	2	OCAHO	351	1991
United States v. Select Temporaries, Inc. d/b/a Select Personnel Services	9	OCAHO	1079	2002

United States v. The Beverly Center 5 OCAHO 762 1995

ETHICAL CONDUCT

Lawyers Are Officers of the Court and Have an Ethical Duty to Be Candid With the Court

United States v. Louisiana Crane Company, LLC d/b/a Louisiana Crane and Construction 11 OCAHO 1246 2015

Party Misconduct May Warrant Adverse Credibility Finding

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc. 14 OCAHO 1370b 2021

Plagiarism Violates Counsel's Duty to Act With Integrity and With Candor to the Court

United States v. Louisiana Crane Company, LLC d/b/a Louisiana Crane and Construction 11 OCAHO 1246 2015

Pleading and Argument Contrary to All Relevant Authority Show Lack of Candor With the Court

United States v. Louisiana Crane Company, LLC d/b/a Louisiana Crane and Construction 11 OCAHO 1246 2015

ETHICAL CONDUCT

Standards of Conduct in OCAHO Rules are General Goals, Not Specific Standards of Conduct

United States v. Chen Wilmington, Inc. 11 OCAHO 1241 2015

Verbatim Copying of Text Without Attribution is Plagarism and Misrepresentation to the Court

United States v. Louisiana Crane Company, LLC d/b/a Louisiana Crane and Construction 11 OCAHO 1246 2015

When Ethical Issues Arise in OCAHO Proceedings, Applicable State Bar Rules Provide Guidance

United States v. Chancery Staffing Solutions, LLC et al. 13 OCAHO 1326a 2019

13 OCAHO 1326 2019

United States v. Chen Wilmington, Inc. 11 OCAHO 1241 2015

E-VERIFY

Acceptable Documents

Michael Edward Johnson v. Progressive Roofing 12 OCAHO 1295 2017

Employer May (But Is Not Required To) Terminate An Employee After A Final Nonconfirmation

Loleitha Atheria Wilson v. Waste Connections, Inc. 13 OCAHO 1315 2019

Employers Enrolled in E-Verify May Only Accept List B Document Containing a Photograph

Michael Edward Johnson v. Progressive Roofing 12 OCAHO 1295 2017

Errors In Employee's Information in E-Verify

Loleitha Atheria Wilson v. Waste Connections, Inc. 13 OCAHO 1315 2019

E-VERIFY

Failure to Use E-Verify System as Mandated by State Law Does Not Warrant Finding of Bad Faith

United States v. Psychosomatic Fitness LLC 14 OCAHO 1387a 2021

Failure to Use Voluntary E-Verify System Creates No Inference of Good or Bad Faith

United States v. Integrity Concrete, Inc. and American Concrete, Inc. 13 OCAHO 1307 2017

Federal Contractors

Travis John Guth v. Kaiser Permanente Hawaii 10 OCAHO 1190 2013

Final Nonconfirmation

Loleitha Atheria Wilson v. Waste Connections, Inc. 13 OCAHO 1315 2019

E-VERIFY

Participation in E-Verify Doesn't Exempt Employer From Completing, Retaining and Producing I-9s

United States v. Golden Employment Group, Inc.	12	OCAHO	1274	2016
United States v. SKZ Harvesting, Inc.	11	OCAHO	1266	2016

Tentative Nonconfirmation

Loleitha Atheria Wilson v. Waste Connections, Inc.	13	OCAHO	1315	2019

EVIDENCE

Admissibility

Juan Manuel Alamprese v. MNSH, Inc.	9	OCAHO	1094	2003
Temitope Ogunrinu v. Law Resources and Arnold & Porter Kaye Scholer LLP	13	OCAHO	1332d	2020
Zaji Obatala Zajradhara	14	OCAHO	1363c	2021

EVIDENCE

Affidavit May Help Authenticate Evidence to Support a Motion for Summary Decision

United States v. Sanchita Bhattacharya	14	OCAHO	1380a	2021

Affidavit(s)

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc.	14	OCAHO	1370b	2021
Celia Simon v. Ingram Micro, Inc.	9	OCAHO	1088	2003
Corneliu Curuta v. Tomball College	9	OCAHO	1099	2003
Daniel Joseph Bendig v. Conoco, Inc.	9	OCAHO	1077	2001
Kenneth Wade Parker, Jr. v. Wild Goose Storage, Inc.	9	OCAHO	1081	2002
Martha Diaz v. Pacific Maritime Association	9	OCAHO	1108	2004
United States v. Dolly Boman Irani	6	OCAHO	860	1996
United States v. Esther Flores-Martinez	5	OCAHO	733	1995
United States v. Fortune East Fashion, Inc.	7	OCAHO	977	1997

United States v. Leonor Yolanda Ortiz	6	OCAHO	863	1996
United States v. Leticia Velarde	14	OCAHO	1384	2020
United States v. March Construction, Inc.	10	OCAHO	1158	2012
United States v. Nicolas Tinoco-Medina	6	OCAHO	890	1996
United States v. Sanchita Bhattacharya	14	OCAHO	1380a	2021
Zaji Obatala Zajradhara	14	OCAHO	1363c	2021

EVIDENCE

After Government Meets Burden of Proof, Respondent Must Introduce Evidence to Rebut

United States v. Hair U Wear, LLC	11	OCAHO	1268	2016
United States v. Wave Green, Inc. d/b/a Golden Farm Market	11	OCAHO	1267	2016

ALJ Construed Pro Se Motion Without Citations as Incorporating Attached Affidavit by Reference

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021

ALJ Must Accept As True Unrebutted Facts Established By Documentary Evidence or Affidavit

United States v. Chen Wilmington, Inc. 11 OCAHO 1241 2015

EVIDENCE

Asserting Party Bears Burden of Establishing Privilege

United States v. Rose Acre Farms, Inc. 12 OCAHO 1285a 2018

12 OCAHO 1285 2016

Authentication

Kenneth Wade Parker, Jr. v. Wild Goose Storage, Inc. 9 OCAHO 1081 2002

United States v. Leticia Velarde 14 OCAHO 1384 2020

United States v. Sanchita Bhattacharya 14 OCAHO 1380 2020

14 OCAHO 1380a 2021

Awareness of Citizenship Status

Juan Manuel Alamprese v. MNSH, Inc.	9	OCAHO	1094	2003

EVIDENCE

Burden of Production May Shift to Respondent to Controvert Government's Evidence

United States v. Cawoods Produce, Inc.	12	OCAHO	1280	2016
United States v. Durable, Inc.	11	OCAHO	1231	2014
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12	OCAHO	1286	2016

Burden of Proof

Adnan Niaz Mir v. Federal Bureau of Prisons	3	OCAHO	577	1993
Bertalina Monjaras v. Blue Ribbon Cleaners, Inc.	3	OCAHO	526	1993
Corneliu Curuta v. Tomball College	9	OCAHO	1099	2003
Dalila Kamal-Griffin v. Cahill Gordon & Reindel	3	OCAHO	460	1992
Dalila Kamal-Griffin v. Curtis, Mallet-Prevost, Colt & Mosle	3	OCAHO	550	1993

Daniel Joseph Bendig v. Conoco, Inc.	9	OCAHO	1077	2001
Dinko Sefic v. Marconi Wireless	9	OCAHO	1123	2007
Dolores Garcia Contreras v. Cascade Fruit Company	9	OCAHO	1090	2003
Elizabeth Klimas v. Department of Treasury	3	OCAHO	419	1992
Florinda Kattan v. Union League Club of Chicago	3	OCAHO	586	1993
Henry O. Akinwande v. Mr. Rick Weyel, Erol's, Inc.	1	OCAHO	144	1990
Iron Workers Local 455 v. Lake Construction & Development Corporation	7	OCAHO	964	1997
Jack Huang v. Queens Motel	2	OCAHO	364	1991
Jimmy Jack Jackai v. Dallas County Data Services	3	OCAHO	569	1993
John R. Alvarez v. Interstate Highway Construction	3	OCAHO	430	1992
Jorge Mario Ipina v. Michigan Department of Labor	2	OCAHO	386	1991
Juan Francisco Martinez v. Lott Constructors, Inc.	2	OCAHO	323	1991
Juan Manuel Alamprese v. MNSH, Inc.	9	OCAHO	1094	2003
Kenneth Wade Parker, Jr. v. Wild Goose Storage, Inc.	9	OCAHO	1081	2002
Krzysztof Zarazinski v. Anglo Fabrics, Company	4	OCAHO	626	1994
Leonid Naginsky v. Department of Defense and EG&G Dynatrend	6	OCAHO	891	1996
Maria Fuentes v. Grace Culinary Systems	6	OCAHO	873	1996

Marian Ryba v. Temple Steel Company	1	OCAHO	289	1991
Martin John Shortt v. Dick Clark's American Bandstand Grill	10	OCAHO	1130	2009
Mr. Doron Tal v. M. L. Energia, Inc.	4	OCAHO	705	1994
	3	OCAHO	519	1993
Natasha Dionne Humphries v. PalmOne	9	OCAHO	1112	2004
Noemi Barragan-Mandujano Romo v. Todd Corporation	1	OCAHO	25	1988
	1	OCAHO	25	1988
Olegario Munoz v. Pastel Furniture Manufacturing Company	3	OCAHO	457	1992
Programmer's Guild, Inc. v. Value Consulting, Inc.	10	OCAHO	1135	2010
Robert Y. Chu v. Fujitsu Network Transmission System, Inc.	5	OCAHO	778	1995
Rosa Maria Tovar v. Rick Misquez d/b/a A.P. Esteve Sales	3	OCAHO	458	1992
Sargon Bethishou v. Ohmite Manufacturing Company	1	OCAHO	77	1989
Stephen Salerno v. ICL Retail Systems, Inc.	3	OCAHO	481	1993
United States v. A.J. Bart, Inc.	3	OCAHO	538	1993
United States v. Alvand, Inc. d/b/a 410 Diner	2	OCAHO	352	1991
	2	OCAHO	352	1991
United States v. A-Plus Roofing, Inc.	1	OCAHO	209	1990

United States v. Auburn University	4	OCAHO	662	1994
United States v. Basim Aziz Hanna d/b/a Ferris & Ferris Pizza	1	OCAHO	200	1990
United States v. Cafe Camino Real, Inc.	2	OCAHO	307	1991
United States v. Charo's Corporation d/b/a Charo's Restaurant	2	OCAHO	369	1991
United States v. Christie Automotive Products	2	OCAHO	361	1991
United States v. Collins Food International, Inc. d/b/a Sizzler Restaurant	1	OCAHO	123	1990
United States v. David Ley Salido d/b/a David Ley Salido Rockwall Subcontractor	1	OCAHO	81	1989
United States v. Diversified Technology and Services of Virginia, Inc.	9	OCAHO	1095	2003
United States v. Dubois Farms, Inc.	2	OCAHO	376	1991
United States v. Exim, Inc. and Jaime Monardes, Individually	3	OCAHO	591	1993
United States v. H&H Saguaro Specialists	10	OCAHO	1144	2012
United States v. John Gasper, Individually and d/b/a John Gasper Labor Contractor	1	OCAHO	218	1990
United States v. Juan V. Acevedo	1	OCAHO	95	1989
United States v. Leonor Yolanda Ortiz	6	OCAHO	889	1996
United States v. Lorenzo Robles d/b/a Lorenzo Robles Roofing and Construction	2	OCAHO	309	1991
United States v. Manos & Associates, Inc. d/b/a The Bread Basket Restaurant	1	OCAHO	130	1989
United States v. Marcel Watch Corporation	1	OCAHO	143	1990

United States v. March Construction, Inc.	10	OCAHO	1158	2012
United States v. Mesa Airlines	1	OCAHO	74	1989
	1	OCAHO	74	1989
United States v. New El Rey Sausage Company	1	OCAHO	66	1989
United States v. Noel Plastering & Stucco, Inc.	2	OCAHO	377	1991
United States v. Randall Kurzon, Individually and Alonza Restaurant Ventures, inc.	3	OCAHO	583	1993
United States v. Robert Marnul d/b/a Lamont Street Grill	3	OCAHO	441	1992
United States v. Rose Acre Farms, Inc.	12	OCAHO	1285a	2018
	12	OCAHO	1285	2016
United States v. San Diego Semiconductors, Inc.	2	OCAHO	314	1991
United States v. Sargetis d/b/a Castle Valley Sales, Inc., a Utah Corporation	3	OCAHO	407	1992
United States v. Skydive Academy of Hawaii Corporation d/b/a Skydive Hawaii	6	OCAHO	848	1996
United States v. Sophie Valdez d/b/a La Parilla Restaurant	1	OCAHO	91	1989
	1	OCAHO	104	1989
United States v. Stanford Sign and Awning, Inc.	10	OCAHO	1145	2012
United States v. The Beverly Center	5	OCAHO	762	1995
United States v. Weld County School District	2	OCAHO	326	1991

United States v. Weymoor Investments, Limited	1	OCAHO	56	1989
Wartan Bozoghlanian v. Raytheon Company, Electromagnetic Systems Division	4	OCAHO	660	1994
Wisniewski v. Douglas County School System	1	OCAHO	29	1988

EVIDENCE

Citizenship Status

Carlos Aciar v. Rosen's Delicatessen	9	OCAHO	1086	2002

Confidential Settlement Communications Generally Are Not Admissible

Temitope Ogunrinu v. Law Resources and Arnold & Porter Kaye Scholer LLP	13	OCAHO	1332d	2020

Credibility

Guy Santiglia v. Sun Microsystems, Inc.	9	OCAHO	1104	2004
Krzysztof Zarazinski v. Anglo Fabrics, Company	4	OCAHO	661	1994

United States v. Felipe De Leon-Valenzuela	8	OCAHO	1004	1998

EVIDENCE

Data Not Shown to Expert or Used to Prove Case Is Not Relevant Evidence

United States v. Rose Acre Farms, Inc.	12	OCAHO	1285a	2018
	12	OCAHO	1285	2016

Direct Evidence

Dolores Garcia Contreras v. Cascade Fruit Company	9	OCAHO	1090	2003
Olisaemeka Eze v. West County Transportation Agency	10	OCAHO	1140	2011
Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021
United States v. Diversified Technology and Services of Virginia, Inc.	9	OCAHO	1095	2003

Disparate Treatment

Dalila Kamal-Griffin v. Cahill Gordon & Reindel	3	OCAHO	568	1993
Daniel Joseph Bendig v. Conoco, Inc.	9	OCAHO	1077	2001
Dinko Sefic v. Marconi Wireless	9	OCAHO	1123	2007
Dolores Garcia Contreras v. Cascade Fruit Company	9	OCAHO	1090	2003
Dr. Mahmoud M. Hammoudah v. Rush-Presbyterian St. Luke's Medical Center	8	OCAHO	1050	2000
Kenneth Wade Parker, Jr. v. Wild Goose Storage, Inc.	9	OCAHO	1081	2002
Krzysztof Zarazinski v. Anglo Fabrics, Company	4	OCAHO	638	1994
	3	OCAHO	470	1992
Lydia Annella Anderson v. Newark Public Schools	8	OCAHO	1024	1999
Maria Fuentes v. Grace Culinary Systems	6	OCAHO	873	1996
Mr. Doron Tal v. M. L. Energia, Inc.	4	OCAHO	705	1994
Rosa Maria Tovar v. Rick Misquez d/b/a A.P. Esteve Sales	3	OCAHO	458	1992
Wartan Bozoghlanian v. Raytheon Company, Electromagnetic Systems Division	4	OCAHO	660	1994

EVIDENCE

Document Abuse

United States v. Diversified Technology and Services of Virginia, Inc.	9	OCAHO	1095	2003

EVIDENCE

Documentary Evidence

United States v. Alma Delia Rubio-Reyes 14 OCAHO 1349 2020

Employer's Failure to Maintain Required Records Justifies Inference Supporting Complainant's Case

United States v. Life Generations Healthcare, LLC d/b/a Generations Healthcare 11 OCAHO 1227 2014

Equitable Tolling

Ashwani Goel v. Indotronix Internation Corporation 9 OCAHO 1102 2003

Roman Udala v. New York State Department of Education 4 OCAHO 633 1994

Evidence Inadmissable Under Federal Rules of Evidence Is Not Necessarily Excluded in OCAHO Cases

Temitope Ogunrinu v. Law Resources 13 OCAHO 1332b 2019

EVIDENCE

Evidence Necessary to Establish Prima Facie Case of Discrimination

Brent Leslie Reed v. DuPont Pioneer Hi-Bred International, Inc. 13 OCAHO 1321a 2019

Evidence Obtained by Unauthorized Subpoenas Not Considered

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc. 14 OCAHO 1370b 2021

Evidence Related to Summary Decision Must Be Presented by Means Designed to Ensure Reliability

Manikandan Sivasankar v. Strategic Staffing Solutions 14 OCAHO 1354 2020

United States v. Alma Delia Rubio-Reyes 14 OCAHO 1349 2020

United States v. Leticia Velarde 14 OCAHO 1384 2020

United States v. Sanchita Bhattacharya 14 OCAHO 1380 2020

United States v. Sanchita Bhattacharya 14 OCAHO 1380a 2021

Zaji Obatala Zajradhara 14 OCAHO 1363c 2021

EVIDENCE

Evidence Required to Establish a Violation of 8 U.S.C. Section 1324c

United States v. Alma Delia Rubio-Reyes 14 OCAHO 1349 2020

United States v. Sanchita Bhattacharya 14 OCAHO 1380 2020

Exhibits

Juan Manuel Alamprese v. MNSH, Inc. 9 OCAHO 1094 2003

Factual Allegations Made Only in a Brief or Memorandum Are Not Evidence

Armando Huberth Crespo v. FAMSA, Inc. 13 OCAHO 1337 2019

13 OCAHO 1337 2019

United States v. 3679 Commerce Place, Inc.	12	OCAHO	1296	2017
United States v. Metropolitan Enterprises, Inc.	12	OCAHO	1297	2017
United States v. Pegasus Family Restaurant, Inc.	12	OCAHO	1293	2016
United States v. PM Packaging, Inc., and PM Corporate Group, Inc., d/b/a PM Packaging	11	OCAHO	1253	2015
Zaji Obatala Zajradhara	14	OCAHO	1363c	2021

EVIDENCE

Failure to Demonstrate That Similarly Situated Comparators Were Treated Differently

Brent Leslie Reed v. DuPont Pioneer Hi-Bred International, Inc.	13	OCAHO	1321a	2019

Federal Rules of Evidence Are Used as a General Guide in OCAHO Proceedings

Temitope Ogunrinu v. Law Resources	13	OCAHO	1332b	2019

Generally

Anna J. Flores v. Daniel Dry Cleaners	4	OCAHO	693	1994
Cecilia Araceli Basua v. Walmart #1554	3	OCAHO	535	1993
	3	OCAHO	549	1993
Chand Wije v. Barton Springs/Edwards Aquifier C.D.	4	OCAHO	635	1994
Jimmy Jack Jackai v. Dallas County Data Services	3	OCAHO	569	1993
Joan A. Lardy v. United Airlines, Inc.	3	OCAHO	450	1992
Jose Jasso v. Danbury Hilton & Towers	3	OCAHO	522	1993
Kenneth Wade Parker, Jr. v. Wild Goose Storage, Inc.	9	OCAHO	1081	2002
Leonid Naginsky v. Department of Defense	5	OCAHO	813	1995
Linda S. Walker v. United Airlines, Inc.	6	OCAHO	856	1996
Lydia Annella Anderson v. Newark Public Schools	8	OCAHO	1024	1999
Robert Y. Chu v. Fujitsu Network Transmission System, Inc.	5	OCAHO	778	1995
Roman Udala v. New York State Department of Education	4	OCAHO	633	1994
United States v. American Terrazzo Corporation d/b/a John Delallo Foods	6	OCAHO	828	1995
	6	OCAHO	828	1995
United States v. Applied Computer Technology	2	OCAHO	367	1991
	2	OCAHO	367	1991

United States v. Armando Alvarez-Suarez	4	OCAHO	699	1994
United States v. Armando Alvarez-Suarez	6	OCAHO	862	1996
	6	OCAHO	862	1996
United States v. Cafe Camino Real, Inc.	1	OCAHO	224	1990
United States v. David Jenkins	5	OCAHO	743	1995
United States v. Dolly Boman Irani	6	OCAHO	860	1996
United States v. Dubois Farms, Inc.	2	OCAHO	376	1991
United States v. Guardsmark	4	OCAHO	614	1994
United States v. Johnny Ng Lim and Christina Lim Go d/b/a The New Orient	3	OCAHO	512	1993
United States v. Kumar	6	OCAHO	833	1996
	6	OCAHO	833	1996
United States v. Lee Moyle, Owner d/b/a Moyle Mink Farm	1	OCAHO	173	1990
	1	OCAHO	187	1990
United States v. Martin Palominos-Talavera	6	OCAHO	896	1996
United States v. R & C Tours (Guam), Inc.	2	OCAHO	393	1989
United States v. Rosario Strano and Vito Strano d/b/a Strano Farms	5	OCAHO	748	1995
United States v. Scandia Interiors, Inc.	1	OCAHO	271	1990

United States v. Sergio Alaniz d/b/a Sagunada	1	OCAHO	297	1991
	1	OCAHO	245	1990
United States v. Westwind Farms, Inc.	1	OCAHO	171	1990
United States v. Weymoor Investments, Limited	1	OCAHO	56	1989
United States v. Zabala Vineyards	6	OCAHO	830	1995

EVIDENCE

Governing Standard(s)

Jenlih John Hsieh v. PMC - Sierra, Inc.	9	OCAHO	1093	2003

Government Must Prove Aggravating Factor by Preponderance of Evidence

United States v. Natural Environmental, Inc.	10	OCAHO	1197	2013

Hearsay

Joan A. Lardy v. United Airlines, Inc.	3	OCAHO	450	1992
Martha Diaz v. Pacific Maritime Association	9	OCAHO	1108	2004
United States v. Cafe Camino Real, Inc.	1	OCAHO	224	1990
United States v. China Wok Restaurant, Inc., a Nebraska Corporation	4	OCAHO	608	1994
United States v. David Jenkins	5	OCAHO	743	1995
United States v. Dubois Farms, Inc.	2	OCAHO	376	1991
United States v. Fortune East Fashion, Inc.	7	OCAHO	977	1997
United States v. Johnny Ng Lim and Christina Lim Go d/b/a The New Orient	3	OCAHO	512	1993
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12	OCAHO	1286	2016
United States v. Lola O'Brien Oil d/b/a O'Brien Oil Company	1	OCAHO	166	1990
United States v. Mohammed Noorealam	5	OCAHO	753	1995
United States v. Mr. Z Enterprise	1	OCAHO	288	1991
United States v. PPJV, Inc. d/b/a Publishers Press	2	OCAHO	368	1991
United States v. Sergio Alaniz d/b/a Sagunada	1	OCAHO	297	1991
United States v. Snack Attack Deli, Inc.	10	OCAHO	1137	2010
United States v. Sunshine Building Maintenance, Inc.	7	OCAHO	997	1998
United States v. The Wrangler's Country Café, Inc. and Henry D. Stieben	1	OCAHO	191	1990

United States v. YES Industries d/b/a Soft Touch Carwash 1 OCAHO 198 1990

EVIDENCE

Hearsay Permitted in OCAHO Proceedings

Jose Carlos De Araujo v. Joan Smith Enterprises, Inc., aka California Pools and Spas and or California Pools and Landscape 10 OCAHO 1187 2013

United States v. Jula888, LLC d/b/a Para Tacos La Chilanga 12 OCAHO 1286 2016

Information Not Officially Noticed May Be Admissible Under General Evidentiary Standards

United States v. Psychosomatic Fitness 14 OCAHO 1387 2021

Knowledge

Juan Manuel Alamprese v. MNSH, Inc. 9 OCAHO 1094 2003

United States v. Haim Co., Inc. 7 OCAHO 988 1998

United States v. Sanchita Bhattacharya 14 OCAHO 1380 2020

EVIDENCE

Minor Alterations to Documents to Highlight Pertinent Provisions Are Permitted

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP 13 OCAHO 1332j 2021

Motion to Strike

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc. 14 OCAHO 1370b 2021

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP 13 OCAHO 1332j 2021

Motion to Strike Evidence

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP 13 OCAHO 1332j 2021

Motion to Strike Evidence Not Produced Must Identify Discovery Requests That Were Not Adhered To

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP 13 OCAHO 1332j 2021

EVIDENCE

No Basis for Relief Where Subjective Allegations are Unsupported by Specific, Concrete Evidence

Salim J. Hajiani v. ESHA USA, Inc. and Sameer Ramjee 10 OCAHO 1212 2014

Party Seeking Consideration of Equitable Factor Bears Burden of Presenting Supporting Evidence

United States v. Psychosomatic Fitness LLC 14 OCAHO 1387a 2021

United States v. Romans Racing Stables, Inc. 11 OCAHO 1232 2014

Possible Means of Authenticating Documents

United States v. Sanchita Bhattacharya 14 OCAHO 1380 2020

Preponderance of the Evidence Standard

George Suchta v. United States Postal Service	2	OCAHO	327	1991
Irma Leticia Sosa v. United States Postal Service	1	OCAHO	115	1989
Marlene Singh Palacio v. Seaside Custom Harvesting/Zinn Packing Company	4	OCAHO	675	1994
Robert Y. Chu v. Fujitsu Network Transmission System, Inc.	5	OCAHO	778	1995
Sargon Bethishou v. Ohmite Manufacturing Company	1	OCAHO	77	1989
Stephen Salerno v. ICL Retail Systems, Inc.	3	OCAHO	481	1993
United States v. McDonnell Douglas Corporation	4	OCAHO	676	1994
Wisniewski v. Douglas County School System	1	OCAHO	29	1988
Yves Nguyen v. ADT Engineering, Inc.	3	OCAHO	489	1993

EVIDENCE

Prima Facie Case

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc.	14	OCAHO	1370b	2021
Bertalina Monjaras v. Blue Ribbon Cleaners, Inc.	3	OCAHO	526	1993
Boris Gerardo Salazar-Castro v. Cincinnati Public Schools	3	OCAHO	406	1992

Carlos Alberto Martinez v. Noah's New York Bagels, Inc.	6	OCAHO	917	1997
Corneliu Curuta v. Tomball College	9	OCAHO	1099	2003
Crecencio Cabrera Mendez v. Jim Daniels	2	OCAHO	374	1991
Dalila Kamal-Griffin v. Cahill Gordon & Reindel	3	OCAHO	568	1993
Dalila Kamal-Griffin v. Curtis, Mallet-Prevost, Colt & Mosle	3	OCAHO	550	1993
Daniel Bendig v. Conoco, Inc.	9	OCAHO	1065	2001
Daniel Joseph Bendig v. Conoco, Inc.	9	OCAHO	1077	2001
Dinko Sefic v. Marconi Wireless	9	OCAHO	1123	2007
Dolores Garcia Contreras v. Cascade Fruit Company	9	OCAHO	1090	2003
Dr. Mahmoud M. Hammoudah v. Rush-Presbyterian St. Luke's Medical Center	8	OCAHO	1050	2000
Eden Harrison Adatsi v. Citizens & Southern National Bank of Georgia	1	OCAHO	203	1990
Elizabeth Klimas v. Department of Treasury	3	OCAHO	419	1992
Errol Williams v. Lucas & Associates	2	OCAHO	357	1991
Guy Santiglia v. Sun Microsystems, Inc.	9	OCAHO	1110	2004
Henry O. Akinwande v. Mr. Rick Weyel, Erol's, Inc.	1	OCAHO	144	1990
Iron Workers Local 455 v. Lake Construction & Development Corporation	7	OCAHO	964	1997
Jack Huang v. Queens Motel	2	OCAHO	364	1991

Jenlih John Hsieh v. PMC - Sierra, Inc.	9	OCAHO	1093	2003
Jenlih John Hsieh v. PMC - Sierra, Inc.	9	OCAHO	1093	2003
Jenlih John Hsieh v. PMC - Sierra, Inc.	9	OCAHO	1093	2003
Jimmy Jack Jackai v. Dallas County Data Services	3	OCAHO	569	1993
John R. Alvarez v. Interstate Highway Construction	3	OCAHO	430	1992
Jorge Mario Ipina v. Michigan Department of Labor	2	OCAHO	386	1991
Jorge Mario Ipina v. Michigan Jobs Commission	8	OCAHO	1036	1999
Jose Jasso v. Danbury Hilton & Towers	3	OCAHO	522	1993
Jose Ortega v. Vermont Bread	3	OCAHO	475	1993
Kenneth Wade Parker, Jr. v. Wild Goose Storage, Inc.	9	OCAHO	1081	2002
Margarita Yefremov v. New York City Department of Transportation	3	OCAHO	562	1993
Maria Fuentes v. Grace Culinary Systems	6	OCAHO	873	1996
Marian Ryba v. Temple Steel Company	1	OCAHO	289	1991
Martin A. Holguin v. Dona Ana Fashions	3	OCAHO	582	1993
Martin John Shortt v. Dick Clark's American Bandstand Grill	10	OCAHO	1130	2009
Natasha Dionne Humphries v. PalmOne	9	OCAHO	1112	2004
Nripendra S. Dhillon v. Regents of the University of California	3	OCAHO	497	1993

Olegario Munoz v. Pastel Furniture Manufacturing Company	3	OCAHO	457	1992
Programmer's Guild, Inc. v. Value Consulting, Inc.	10	OCAHO	1135	2010
Roberto Decasez-Martinez v. Tyson Foods, Inc.	2	OCAHO	372	1991
Rosa Maria Tovar v. Rick Misquez d/b/a A.P. Esteve Sales	3	OCAHO	458	1992
Sargon Bethishou v. Ohmite Manufacturing Company	1	OCAHO	77	1989
Sellaro v. Elektra Records	3	OCAHO	495	1993
Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021
United States v. General Dynamics	3	OCAHO	517	1993
United States v. Louis Padnos Iron & Metal Co., a Corporation	3	OCAHO	414	1992
United States v. Mesa Airlines	1	OCAHO	74	1989
	1	OCAHO	74	1989
United States v. Sargetis d/b/a Castle Valley Sales, Inc., a Utah Corporation	3	OCAHO	407	1992
United States v. Weld County School District	2	OCAHO	326	1991
Wartan Bozoghlanian v. Raytheon Company, Electromagnetic Systems Division	4	OCAHO	660	1994

EVIDENCE

Proponent of Documentary Evidence Must Authenticate Documents

United States v. Leticia Velarde	14	OCAHO	1384	2020
United States v. Sanchita Bhattacharya	14	OCAHO	1380	2020
	14	OCAHO	1380a	2021
Zaji Obatala Zajradhara	14	OCAHO	1363c	2021

EVIDENCE

Record(s) of Proceeding

Anna J. Flores v. Daniel Dry Cleaners	4	OCAHO	693	1994
Jaime Banuelos v. Transportation Leasing Company	1	OCAHO	176	1990

Reports of Unaccepted Settlement Offers Are Generally Not Admissible As Evidence

Temitope Ogunrinu v. Law Resources and Arnold & Porter Kaye Scholer LLP	13	OCAHO	1332d	2020
United States v. 3679 Commerce Place, Inc.	12	OCAHO	1296	2017

Request to Strike Inadmissable Evidence

Temitope Ogunrinu v. Law Resources and Arnold & Porter Kaye Scholer LLP 13 OCAHO 1332d 2020

EVIDENCE

Similarly Situated Comparators

Loleitha Atheria Wilson v. Waste Connections, Inc. 13 OCAHO 1315 2019

Strict Technical Rules of Evidence Are Somewhat Relaxed in Administrative Proceedings

United States v. Sanchita Bhattacharya 14 OCAHO 1380 2020

Sufficiency

United States v. Siwan & Brothers, Inc. d/b/a Subway #37616 10 OCAHO 1178 2013

United States v. Siwan & Sons, Inc. d/b/a Subway #35029 and Subway #23095 10 OCAHO 1179 2013

Sufficiency of Evidence Supporting Motion for Summary Decision

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021
United States v. Alma Delia Rubio-Reyes	14	OCAHO	1349	2020
United States v. Sanchita Bhattacharya	14	OCAHO	1380	2020

EVIDENCE

Summary Decision

Adnan Niaz Mir v. Federal Bureau of Prisons	3	OCAHO	577	1993
Bassey J. Udofot v. 88 Vapor Technologies	3	OCAHO	506	1993
Carlos Aciar v. Rosen's Delicatessen	9	OCAHO	1086	2002
Celia Simon v. Ingram Micro, Inc.	9	OCAHO	1088	2003
Chao v. McDonnell Douglas Corporation	6	OCAHO	824	1995
Corneliu Curuta v. Tomball College	9	OCAHO	1099	2003
Dalila Kamal-Griffin v. Cahill Gordon & Reindel	3	OCAHO	568	1993
Daniel Joseph Bendig v. Conoco, Inc.	9	OCAHO	1077	2001
Dinko Sefic v. Marconi Wireless	9	OCAHO	1123	2007

Dolores Garcia Contreras v. Cascade Fruit Company	9	OCAHO	1090	2003
Dr. Mahmoud M. Hammoudah v. Rush-Presbyterian St. Luke's Medical Center	8	OCAHO	1050	2000
Esther Din Brooks v. Watts Window World	3	OCAHO	570	1993
Florinda Kattan v. Union League Club of Chicago	3	OCAHO	586	1993
Gurpreet Sodhi v. Maricopa Medical Center	10	OCAHO	1127	2008
Jenlih John Hsieh v. PMC - Sierra, Inc.	9	OCAHO	1093	2003
Kenneth Wade Parker, Jr. v. Wild Goose Storage, Inc.	9	OCAHO	1081	2002
Martin John Shortt v. Dick Clark's American Bandstand Grill	10	OCAHO	1130	2009
Programmer's Guild, Inc. v. Value Consulting, Inc.	10	OCAHO	1135	2010
Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021
United States v. March Construction, Inc.	10	OCAHO	1158	2012
United States v. Sanchita Bhattacharya	14	OCAHO	1380	2020
United States v. The Beverly Center	5	OCAHO	762	1995
United States v. Walden Station, Inc.	8	OCAHO	1053	2000
Wartan Bozoghlanian v. Raytheon Company, Electromagnetic Systems Division	4	OCAHO	660	1994
Zaji Obatala Zajradhara	14	OCAHO	1363c	2021

EVIDENCE

Suppress

United States v. David Jenkins 5 OCAHO 743 1995

4 OCAHO 649 1994

Unsigned Affidavits

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc. 14 OCAHO 1370b 2021

Unsupported Factual Allegations Made Only in the Complaint are Not Evidence

Martine Mbitaze v. City of Greenbelt 13 OCAHO 1345a 2020

EX PARTE COMMUNICATION(S)

Court Will Not Act as a Messenger for the Parties

Ana Maria Ravines de Schur v. Easter Seals-Goodwill Northern Rocky Mountain, Inc. 15 OCAHO 1388c 2021

EX PARTE COMMUNICATION(S)

Definition

Ana Maria Ravines de Schur v. Easter Seals-Goodwill Northern Rocky Mountain, Inc. 15 OCAHO 1388c 2021

Disclosure of Ex Parte Communication

Ana Maria Ravines de Schur v. Easter Seals-Goodwill Northern Rocky Mountain, Inc. 15 OCAHO 1388 2021

Dave O'Brian Tingling v. City of Richmond, VA 13 OCAHO 1324 1

Fairness and Opportunity to be Heard Warrant Disclosure of Ex Parte Communication

Dave O'Brian Tingling v. City of Richmond, VA 13 OCAHO 1324 1

Fairness and Opportunity to be Heard Warrant Disclosure of Ex Parte Communications

Ana Maria Ravines de Schur v. Easter Seals-Goodwill Northern Rocky Mountain, Inc. 15 OCAHO 1388 2021

EX PARTE COMMUNICATION(S)

Generally

Dave O'Brian Tingling v. City of Richmond, VA 13 OCAHO 1324 1

Stephen A. Lewis v. Ogden Services 2 OCAHO 384 1991

OCAHO Rules Prohibit Ex Parte Communications

Ana Maria Ravines de Schur v. Easter Seals-Goodwill Northern Rocky Mountain, Inc. 15 OCAHO 1388c 2021

Opposing Party Provided Opportunity to Respond to Ex Parte Communication

Ana Maria Ravines de Schur v. Easter Seals-Goodwill Northern Rocky Mountain, Inc. 15 OCAHO 1388 2021

Dave O'Brian Tingling v. City of Richmond, VA 13 OCAHO 1324 1

EX PARTE COMMUNICATION(S)

Pro Se

Frederick John Harris v. State of Hawaii, Department of Education 6 OCAHO 922 1997

Procedural Advice from OCAHO Staff May Constitute Prohibited Ex Parte Communications

Robert Heath v. Asta CRS, Inc. 14 OCAHO 1385 2021

Protective Order(s)

United States v. Select Temporaries, Inc. d/b/a Select Personnel Services 9 OCAHO 1079 2002

Service

Chand Wije v. Barton Springs/Edwards Aquifier C.D.	4	OCAHO	645	1994
United States v. Hyatt Regency Lake Tahoe	6	OCAHO	854	1996
United States v. Red Lobster	4	OCAHO	631	1994

EX PARTE COMMUNICATION(S)

Strong Presumption Against Ex Parte Communications

Dave O'Brian Tingling v. City of Richmond, VA	13	OCAHO	1324	1

Withdrawal

United States v. Green Plaza, Inc.	4	OCAHO	618	1994

EXCEPTIONS

Acting Lawfully Under a Law

Audrey Murtano v. C. R. England, Inc.	9	OCAHO	1116	2005
Ghaffar Sepahpour v. Unisys, Inc.	3	OCAHO	500	1993

Kasathsko v. Internal Revenue Service 6 OCAHO 840 1996

United States v. Southwest Marine Corporation, a California Corporation 3 OCAHO 429 1992

EXCEPTIONS

Generally

Sanchez v. Leobardo and Carmen Ocanas d/b/a Leo Ocanas Farm 9 OCAHO 1115 2005

United States v. General Dynamics 3 OCAHO 517 1993

No Jurisdictional Exception for Department of Labor or PERM Process

United States v. Facebook, Inc. 14 OCAHO 1386b 2021

Section 1324b Exceptions Are Jurisdictional

United States v. Facebook, Inc. 14 OCAHO 1386b 2021

EXCESSIVE DOCUMENTS

Employer Practice(s)

Elizabeth S. Mengarpuan v. Asbury Methodist Village	4	OCAHO	612	1994
Eric Robin Cholerton v. Robert M. Hadley Company, Inc.	7	OCAHO	934	1997

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Christopher Winkler v. Timlin Corporation	6	OCAHO	912	1997
James D. Westendorf v. Brown & Root, Inc.	3	OCAHO	477	1992
United States v. A.J. Bart, Inc.	3	OCAHO	538	1993
United States v. Acosta, Inc. d/b/a McDonald's	7	OCAHO	961	1997
United States v. Louis Padnos Iron & Metal Co., a Corporation	3	OCAHO	414	1992
United States v. Robison Fruit Ranch, Inc.	6	OCAHO	855	1996
United States v. Weld County School District	2	OCAHO	326	1991

EXECUTIVE ORDERS

Generally

United States v. Sizzlin Hot Restaurant	2	OCAHO	395	1990

FAILURE TO STATE A CLAIM

United States v. Facebook, Inc.	14	OCAHO	1386b	2021

ALJ May Require Complainant to Show Cause Why Complaint Should Not Be Dismissed

Jayaben Patel v. USCIS Boston	14	OCAHO	1353	2020

Citizenship Status

Brent Leslie Reed v. Dupont Pioneer Hi-Bred International, Inc.	13	OCAHO	1321	2019
Ricardo Farhard Gamez Caltzoncin v. GSM Insurors-Glass, Sorenson & McDavid	12	OCAHO	1287a	2016

Ricardo Farhard Gamez Caltzoncin v. GSM Insurors-Glass, Sorenson & McDavid 12 OCAHO 1287 2016

FAILURE TO STATE A CLAIM

Complainant Not Required to Plead Facts of Prima Facie Case for Claim Under Section 1324b

Leola Branch v. Duong Schumacher 14 OCAHO 1358 2020

United States v. Facebook, Inc. 14 OCAHO 1386b 2021

Discrimination

D'Amico v. Erie Community College 7 OCAHO 948 1997

Eric Robin Cholerton v. Robert M. Hadley Company, Inc. 7 OCAHO 934 1997

Hutchinson v. End Stage Renal Disease Network of Florida, Inc. 7 OCAHO 939 1997

Lonnie W. Hogenmiller v. Lincare, Inc. 7 OCAHO 953 1997

Dismissal

A.S. v. Discover Financial Services, LLC	12	OCAHO	1292	2016
Aurelia Forden v. Dr. Lothar Griessbach	5	OCAHO	735	1995
Brenda Bent v. Brotman Medical Center Pulse Health Services	5	OCAHO	764	1995
Christopher Winkler v. Timlin Corporation	6	OCAHO	912	1997
Daniel Cavazos v. Wanxiang America Corporation	10	OCAHO	1138	2011
Earl Russel Horne v. Town of Hampstead	6	OCAHO	906	1997
Elizabeth S. Mengarpuan v. Asbury Methodist Village	4	OCAHO	612	1994
Hutchinson v. End Stage Renal Disease Network of Florida, Inc.	7	OCAHO	939	1997
Jack N. Toussaint v. Tekwood Data Processing Consulting	6	OCAHO	892	1996
Lee v. AT&T	7	OCAHO	924	1997
Lee v. AT&T	7	OCAHO	924	1997
Ricardo Farhard Gamez Caltzoncin v. GSM Insurors-Glass, Sorenson & McDavid	12	OCAHO	1287a	2016
	12	OCAHO	1287	2016
Richard F. Lareau v. US Airways, Inc.	7	OCAHO	932	1997
Roman Udala v. New York State Department of Education	4	OCAHO	633	1994
United States v. Capital Fireproof Door	14	OCAHO	1372	2020
United States v. Hyatt Regency Lake Tahoe	6	OCAHO	861	1996

United States v. Mar-Jac Poultry, Inc.	10	OCAHO	1148	2012
United States v. Split Rail Fence Company, Inc.	10	OCAHO	1181	2013
Wartan Bozoghlanian v. Raytheon Company, Electromagnetic Systems Division	4	OCAHO	660	1994
Werline v. Public Service Electric & Gas Company	7	OCAHO	935	1997

FAILURE TO STATE A CLAIM

Document Abuse

Christopher Winkler v. West Capital Financial Services	7	OCAHO	928	1997
Costigan v. NYNEX	6	OCAHO	918	1997
Eric Robin Cholerton v. Robert M. Hadley Company, Inc.	7	OCAHO	934	1997
Hutchinson v. GTE Data Services	7	OCAHO	954	1997
Jay S. Manning v. The City of Jacksonville	7	OCAHO	956	1997
Kosatschkow v. Allen-Stevens Corporation	7	OCAHO	938	1997
Lonnie W. Hogenmiller v. Lincare, Inc.	7	OCAHO	953	1997
Olisaemeka Eze v. West County Transportation Agency	10	OCAHO	1140	2011
United States v. Mar-Jac Poultry, Inc.	10	OCAHO	1148	2012

FAILURE TO STATE A CLAIM

Document Fraud Under 8 U.S.C. Section 1324c

United States v. Garcia-Guaneros	13	OCAHO	1334	2020

Generally

Kosatschkow v. Allen-Stevens Corporation	7	OCAHO	938	1997
Maria Fuentes v. Grace Culinary Systems	6	OCAHO	873	1996
Susan K. Horst v. Juneau School District City and Borough of Juneau	7	OCAHO	957	1997
Werline v. Public Service Electric & Gas Company	7	OCAHO	935	1997

In Considering Motion to Dismiss, ALJ Must View Complaint in Light Most Favorable to Complainant

Leola Branch v. Duong Schumacher	14	OCAHO	1358	2020
Temitope Ogunrinu v. Law Resources & Arnold and Porter Kaye Scholer LLP	13	OCAHO	1332c	2020

	United States v. Garcia-Guaneros	13 OCAHO	1334	2020
	United States v. Lazy Days South, Inc.	13 OCAHO	1322	2020
FAILURE TO STATE A CLAIM				
Knowingly Continue to Employ				
	United States v. Split Rail Fence Company, Inc.	10 OCAHO	1181	2013
National Origin				
	Ricardo Farhard Gamez Caltzoncin v. GSM Insurors-Glass, Sorenson & McDavid	12 OCAHO	1287a	2016
		12 OCAHO	1287	2016
Pleading Standard in OCAHO Cases				
	Leola Branch v. Duong Schumacher	14 OCAHO	1358	2020

FAILURE TO STATE A CLAIM

Retaliation

Alex J. Montalvo v. Kering Americas, Inc.	14	OCAHO	1350	2020
Eric Robin Cholerton v. Robert M. Hadley Company, Inc.	7	OCAHO	934	1997
Jayaben Patel v. USCIS Boston	14	OCAHO	1353	2020
Jose N. Hernandez v. City of Santa Ana	4	OCAHO	663	1994

Subject Matter Jurisdiction

Brent Leslie Reed v. Dupont Pioneer Hi-Bred International, Inc.	13	OCAHO	1321	2019
Jayaben Patel v. USCIS Boston	14	OCAHO	1353	2020
Qais Ibrahim Alhameed v. Grand Traverse Resort and Casinos	10	OCAHO	1126	2008
Steven Brown, et al. v. Pilgrims Pride Corporation	14	OCAHO	1379	2020
United States v. Louisiana Crane Company, LLC d/b/a Louisiana Crane and Construction	11	OCAHO	1246	2015
United States v. Mar-Jac Poultry, Inc.	10	OCAHO	1148	2012

Werline v. Public Service Electric & Gas Company 7 OCAHO 935 1997

FAILURE TO STATE A CLAIM

Tax Protester

Bunn v. USX/US Steel 7 OCAHO 985 1998

Eric Robin Cholerton v. Robert M. Hadley Company, Inc. 7 OCAHO 934 1997

James R. Cook v. Pro Source, Inc. 7 OCAHO 960 1997

Using Different Recruiting Methods Based on Citizenship Status Raises Inference of Discrimination

United States v. Facebook, Inc. 14 OCAHO 1386b 2021

FEDERAL RULES OF CIVIL PROCEDURE

Affirmative Defense(s)

United States v. David Jenkins 4 OCAHO 649 1994

United States v. Northern Michigan Fruit Company 4 OCAHO 667 1994

United States v. Tropicana Casino & Resort	9	OCAHO	1064	2001
	9	OCAHO	1064	2001

FEDERAL RULES OF CIVIL PROCEDURE

Amended Complaint

United States v. FRC Balance, LLC d/b/a True Food Kitchen	14	OCAHO	1366	2020
United States v. La Parisienne Bakery, LLC	15	OCAHO	1390	2021
United States v. Sal's Lounge	15	OCAHO	1394	2021

Asserting Fact At Summary Decision Requires Citations to Particular Material in the Record

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021

Attorney Work Product

United States v. Rose Acre Farms, Inc.	12	OCAHO	1285a	2018

United States v. Rose Acre Farms, Inc. 12 OCAHO 1285 2016

FEDERAL RULES OF CIVIL PROCEDURE

Consequences of Failing to Support or Rebut Fact at Summary Decision Stage

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP 13 OCAHO 1332j 2021

Court's Leave or Respondent's Consent Needed to Amend Complaint After Time Set in FRCP 15 Lapses

United States v. Sal's Lounge 15 OCAHO 1394 2021

Depositions

Robert Heath v. ASTA CRS, Inc. 14 OCAHO 1385a 2021

Discovery

Jenlih John Hsieh v. PMC - Sierra, Inc.	9	OCAHO	1091	2003
	9	OCAHO	1084	2002
Robert Heath v. ASTA CRS, Inc.	14	OCAHO	1385a	2021
Terrence McCaffrey v. LSI Logic Corporation	6	OCAHO	883	1996
United States v. Naim Ojeil & Samoeil Ishk	7	OCAHO	976	1997
United States v. Rose Acre Farms, Inc.	12	OCAHO	1285a	2018
	12	OCAHO	1285	2016

FEDERAL RULES OF CIVIL PROCEDURE

Discovery Sanctions Under Rule 37

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021

Dismissal

Brenda Bent v. Brotman Medical Center Pulse Health Services	5	OCAHO	764	1995
Dave O'Brian Tingling v. City of Richmond, VA	13	OCAHO	1324e	2021

Donna Yvette Miller v. United States Postal Service, Greater South Carolina District Office	12	OCAHO	1284	2016
Earl Russel Horne v. Town of Hampstead	6	OCAHO	884	1996
Eusebio Huesca v. Rojas Bakery	4	OCAHO	654	1994
LeEdwards v. Kumagai International USA Corporation	4	OCAHO	609	1994
Linda S. Walker v. United Airlines, Inc.	4	OCAHO	686	1994
Roman Udala v. New York State Department of Education	4	OCAHO	633	1994
Tulin E. Mangir v. TRW, Inc.	4	OCAHO	672	1994
United States v. Mitchell Greif, President, Coast Poly, LLC	10	OCAHO	1183	2013
United States v. Split Rail Fence Company, Inc.	10	OCAHO	1181	2013
Wartan Bozoghlanian v. Raytheon Company, Electromagnetic Systems Division	4	OCAHO	660	1994

FEDERAL RULES OF CIVIL PROCEDURE

Dismissal Under Rule 41(a) of the Federal Rules of Civil Procedure

Dave O'Brian Tingling v. City of Richmond, VA	13	OCAHO	1324e	2021
Temitope Ogunrinu v. Law Resources & Arnold & Porter Kaye Scholer LLP	13	OCAHO	1332g	2020
United States v. La Parisienne Bakery, LLC	15	OCAHO	1390a	2021
Zaji Obatala Zajradhara v. Changxing Corporation	14	OCAHO	1356	2020

FEDERAL RULES OF CIVIL PROCEDURE

Extension of Time Under Rule 6

Dave O'Brian Tingling v. City of Richmond, VA	13	OCAHO	1324c	2021

Federal Rules & Circuit Court Case Law Serve as Guidance on Subject Matter Jurisdiction Issues

Jayaben Patel v. USCIS Boston	14	OCAHO	1353a	2020
Robert Heath v. F18 Consulting and an Anonymous Employer	14	OCAHO	1365	2020
Robert Heath v. VBeyond Corporation and an Anonymous Employer	14	OCAHO	1368	2020

Federal Rules of Civil Procedure Have No Application in Situations Covered By OCAHO Rules

Terri Ann Jablonski v. Kelly Legal Services, et al.	12	OCAHO	1282	2016
Terri Ann Jablonski v. Robert Half legal a/k/a Robert Half International Stock Symbol RHI	12	OCAHO	1272	2016
Terri Ann Jablonski v. Yorkson Legal, et al.	12	OCAHO	1273	2016

FEDERAL RULES OF CIVIL PROCEDURE

Generally

Anthony F. Lundy v. OOCL, Inc.	1	OCAHO	215	1990
	1	OCAHO	196	1990
Aranka M. Palancz v. Cedars Medical Center	3	OCAHO	443	1992
Chand Wije v. Barton Springs/Edwards Aquifier C.D.	4	OCAHO	635	1994
Fordjour v. General Dynamics	1	OCAHO	286	1991
Jacob Roginsky v. Department of Defense, Center for Naval Analyses, EPL Analysis	2	OCAHO	341	1991
Jaime Banuelos v. Transportation Leasing Company	1	OCAHO	156	1990
James D. Westendorf v. Brown & Root, Inc.	3	OCAHO	405	1992
Jaycee George v. Bridgeport Jai-Alai, Inc.	3	OCAHO	537	1993
Jenlih John Hsieh v. PMC - Sierra, Inc.	9	OCAHO	1091	2003
John C. Grodzki v. OOCL, Inc.	1	OCAHO	295	1991
Jorge Mario Ipina v. Michigan Department of Labor	2	OCAHO	322	1991
Maria Ofelia Prado-Rosales v. Montgomery Donuts, Inc.	3	OCAHO	438	1992
Michael Williamson v. Autorama, Inc.	1	OCAHO	174	1990

United States v. Applied Computer Technology	2	OCAHO	306	1991
United States v. Broadway Tire, Inc.	2	OCAHO	310	1991
United States v. Ed Valencia & Sons, Inc. d/b/a Valladares	2	OCAHO	387	1991
United States v. Edith Fine	1	OCAHO	89	1989
United States v. Educational Employment Enterprise	1	OCAHO	283	1991
	1	OCAHO	293	1991
United States v. Enrique Martinez and Herlinda Martinez d/b/a Enrique's Restaurant	2	OCAHO	360	1991
United States v. Exim, Inc. and Jaime Monardes, Individually	3	OCAHO	591	1993
United States v. Farmers Insurance Group of Companies	1	OCAHO	22	1988
United States v. Guardsmark	4	OCAHO	614	1994
United States v. Harris Ranch Beef Company	2	OCAHO	338	1991
	2	OCAHO	331	1991
United States v. James Arnold, Individually and d/b/a Fiesta/Bonanza Motors	1	OCAHO	119	1989
United States v. Martinez Cleaning Company, Inc. d/b/a Martinez Cleaners	1	OCAHO	121	1990
United States v. Min Goldblatt & Sons, Inc. t/a J.J.L.C.	1	OCAHO	170	1990
United States v. Mitchell Greif, President, Coast Poly, LLC	10	OCAHO	1183	2013
United States v. Naim Ojeil & Samoeil Ishk	7	OCAHO	976	1997

United States v. Noel Plastering & Stucco, Inc.	2	OCAHO	396	1991
United States v. Nu Look Cleaners of Pembroke Pines, Inc.	1	OCAHO	274	1990
	2	OCAHO	303	1991
	1	OCAHO	274	1990
	2	OCAHO	303	1991
United States v. Robert Marnul d/b/a Lamont Street Grill	3	OCAHO	441	1992
United States v. Rosario Strano d/b/a Strano Farms	3	OCAHO	555	1993
United States v. Tropicana Casino & Resort	9	OCAHO	1064	2001
	9	OCAHO	1064	2001
United States v. Ulysses, Inc. and Ulysses Restaurant Group, Inc.	2	OCAHO	390	1991

FEDERAL RULES OF CIVIL PROCEDURE

Limits on Discovery

Robert Heath v. ASTA CRS, Inc.	14	OCAHO	1385b	2021

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc.	14	OCAHO	1370b	2021
Cheryl Ann Hughes v. Fiat Chrysler Automotive	13	OCAHO	1336	2020
Chiaha Ugochi v. North Dakota Department of Human Services	12	OCAHO	1304	2017
Dave O'Brian Tingling v. City of Richmond, VA	13	OCAHO	1324e	2021
Donna Yvette Miller v. United States Postal Service, Greater South Carolina District Office	12	OCAHO	1284	2016
Jayaben Patel v. USCIS Boston	14	OCAHO	1353	2020
	14	OCAHO	1353a	2020
Leola Branch v. Duong Schumacher	14	OCAHO	1358	2020
M.S v. Dave S.B. Hoon - John Wayne Cancer Institute	12	OCAHO	1305	2017
M.S. v. Dave S.B. Hoon - John Wayne Cancer Institute	12	OCAHO	1305a	2018
	12	OCAHO	1305b	2018
Mike De Leon v. Longoria Farms/Martin Longoria	13	OCAHO	1320a	2019
Mike De Leon, et al. v. Longoria Farms, et al.	13	OCAHO	1320	2019
Prakash Sinha v. INFOSYS	14	OCAHO	1373a	2020
Robert Heath v. F18 Consulting and an Anonymous Employer	14	OCAHO	1365	2020
Robert Heath v. Optnation and an Anonymous Employer	14	OCAHO	1374a	2021

Robert Heath v. VBeyond Corporation and an Anonymous Employer	14	OCAHO	1368	2020
Temitope Ogunrinu v. Law Resources & Arnold & Porter Kaye Scholer LLP	13	OCAHO	1332g	2020
Temitope Ogunrinu v. Law Resources and Arnold & Porter Kaye Scholer LLP	13	OCAHO	1332d	2020
United States v. Advanced Digital Solutions International, Inc.	14	OCAHO	1383	2020
United States v. AMA Repiping, LLC	15	OCAHO	1391	2021
United States v. Capital Fireproof Door	14	OCAHO	1372	2020
United States v. Facebook, Inc.	14	OCAHO	1386b	2021
United States v. Jesus Jose Torres	13	OCAHO	1347	2020
United States v. Johnny & Leona Entertainment, LLS d/b/a Rockin Bar & Grill	13	OCAHO	1325	2019
United States v. Maria Gregorio-Gomez	14	OCAHO	1359	2020
United States v. Rose Acre Farms, Inc.	12	OCAHO	1285a	2018
	12	OCAHO	1285	2016
United States v. Sal's Lounge	15	OCAHO	1394	2021
United States v. Treescapes, Inc.	15	OCAHO	1389	2021
United States v. Vilardo Vineyards	11	OCAHO	1248	2015
Washington Younggil Kim Jung Windsor	12	OCAHO	1294	2016
Zaji Obatala Zajradhara v. Changxing Corporation	14	OCAHO	1356	2020

Zaji Obatala Zajradhara v. GIG Partners 14 OCAHO 1363d 2021

FEDERAL RULES OF CIVIL PROCEDURE

Motion to Alter or Amend Judgment Under Rule 59

Robert Heath v. Optnation and an Anonymous Employer 14 OCAHO 1374a 2021

Zaji Obatala Zajradhara v. GIG Partners 14 OCAHO 1363d 2021

Motion to Alter or Amend Judgment Under Rule 60

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc. 14 OCAHO 1370b 2021

Robert Heath v. Optnation and an Anonymous Employer 14 OCAHO 1374a 2021

Zaji Obatala Zajradhara v. GIG Partners 14 OCAHO 1363d 2021

Motion to Strike

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP 13 OCAHO 1332j 2021

United States v. BKR Restaurants, LLC d/b/a Burger King	10	OCAHO	1154	2012
United States v. David Jenkins	4	OCAHO	649	1994
United States v. Martina Limon-Perez	5	OCAHO	796	1995
United States v. U.S. Style, Inc.	5	OCAHO	793	1995

FEDERAL RULES OF CIVIL PROCEDURE

Motions for Reconsideration of Interlocutory Orders Under Rule 54

A.S. v. Amazon WebServices, Inc.	14	OCAHO	1381b	2021
Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc.	14	OCAHO	1370b	2021

Notice and Opportunity to Respond Prior to Granting Summary Decision in Favor of Nonmoving Party

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc.	14	OCAHO	1370b	2021

OCAHO Regulations Do Not Have a Procedural Mechanism Like Federal Rule of Civil Procedure 68

Temitope Ogunrinu v. Law Resources and Arnold & Porter Kaye Scholer LLP 13 OCAHO 1332d 2020

FEDERAL RULES OF CIVIL PROCEDURE

Offer of Judgment

Temitope Ogunrinu v. Law Resources and Arnold & Porter Kaye Scholer LLP 13 OCAHO 1332d 2020

Party May Amend Complaint Once As A Matter of Course Before A Responsive Pleading Is Served

United States v. La Parisienne Bakery, LLC 15 OCAHO 1390 2021

United States v. Sal's Lounge 15 OCAHO 1394 2021

Party May Amend Complaint Once As A Matter of Course Within 21 Days of When Answer is Filed

United States v. Sal's Lounge 15 OCAHO 1394 2021

Privilege Claim

Jenlih John Hsieh v. PMC - Sierra, Inc.	9	OCAHO	1084	2002
United States v. Maria Elizondo Garza d/b/a Garza Farm Labor	4	OCAHO	644	1994
United States v. Rose Acre Farms, Inc.	12	OCAHO	1285a	2018
	12	OCAHO	1285	2016

FEDERAL RULES OF CIVIL PROCEDURE

Proportionality of Discovery

Robert Heath v. ASTA CRS, Inc.	14	OCAHO	1385b	2021

Proportionality of Discovery Under Rule 26

Robert Heath v. ASTA CRS, Inc.	14	OCAHO	1385b	2021

Protective Order(s)

Jenlih John Hsieh v. PMC - Sierra, Inc.	9	OCAHO	1084	2002
United States v. Facebook, Inc.	14	OCAHO	1386a	2021

FEDERAL RULES OF CIVIL PROCEDURE

Referencing Advisory Committee's Notes

Robert Heath v. ASTA CRS, Inc.	14	OCAHO	1385b	2021

Relief From Judgment Under Rule 60

Robert Heath v. Optnation and an Anonymous Employer	14	OCAHO	1374a	2021
Zaji Obatala Zajradhara v. GIG Partners	14	OCAHO	1363d	2021

Sanction (Rule 11)

Guy Santiglia v. Sun Microsystems, Inc.	9	OCAHO	1104	2004

FEDERAL RULES OF CIVIL PROCEDURE

Setting Aside Order

United States v. Monica Zapata-Cosio	4	OCAHO	685	1994

Summary Decision

Dinko Sefic v. Marconi Wireless	9	OCAHO	1123	2007
Linda S. Walker v. United Airlines, Inc.	4	OCAHO	686	1994
Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021
United States v. Ana Maria Villegas-Valenzuela	5	OCAHO	784	1995
United States v. Esther Flores-Martinez	5	OCAHO	733	1995

Summary Judgment Under Rule 56

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021

FEDERAL RULES OF CIVIL PROCEDURE

Tax Protester

United States v. Ronning Landscaping, Inc. 10 OCAHO 1149 2012

FEDERAL RULES OF EVIDENCE

As a Guideline

Jenlih John Hsieh v. PMC - Sierra, Inc. 9 OCAHO 1093 2003

Jenlih John Hsieh v. PMC - Sierra, Inc. 9 OCAHO 1093 2003

Confidential Settlement Communications Generally Are Not Admissible

Temitope Ogunrinu v. Law Resources and Arnold & Porter Kaye Scholer LLP 13 OCAHO 1332d 2020

Evidence Inadmissable Under Federal Rules of Evidence Is Not Necessarily Excluded in OCAHO Cases

Temitope Ogunrinu v. Law Resources 13 OCAHO 1332b 2019

FEDERAL RULES OF EVIDENCE

Federal Rules of Evidence Are Used as a General Guide in OCAHO Proceedings

Temitope Ogunrinu v. Law Resources 13 OCAHO 1332b 2019

Generally

Jenlih John Hsieh v. PMC - Sierra, Inc. 9 OCAHO 1093 2003

Judicial Notice of Adjudicative Facts Under Rule 201

United States v. Psychosomatic Fitness 14 OCAHO 1387 2021

FEE SHIFTING

Generally

Daniel Ojeda-Ojeda v. Booth Farms, L.P.	9	OCAHO	1121	2006
Jarvis v. AK Steel	7	OCAHO	952	1997
	7	OCAHO	952	1997
Robert Y. Chu v. Fujitsu Network Transmission System, Inc.	5	OCAHO	778	1995
United States v. Great Earth Companies, Inc.	9	OCAHO	1070	2001

FIELD MANUAL

Generally

United States v. Collins Food International, Inc. d/b/a Sizzler Restaurant	1	OCAHO	123	1990
United States v. Samuel J. Wasem, General Partner d/b/a Educated Car Wash	1	OCAHO	98	1989
United States v. San Ysidro Ranch	1	OCAHO	183	1990

FIFTH AMENDMENT

Affirmative Defense(s)

United States v. David Jenkins	5	OCAHO	743	1995
	4	OCAHO	649	1994

FIFTH AMENDMENT

Generally

United States v. Alberto Noriega-Perez	5	OCAHO	798	1995
Yadira Azucena Ocampo Soto v. Top Industrial, Inc.	7	OCAHO	999	1998

Privilege Claim

United States v. Alberto Noriega-Perez	5	OCAHO	777	1995
United States v. Felipe De Leon-Valenzuela	8	OCAHO	1004	1998
United States v. Maria Elizondo Garza d/b/a Garza Farm Labor	4	OCAHO	644	1994
United States v. Pedro Dominguez	6	OCAHO	910	1997
United States v. Roberto C. Davila	6	OCAHO	903	1996

FILING

Abuse of Electronic Filing Privideges

Ana Maria Ravines de Schur v. Easter Seals-Goodwill Northern Rocky Mountain, Inc. 15 OCAHO 1388a 2021

FILING

ALJ Will Not Consider Documents Submitted Only in Hyperlinks

Ana Maria Ravines de Schur v. Easter Seals-Goodwill Northern Rocky Mountain, Inc. 15 OCAHO 1388b 2021

Electronic Filing

Ana Maria Ravines de Schur v. Easter Seals-Goodwill Northern Rocky Mountain, Inc. 15 OCAHO 1388a 2021

Fax Filings Acceptable to Toll Filing Deadline, But Hard Copies Must Be Forwarded Simultaneously

United States v. Quickstuff, LLC, Its Member Maria Castillo, and A&C Staffing, LLC 11 OCAHO 1265 2015

Revocation of Electronic Filing Privileges

Ana Maria Ravines de Schur v. Easter Seals-Goodwill Northern Rocky Mountain, Inc. 15 OCAHO 1388a 2021

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United States v. Psychosomatic Fitness LLC 14 OCAHO 1387a 2021

Ability to Pay May Be Appropriate Factor to Consider In Assessing the Amount of the Penalty

United States v. 3679 Commerce Place, Inc. 12 OCAHO 1296 2017

United States v. Eriksmoen Cottages, Ltd. 14 OCAHO 1355a 2020

United States v. Hair U Wear, LLC 11 OCAHO 1268 2016

United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167) 11 OCAHO 1258 2015

United States v. Imacuclean Cleaning Services, LLC 13 OCAHO 1327 2019

United States v. Integrity Concrete, Inc. and American Concrete, Inc. 13 OCAHO 1307 2017

United States v. Metropolitan Warehouse, Inc. 10 OCAHO 1207 2013

United States v. Mr. Mike's Pizza, Inc. 10 OCAHO 1196 2013

United States v. Niche, Inc.	11	OCAHO	1250	2015
United States v. Pegasus Family Restaurant, Inc.	12	OCAHO	1293	2016
United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021
United States v. Safe-Air of Illinois, Inc.	12	OCAHO	1270	2016
United States v. Solutions Group International, LLC	12	OCAHO	1288	2016
United States v. The Red Coach Restaurant, Inc.	10	OCAHO	1200	2013
United States v. Wave Green, Inc. d/b/a Golden Farm Market	11	OCAHO	1267	2016

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Absence of Bad Faith Does Not Necessarily Show Good Faith

United States v. Visiontron Corp.	13	OCAHO	1348	2020

Across-the-Board Enhancement for Presence of Only Some Unauthorized Workers Not Permitted

United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12	OCAHO	1281	2016
United States v. Jalisco's Bar and Grill, Inc.	11	OCAHO	1224	2014

United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12	OCAHO	1286	2016
United States v. Natural Environmental, Inc.	10	OCAHO	1197	2013
United States v. PM Packaging, Inc., and PM Corporate Group, Inc., d/b/a PM Packaging	11	OCAHO	1253	2015

FINES

Additional Factors That May Be Considered Are Party's Financials and Leniency to Small Businesses

United States v. Cawoods Produce, Inc.	12	OCAHO	1280	2016
United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12	OCAHO	1276	2016

ALJ Can Consider Public Policy of Leniency to Small Entities

United States v. 3679 Commerce Place, Inc.	12	OCAHO	1296	2017
United States v. Cawoods Produce, Inc.	12	OCAHO	1280	2016
United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12	OCAHO	1276	2016
United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167)	11	OCAHO	1258	2015
United States v. Homestead Metal Recycling Corp.	11	OCAHO	1251	2015

United States v. Ideal Transportation Co., Inc.	12	OCAHO	1290	2016
United States v. Integrity Concrete, Inc. and American Concrete, Inc.	13	OCAHO	1307	2017
United States v. Muniz Concrete & Contracting, Inc.	12	OCAHO	1278	2016
United States v. Niche, Inc.	11	OCAHO	1250	2015
United States v. Pegasus Family Restaurant, Inc.	12	OCAHO	1293	2016
United States v. Solutions Group International, LLC	12	OCAHO	1288	2016
United States v. Speedy Gonzalez Construction, Inc.	11	OCAHO	1243	2015
United States v. St. Croix Personnel Services, Inc.	12	OCAHO	1289	2016

FINES

ALJ Can Consider Small Business Act's Policy of Leniency for Businesses Supporting War Effort

United States v. Niche, Inc.	11	OCAHO	1250	2015

ALJ Considers Five Statutory Factors Set Out in 8 U.S.C. Section 1324a(e)(5) In Assessing the Amount of the Penalty

United States v. Eriksmoen Cottages, Ltd.	14	OCAHO	1355a	2020

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ALJ Considers Five Statutory Factors Set Out in 8 U.S.C. Section 1324a(e)(5) In Assessing the Penalty

United States v. 3679 Commerce Place, Inc.	12	OCAHO	1296	2017
United States v. Cawoods Produce, Inc.	12	OCAHO	1280	2016
United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12	OCAHO	1281	2016
United States v. Executive Cleaning Services of Long Island, Ltd.	13	OCAHO	1314	2018
United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill	13	OCAHO	1338	2020
United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12	OCAHO	1276	2016
United States v. Golden Employment Group, Inc.	12	OCAHO	1277	2016
United States v. Hair U Wear, LLC	11	OCAHO	1268	2016
United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167)	11	OCAHO	1258	2015
United States v. Ideal Transportation Co., Inc.	12	OCAHO	1290	2016
United States v. Imacuclean Cleaning Services, LLC	13	OCAHO	1327	2019
United States v. Integrity Concrete, Inc. and American Concrete, Inc.	13	OCAHO	1307	2017
United States v. Intelli Transport Services, Inc.	13	OCAHO	1319	2019
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12	OCAHO	1286	2016

United States v. Metropolitan Enterprises, Inc.	12	OCAHO	1297	2017
United States v. Muniz Concrete & Contracting, Inc.	12	OCAHO	1278	2016
United States v. Pegasus Family Restaurant, Inc.	12	OCAHO	1293	2016
United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021
United States v. Safe-Air of Illinois, Inc.	12	OCAHO	1270	2016
United States v. Solutions Group International, LLC	12	OCAHO	1288	2016
United States v. St. Croix Personnel Services, Inc.	12	OCAHO	1289	2016
United States v. Visiontron Corp.	13	OCAHO	1348	2020
United States v. Wave Green, Inc. d/b/a Golden Farm Market	11	OCAHO	1267	2016

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ALJ Erred in Reducing Fine to Minimum Bases on Erroneous Assumption of Government Overreach

Hearsay

United States v. Crescent City Meat Company, Inc.	11	OCAHO	1217	2014
	11	OCAHO	1217	2014

ALJ has Discretion to Adopt ICE's Proposed Penalty Where it is Proportionate and Suitable

United States v. Durable, Inc. 11 OCAHO 1231 2014

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ALJ Is Not Bound by ICE's Method of Calculating Penalties

United States v. Psychosomatic Fitness LLC 14 OCAHO 1387a 2021

ALJ May Consider Non-Statutory Factors As Appropriate in a Specific Case

United States v. Psychosomatic Fitness LLC 14 OCAHO 1387a 2021

United States v. Visiontron Corp. 13 OCAHO 1348 2020

ALJ May Not Assess Penalties Above Maximum Permitted by Department of Justice Regulations

United States of America v. Danielle Messineo 14 OCAHO 1367 2020

United States v. Leticia Velarde 14 OCAHO 1384 2020

FINES

ALJ Not Bound by ICE's Method of Calculating Penalties

United States v. Durable, Inc.	11	OCAHO	1231	2014
United States v. Eriksmoen Cottages, Ltd.	14	OCAHO	1355a	2020
United States v. Intelli Transport Services, Inc.	13	OCAHO	1319	2019
United States v. Metropolitan Enterprises, Inc.	12	OCAHO	1297	2017
United States v. Visiontron Corp.	13	OCAHO	1348	2020

An Employer Demonstrates Bad Faith by Paying Unauthorized Workers in Cash Under the Table

United States v. Symmetric Solutions, Incorporated d/b/a Minerva Indian Cuisine	10	OCAHO	1209	2014

Applicable Penalty Range Depends on Date of Violations and Date of Assessment of Penalty

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021

United States v. Alma Delia Rubio-Reyes 14 OCAHO 1349a 2020

United States v. Eriksmoen Cottages, Ltd. 14 OCAHO 1355a 2020

United States v. Executive Cleaning Services of Long Island, Ltd. 13 OCAHO 1314 2018

United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill 13 OCAHO 1338 2020

United States v. Intelli Transport Services, Inc. 13 OCAHO 1319 2019

United States v. Leticia Velarde 14 OCAHO 1384 2020

United States v. Psychosomatic Fitness LLC 14 OCAHO 1387a 2021

United States v. Sanchita Bhattacharya 14 OCAHO 1380a 2021

United States v. Visiontron Corp. 13 OCAHO 1348 2020

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Bad Faith Found Where Employer Appeared to Intentionally Subvert Purposes of Section 1324a(b)

United States v. Jula888, LLC d/b/a Para Tacos La Chilanga 12 OCAHO 1286 2016

Bad Faith Requires a Showing of Culpable Conduct Beyond Respondent's Verification Failures

Margarita Garcia Ocana v. El Dorado Stone, LLC	11	OCAHO	1244	2015
United States v. Dr. Robert Schaus, D.D.S.	11	OCAHO	1239	2014
United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill	13	OCAHO	1338	2020
United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167)	11	OCAHO	1258	2015
United States v. Horno MSJ, Ltd., Company	11	OCAHO	1247	2015
	11	OCAHO	1247	2015
United States v. Imacuclean Cleaning Services, LLC	13	OCAHO	1327	2019
United States v. Integrity Concrete, Inc. and American Concrete, Inc.	13	OCAHO	1307	2017
United States v. Liberty Packaging, Inc.	11	OCAHO	1245	2015
United States v. Natural Environmental, Inc.	10	OCAHO	1197	2013
United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021
United States v. Visiontron Corp.	13	OCAHO	1348	2020

FINES

Certain Statutory Factors May Be More Compelling Than Others in the Context of a Specific Case

United States v. Durable, Inc.	11	OCAHO	1231	2014
United States v. Romans Racing Stables, Inc.	11	OCAHO	1232	2014

FINES

Change of Corporate Ownership After a Violation Does Not Affect History of Violations Factor

United States v. Durable, Inc.	11	OCAHO	1229	2014

Civil Money Penalty

United States v. DJ Drywall, Inc.	10	OCAHO	1136	2010
United States v. El Azteca Dunkirk, Inc.	10	OCAHO	1172	2013
United States v. El Paso Hospitality, Inc.	5	OCAHO	737	1995
United States v. Enrique Reyes d/b/a King's Produce	4	OCAHO	592	1994
United States v. Exim, Inc. and Jaime Monardes, Individually	4	OCAHO	604	1994
United States v. Fairfield Jersey, Inc.	9	OCAHO	1069	2001
United States v. Fowler Equipment Company, Inc.	10	OCAHO	1169	2013
United States v. Giamblis Enterprises	5	OCAHO	817	1995
United States v. Gloria Fashions, Inc.	6	OCAHO	887	1996

United States v. Golf International d/b/a Desert Canyon Golf	11	OCAHO	1222	2014
United States v. Hugh Jeffrey Fox d/b/a Frank & Stein	5	OCAHO	756	1995
United States v. New China Buffet Restaurant	10	OCAHO	1132	2010
United States v. Pedro Dominguez	7	OCAHO	972	1997
	7	OCAHO	972	1997
United States v. Riverboat Delta King, Inc.	5	OCAHO	738	1995
United States v. Snack Attack Deli, Inc.	10	OCAHO	1137	2010
United States v. Task Force Security, Inc. d/b/a Task Force Security and Investigations	4	OCAHO	625	1994

FINES

Company Tax Losses Do Not Necessarily Establish Poor Financial Condition or Inability To Pay

United States v. Mott Thoroughbred Stables, Inc.	11	OCAHO	1233	2014

Culpable Conduct Can Be Shown by Evidence that Employer Tried to Mislead Government

Margarita Garcia Ocana v. El Dorado Stone, LLC	11	OCAHO	1244	2015

United States v. Liberty Packaging, Inc. 11 OCAHO 1245 2015

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Date of Penalty Assessment for Section 1324b Case is Date of Court Order Imposing Civil Penalties

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP 13 OCAHO 1332j 2021

13 OCAHO 1332j 2021

Date of Penalty Assessment Is The Date ICE Serves the Notice of Intent to Fine

United States v. Eriksmoen Cottages, Ltd. 14 OCAHO 1355a 2020

United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill 13 OCAHO 1338 2020

United States v. Psychosomatic Fitness LLC 14 OCAHO 1387a 2021

United States v. Sanchita Bhattacharya 14 OCAHO 1380a 2021

United States v. Visiontron Corp. 13 OCAHO 1348 2020

Deliberate Violation of Multiple Laws Governing Employer Conduct Merits Maximum Penalty

United States v. Symmetric Solutions, Incorporated d/b/a Minerva Indian Cuisine	10	OCAHO	1209	2014

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Difference in Seriousness of Violations May Be Reflected in the Final Penalty

United States v. Cawoods Produce, Inc.	12	OCAHO	1280	2016
United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12	OCAHO	1281	2016
United States v. Eriksmoen Cottages, Ltd.	14	OCAHO	1355a	2020
United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12	OCAHO	1276	2016
United States v. Hair U Wear, LLC	11	OCAHO	1268	2016
United States v. Muniz Concrete & Contracting, Inc.	12	OCAHO	1278	2016
United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021
United States v. St. Croix Personnel Services, Inc.	12	OCAHO	1289	2016
United States v. Wave Green, Inc. d/b/a Golden Farm Market	11	OCAHO	1267	2016

Difference In Severity of Categories of Violations May Be Reflected in the Final Penalty

United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167) 11 OCAHO 1258 2015

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Document Fraud

United States v. Leticia Velarde 14 OCAHO 1384 2020

United States v. Sanchita Bhattacharya 14 OCAHO 1380a 2021

Draining Funds From Business Before Civil Penalty Undercuts Ability to Pay

United States v. Psychosomatic Fitness LLC 14 OCAHO 1387a 2021

Employer Knowledge of Employee's Unauthorized Status Not Necessary to Enhance Fine

United States v. Durable, Inc. 11 OCAHO 1229 2014

Employer's Failure to Check a Box in Section 1 Attesting to Status Is A Serious Violations

United States v. Visiontron Corp. 13 OCAHO 1348 2020

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Employer's Failure to Ensure Employee Properly Completes Form I-9 Section 1 is Serious Violation

United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill 13 OCAHO 1338 2020

13 OCAHO 1338 2020

Employer's Failure to Reverify Employee's Expired Employment Authorization Is Serious Violation

United States v. Visiontron Corp. 13 OCAHO 1348 2020

Employer's Failure to Sign Form I-9 Section 2 Is A Very Serious Violation

United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill 13 OCAHO 1338 2020

United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill 13 OCAHO 1338 2020

United States v. Visiontron Corp. 13 OCAHO 1348 2020

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Employer's Previous Receipt of a Warning Notice Does Not Constitute History of Previous Violations

United States v. SKZ Harvesting, Inc. 11 OCAHO 1266 2016

Enhancement Factor Based on Whether Specific Individual was Unauthorized

Margarita Garcia Ocana v. El Dorado Stone, LLC 11 OCAHO 1244 2015

United States v. Imacuclean Cleaning Services, LLC 13 OCAHO 1327 2019

United States v. Jalisco's Bar and Grill, Inc. 11 OCAHO 1224 2014

United States v. Liberty Packaging, Inc. 11 OCAHO 1245 2015

United States v. Romans Racing Stables, Inc. 11 OCAHO 1230 2014

Evidence of Backdating Does Not Alone Warrant a Finding of Bad Faith

United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167)	11	OCAHO	1258	2015
United States v. Imacuclean Cleaning Services, LLC	13	OCAHO	1327	2019
United States v. Integrity Concrete, Inc. and American Concrete, Inc.	13	OCAHO	1307	2017
United States v. Metropolitan Warehouse, Inc.	10	OCAHO	1207	2013
United States v. Speedy Gonzalez Construction, Inc.	11	OCAHO	1243	2015
United States v. Visiontron Corp.	13	OCAHO	1348	2020

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Excessive

United States v. A&J Kyoto Japanese Restaurant, Inc.	10	OCAHO	1186	2013
United States v. Century Hotels Corporation, d/b/a Scottsdale Thunderbird Suites	11	OCAHO	1218	2014
United States v. Clean Sweep Janitor Service	11	OCAHO	1226	2014
United States v. Crescent City Meat Company, Inc.	11	OCAHO	1223	2014
United States v. Fowler Equipment Company, Inc.	10	OCAHO	1169	2013
United States v. Mr. Mike's Pizza, Inc.	10	OCAHO	1196	2013
United States v. New China Buffet Restaurant	10	OCAHO	1133	2010

United States v. New Outlook Homecare, LLC 10 OCAHO 1210 2014

United States v. New Sun Transit, Inc. d/b/a La Tolteca Mexican Restaurant 10 OCAHO 1194 2013

United States v. Pedro Dominguez 6 OCAHO 878 1996

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Excessive Fines Clause of Eighth Amendment Applies to Fines That Are Punitive

United States v. Employer Solutions Staffing Group II, LLC 11 OCAHO 1242 2015

Failure to Complete I-9 Within Three Business Days is Serious Violation

United States v. Imacuclean Cleaning Services, LLC 13 OCAHO 1327 2019

United States v. Intelli Transport Services, Inc. 13 OCAHO 1319 2019

United States v. Visiontron Corp. 13 OCAHO 1348 2020

Failure to Conform Practices to Law After Previous Violations May Constitute Lack of Good Faith

United States v. Durable, Inc. 11 OCAHO 1231 2014

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Failure to Cooperate With ICE's Investigation Can Constitute Culpable Conduct

Margarita Garcia Ocana v. El Dorado Stone, LLC 11 OCAHO 1244 2015

United States v. Liberty Packaging, Inc. 11 OCAHO 1245 2015

Failure to Ensure Employee Signs Form I-9 Section 1 Is A Serious Violation

United States v. Visiontron Corp. 13 OCAHO 1348 2020

Failure to Prepare Form I-9 Among Most Serious Paperwork Violations

United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles 12 OCAHO 1281 2016

United States v. Golden Employment Group, Inc. 12 OCAHO 1277 2016

United States v. Hair U Wear, LLC 11 OCAHO 1268 2016

United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167)	11	OCAHO	1258	2015
United States v. Ideal Transportation Co., Inc.	12	OCAHO	1290	2016
United States v. Imacuclean Cleaning Services, LLC	13	OCAHO	1327	2019
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12	OCAHO	1286	2016
United States v. Pegasus Family Restaurant, Inc.	12	OCAHO	1293	2016
United States v. Safe-Air of Illinois, Inc.	12	OCAHO	1270	2016
United States v. Solutions Group International, LLC	12	OCAHO	1288	2016
United States v. St. Croix Personnel Services, Inc.	12	OCAHO	1289	2016
United States v. Visiontron Corp.	13	OCAHO	1348	2020
United States v. Wave Green, Inc. d/b/a Golden Farm Market	11	OCAHO	1267	2016

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Failure to Prepare Form I-9 Generally Warrants Higher Penalty Than Do Errors or Omissions on Form

United States v. Golden Employment Group, Inc.	12	OCAHO	1277	2016
United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021

Failure to Prepare I-9 Among Most Serious Paperwork Violations

United States v. Cawoods Produce, Inc.	12	OCAHO	1280	2016
United States v. Mott Thoroughbred Stables, Inc.	11	OCAHO	1233	2014
United States v. PM Packaging, Inc., and PM Corporate Group, Inc., d/b/a PM Packaging	11	OCAHO	1253	2015
United States v. Romans Racing Stables, Inc.	11	OCAHO	1230	2014
United States v. Speedy Gonzalez Construction, Inc.	11	OCAHO	1243	2015

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Failure to Prepare I-9 More Serious Than Paperwork Violations

United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021
United States v. Senox Corporation	11	OCAHO	1219	2014

Failure to Present I-9 Forms Due to Loss Is Still a Serious Violation

United States v. Speedy Gonzalez Construction, Inc.	11	OCAHO	1243	2015

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Failure to Properly Complete I-9 Less Serious Than Failure to Prepare or Present I-9

United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021
United States v. Speedy Gonzalez Construction, Inc.	11	OCAHO	1243	2015

Failure to Show That Certain Individuals Were Unauthorized Does Not Require Mitigation

United States v. Eriksmoen Cottages, Ltd.	14	OCAHO	1355a	2020
United States v. Romans Racing Stables, Inc.	11	OCAHO	1232	2014

Failure to Timely Prepare Form I-9 Is A Serious Violation

United States v. St. Croix Personnel Services, Inc.	12	OCAHO	1289	2016
United States v. Visiontron Corp.	13	OCAHO	1348	2020

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Failure to Use E-Verify System as Mandated by State Law Does Not Warrant Finding of Bad Faith

United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021

Forms I-9 May Be So Deficient That Violations Are Tantamount to Total Failure to Prepare an I-9

United States v. Cawoods Produce, Inc.	12	OCAHO	1280	2016
United States v. Wave Green, Inc. d/b/a Golden Farm Market	11	OCAHO	1267	2016

Generally

United States v. Adolfo Martinez, Jr., Individually d/b/a AAAA Roofing	3	OCAHO	494	1993
United States v. Armando Alvarez-Suarez	6	OCAHO	862	1996
	6	OCAHO	862	1996
United States v. Business Teleconsultants, Ltd.	3	OCAHO	565	1993

United States v. David Day d/b/a David Day Masonry	3	OCAHO	575	1993
United States v. Ebrahim Banafsheha	3	OCAHO	525	1993
	3	OCAHO	525	1993
United States v. Exim, Inc. and Jaime Monardes, Individually	3	OCAHO	591	1993
United States v. Giannini Landscaping, Inc.	3	OCAHO	573	1993
United States v. Hardeep Singh	3	OCAHO	520	1993
United States v. Johnny Ng Lim and Christina Lim Go d/b/a The New Orient	3	OCAHO	499	1993
United States v. Kangaroo Express of Pueblo	3	OCAHO	581	1993
United States v. Landscapes By Susanna	3	OCAHO	556	1993
	3	OCAHO	556	1993
United States v. Local Building & Remodeling of International Falls	3	OCAHO	567	1993
United States v. Minaco Fashions, Inc.	3	OCAHO	587	1993
United States v. New China Buffet Restaurant	10	OCAHO	1133	2010
United States v. Nicolas Tinoco-Medina	6	OCAHO	890	1996
United States v. Orlando Diaz-Rosas	4	OCAHO	702	1994
United States v. Oscar Chacon, Sr.	3	OCAHO	578	1993
United States v. Penrod National Enterprises, Inc. d/b/a Floral Bionomics Landscape Management	3	OCAHO	559	1993

United States v. Penrod National Enterprises, Inc. d/b/a Floral Bionomics Landscape Management	3	OCAHO	559	1993
United States v. Silver Cloud Investments, Inc. d/b/a Silver Clouds Restaurant	3	OCAHO	509	1993
United States v. Wood 'N Stuff	3	OCAHO	574	1993

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Good Faith Assessment Looks Primarily at Steps Employer Took Before Notice of Inspection

United States v. 3679 Commerce Place, Inc.	12	OCAHO	1296	2017
United States v. Eriksmoen Cottages, Ltd.	14	OCAHO	1355a	2020
United States v. Executive Cleaning Services of Long Island, Ltd.	13	OCAHO	1314	2018
United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill	13	OCAHO	1338	2020
	13	OCAHO	1338	2020
United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12	OCAHO	1276	2016
United States v. Hartmann Studios, Inc.	11	OCAHO	1255	2015
United States v. Imacuclean Cleaning Services, LLC	13	OCAHO	1327	2019
United States v. Integrity Concrete, Inc. and American Concrete, Inc.	13	OCAHO	1307	2017
United States v. Intelli Transport Services, Inc.	13	OCAHO	1319	2019
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12	OCAHO	1286	2016

United States v. Pegasus Family Restaurant, Inc.	12	OCAHO	1293	2016
United States v. SKZ Harvesting, Inc.	11	OCAHO	1266	2016
United States v. Solutions Group International, LLC	12	OCAHO	1288	2016
United States v. Visiontron Corp.	13	OCAHO	1348	2020

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Good Faith Factor Focuses on Compliance With Section 1324a Obligations

United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021

Government Bears Burden of Proving Penalty and Aggravating Factors by Preponderance of Evidence

United States v. Cawoods Produce, Inc.	12	OCAHO	1280	2016
United States v. Eriksmoen Cottages, Ltd.	14	OCAHO	1355a	2020
United States v. Executive Cleaning Services of Long Island, Ltd.	13	OCAHO	1314	2018
United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill	13	OCAHO	1338	2020
	13	OCAHO	1338	2020

United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167)	11	OCAHO	1258	2015
United States v. Homestead Metal Recycling Corp.	11	OCAHO	1251	2015
United States v. Imacuclean Cleaning Services, LLC	13	OCAHO	1327	2019
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12	OCAHO	1286	2016
United States v. Kenneth McPeek Racing Stables, Inc.	11	OCAHO	1249	2015
United States v. Niche, Inc.	11	OCAHO	1250	2015
United States v. Safe-Air of Illinois, Inc.	12	OCAHO	1270	2016
United States v. Visiontron Corp.	13	OCAHO	1348	2020

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Government Bears the Burden of Proof on Penalty and Aggravating Factors

Margarita Garcia Ocana v. El Dorado Stone, LLC	11	OCAHO	1244	2015
United States v. 3679 Commerce Place, Inc.	12	OCAHO	1296	2017
United States v. Clean Sweep Janitor Service	11	OCAHO	1226	2014
United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12	OCAHO	1281	2016
United States v. Employer Solutions Staffing Group II, LLC	11	OCAHO	1242	2015
United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12	OCAHO	1276	2016

United States v. Golden Employment Group, Inc.	12	OCAHO	1277	2016
United States v. Hair U Wear, LLC	11	OCAHO	1268	2016
United States v. Intelli Transport Services, Inc.	13	OCAHO	1319	2019
United States v. Liberty Packaging, Inc.	11	OCAHO	1245	2015
United States v. Metropolitan Enterprises, Inc.	12	OCAHO	1297	2017
United States v. Muniz Concrete & Contracting, Inc.	12	OCAHO	1278	2016
United States v. Pegasus Family Restaurant, Inc.	12	OCAHO	1293	2016
United States v. PM Packaging, Inc., and PM Corporate Group, Inc., d/b/a PM Packaging	11	OCAHO	1253	2015
United States v. SKZ Harvesting, Inc.	11	OCAHO	1266	2016
United States v. Solutions Group International, LLC	12	OCAHO	1288	2016
United States v. Speedy Gonzalez Construction, Inc.	11	OCAHO	1243	2015
United States v. St. Croix Personnel Services, Inc.	12	OCAHO	1289	2016
United States v. Wave Green, Inc. d/b/a Golden Farm Market	11	OCAHO	1267	2016

FINES

Government Has Burden of Proof On Fines and Aggravating Factors

United States v. Golf International d/b/a Desert Canyon Golf	11	OCAHO	1222	2014

FINES

Government Must Prove Aggravating Factor by Preponderance of Evidence

Margarita Garcia Ocana v. El Dorado Stone, LLC	11	OCAHO	1244	2015
United States v. Clean Sweep Janitor Service	11	OCAHO	1226	2014
United States v. Dr. Robert Schaus, D.D.S.	11	OCAHO	1239	2014
United States v. Employer Solutions Staffing Group II, LLC	11	OCAHO	1242	2015
United States v. Ideal Transportation Co., Inc.	12	OCAHO	1290	2016
United States v. Liberty Packaging, Inc.	11	OCAHO	1245	2015
United States v. Speedy Gonzalez Construction, Inc.	11	OCAHO	1243	2015

Government Must Prove Existence of Aggravating Factor by Preponderance of Evidence

United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12	OCAHO	1281	2016
United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12	OCAHO	1276	2016

High Compliance Rate May Be Evidence of Good Faith

United States v. Eriksmoen Cottages, Ltd. 14 OCAHO 1355a 2020

FINES

High Noncompliance Rate Insufficient to Justify Higher Penalty for Similar Situations

United States v. Integrity Concrete, Inc. and American Concrete, Inc. 13 OCAHO 1307 2017

ICE Fine Guidelines Have No Binding Effect on OCAHO

United States v. 3679 Commerce Place, Inc. 12 OCAHO 1296 2017

United States v. Golden Employment Group, Inc. 12 OCAHO 1277 2016

United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167) 11 OCAHO 1258 2015

United States v. Ideal Transportation Co., Inc. 12 OCAHO 1290 2016

United States v. Integrity Concrete, Inc. and American Concrete, Inc. 13 OCAHO 1307 2017

United States v. Jula888, LLC d/b/a Para Tacos La Chilanga 12 OCAHO 1286 2016

United States v. Niche, Inc. 11 OCAHO 1250 2015

United States v. Pegasus Family Restaurant, Inc. 12 OCAHO 1293 2016

United States v. Senox Corporation 11 OCAHO 1219 2014

United States v. Solutions Group International, LLC 12 OCAHO 1288 2016

United States v. Speedy Gonzalez Construction, Inc. 11 OCAHO 1243 2015

FINES

If 5 Factors Considered, Statute Neither Mandates Nor Precludes Mathematical Formula to Set Fine

United States v. Senox Corporation 11 OCAHO 1219 2014

In Section 1324c Cases, ALJ May Use a Judgmental Approach to Determine the Penalty Amount

United States v. Leticia Velarde 14 OCAHO 1384 2020

Knowing Hire Violations Are Far More Serious Than Any Paperwork Violations

United States v. Foothill Packing, Inc. 11 OCAHO 1240 2015

United States v. Jalisco's Bar and Grill, Inc. 11 OCAHO 1224 2014

FINES

Lack of History of Previous Violations Does Not Require the ALJ to Mitigate Civil Penalty

United States v. 3679 Commerce Place, Inc. 12 OCAHO 1296 2017

United States v. Cawoods Produce, Inc. 12 OCAHO 1280 2016

United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles 12 OCAHO 1281 2016

United States v. Eriksmoen Cottages, Ltd. 14 OCAHO 1355a 2020

United States v. Executive Cleaning Services of Long Island, Ltd. 13 OCAHO 1314 2018

United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill 13 OCAHO 1338 2020

United States v. Integrity Concrete, Inc. and American Concrete, Inc. 13 OCAHO 1307 2017

United States v. Jula888, LLC d/b/a Para Tacos La Chilanga 12 OCAHO 1286 2016

United States v. Pegasus Family Restaurant, Inc. 12 OCAHO 1293 2016

United States v. Psychosomatic Fitness LLC 14 OCAHO 1387a 2021

United States v. Romans Racing Stables, Inc. 11 OCAHO 1232 2014

United States v. Solutions Group International, LLC 12 OCAHO 1288 2016

United States v. St. Croix Personnel Services, Inc. 12 OCAHO 1289 2016

United States v. Visiontron Corp. 13 OCAHO 1348 2020

FINES

Leniency Toward Small Entities

United States v. Clean Sweep Janitor Service 11 OCAHO 1226 2014

United States v. Crescent City Meat Company, Inc. 11 OCAHO 1223 2014

United States v. Kenneth McPeek Racing Stables, Inc. 11 OCAHO 1249 2015

United States v. Mr. Mike's Pizza, Inc. 10 OCAHO 1196 2013

United States v. New Outlook Homecare, LLC 10 OCAHO 1210 2014

Mitigation

United States v. Alberta Sosa, Inc. 6 OCAHO 831 1996

United States v. Davis Nursery, Inc. 4 OCAHO 694 1994

United States v. Draper-King Cole, Inc. 7 OCAHO 933 1997

United States v. Draper-King Cole, Inc. 7 OCAHO 933 1997

United States v. Exim, Inc. and Jaime Monardes, Individually	4	OCAHO	604	1994
United States v. Four Star Knitting, Inc.	6	OCAHO	868	1996
United States v. Giamblis Enterprises	6	OCAHO	834	1996
United States v. Great Bend Packing Company	6	OCAHO	835	1996
United States v. GRS, Inc. d/b/a Gasket Engineering	4	OCAHO	627	1994
United States v. Kerry J. Vicker d/b/a SNB Cleaning	5	OCAHO	819	1995
United States v. Mourad Abu Remileh	6	OCAHO	825	1995
United States v. Oscar Eduardo Villatoro-Guzman	4	OCAHO	652	1994
United States v. Randall Kurzon, Individually and Alonza Restaurant Ventures, inc.	4	OCAHO	637	1994
United States v. Ricardo Calderon, Inc.	6	OCAHO	832	1996
	6	OCAHO	832	1996
United States v. Task Force Security, Inc. d/b/a Task Force Security and Investigations	4	OCAHO	625	1994

FINES

No Deterrent Effect When Employer Is No Longer in Business

United States v. Leed Construction, Megan Burkholder	11	OCAHO	1237	2014

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Non-Statutory Factor Considered As Matter of Equity

United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021

Notice of Suspect Documents Does Not Alone Establish That Employee is Unauthorized

Margarita Garcia Ocana v. El Dorado Stone, LLC	11	OCAHO	1244	2015
United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12	OCAHO	1281	2016
United States v. Liberty Packaging, Inc.	11	OCAHO	1245	2015
United States v. Muniz Concrete & Contracting, Inc.	12	OCAHO	1278	2016
United States v. Natural Environmental, Inc.	10	OCAHO	1197	2013
United States v. PM Packaging, Inc., and PM Corporate Group, Inc., d/b/a PM Packaging	11	OCAHO	1253	2015
United States v. SKZ Harvesting, Inc.	11	OCAHO	1266	2016

Notices of Discrepancies or Suspect Documents Do Not Alone Prove Employee Is Unauthorized

United States v. Imacuclean Cleaning Services, LLC	13	OCAHO	1327	2019
United States v. Integrity Concrete, Inc. and American Concrete, Inc.	13	OCAHO	1307	2017
United States v. Romans Racing Stables, Inc.	11	OCAHO	1230	2014

FINES

OCAHO ALJs May Review Penalty Assessments De Novo

United States v. 3679 Commerce Place, Inc.	12	OCAHO	1296	2017
United States v. Cawoods Produce, Inc.	12	OCAHO	1280	2016
United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12	OCAHO	1281	2016
United States v. Eriksmoen Cottages, Ltd.	14	OCAHO	1355a	2020
United States v. Executive Cleaning Services of Long Island, Ltd.	13	OCAHO	1314	2018
United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill	13	OCAHO	1338	2020
United States v. Hair U Wear, LLC	11	OCAHO	1268	2016
United States v. Ideal Transportation Co., Inc.	12	OCAHO	1290	2016
United States v. Imacuclean Cleaning Services, LLC	13	OCAHO	1327	2019
United States v. Integrity Concrete, Inc. and American Concrete, Inc.	13	OCAHO	1307	2017

United States v. Intelli Transport Services, Inc.	13	OCAHO	1319	2019
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12	OCAHO	1286	2016
United States v. Metropolitan Enterprises, Inc.	12	OCAHO	1297	2017
United States v. Muniz Concrete & Contracting, Inc.	12	OCAHO	1278	2016
United States v. Pegasus Family Restaurant, Inc.	12	OCAHO	1293	2016
United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021
United States v. Solutions Group International, LLC	12	OCAHO	1288	2016
United States v. St. Croix Personnel Services, Inc.	12	OCAHO	1289	2016
United States v. Visiontron Corp.	13	OCAHO	1348	2020
United States v. Wave Green, Inc. d/b/a Golden Farm Market	11	OCAHO	1267	2016

FINES

OCAHO Generally Considers a Business With Fewer Than 100 Employees to be a Small Business

United States v. Visiontron Corp.	13	OCAHO	1348	2020

OCAHO Has No Authority to Dictate Methods Other Agency Uses to Assess Fine

United States v. Senox Corporation 11 OCAHO 1219 2014

FINES

OCAHO May Examine ICE Fine de novo

United States v. Psychosomatic Fitness LLC 14 OCAHO 1387a 2021

United States v. Senox Corporation 11 OCAHO 1219 2014

Order Imposing Civil Penalty in Section 1324b Case

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP 13 OCAHO 1332j 2021

Paperwork Violation Penalties Are Prophylactic and Corrective, Not Punitive

United States v. Employer Solutions Staffing Group II, LLC 11 OCAHO 1242 2015

Party Seeking Consideration of Equitable Factor Bears Burden of Presenting Supporting Evidence

United States v. Imacuclean Cleaning Services, LLC	13	OCAHO	1327	2019
United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021

FINES

Party Seeking Consideration of Non-Statutory Factor Bears Burden of Proof

United States v. 3679 Commerce Place, Inc.	12	OCAHO	1296	2017
United States v. Executive Cleaning Services of Long Island, Ltd.	13	OCAHO	1314	2018
United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill	13	OCAHO	1338	2020
United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12	OCAHO	1276	2016
United States v. Hair U Wear, LLC	11	OCAHO	1268	2016
United States v. Hartmann Studios, Inc.	11	OCAHO	1255	2015
United States v. Integrity Concrete, Inc. and American Concrete, Inc.	13	OCAHO	1307	2017
United States v. Metropolitan Enterprises, Inc.	12	OCAHO	1297	2017
United States v. Niche, Inc.	11	OCAHO	1250	2015
United States v. Pegasus Family Restaurant, Inc.	12	OCAHO	1293	2016

United States v. Solutions Group International, LLC	12	OCAHO	1288	2016
United States v. Wave Green, Inc. d/b/a Golden Farm Market	11	OCAHO	1267	2016

FINES

Party Seeking Consideration of Non-Statutory Factor Bears Burden of Proof On That Factor

United States v. Eriksmoen Cottages, Ltd.	14	OCAHO	1355a	2020
United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021

Penalties Near Maximum Should Be Reserved for Most Egregious Violations

United States v. Cawoods Produce, Inc.	12	OCAHO	1280	2016
United States v. Century Hotels Corporation, d/b/a Scottsdale Thunderbird Suites	11	OCAHO	1218	2014
United States v. Clean Sweep Janitor Service	11	OCAHO	1226	2014
United States v. Crescent City Meat Company, Inc.	11	OCAHO	1223	2014
United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12	OCAHO	1281	2016
United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill	13	OCAHO	1338	2020

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12	OCAHO	1276	2016
United States v. Golf International d/b/a Desert Canyon Golf	11	OCAHO	1222	2014
United States v. Hartmann Studios, Inc.	11	OCAHO	1255	2015
United States v. Homestead Metal Recycling Corp.	11	OCAHO	1251	2015
United States v. Horno MSJ, Ltd., Company	11	OCAHO	1247	2015
	11	OCAHO	1247	2015
United States v. Ideal Transportation Co., Inc.	12	OCAHO	1290	2016
United States v. Integrity Concrete, Inc. and American Concrete, Inc.	13	OCAHO	1307	2017
United States v. Intelli Transport Services, Inc.	13	OCAHO	1319	2019
United States v. Jalisco's Bar and Grill, Inc.	11	OCAHO	1224	2014
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12	OCAHO	1286	2016
United States v. M & D Masonry, Inc.	10	OCAHO	1211	2014
United States v. Mott Thoroughbred Stables, Inc.	11	OCAHO	1233	2014
United States v. Niche, Inc.	11	OCAHO	1250	2015
United States v. Pegasus Family Restaurant, Inc.	12	OCAHO	1293	2016
United States v. PM Packaging, Inc., and PM Corporate Group, Inc., d/b/a PM Packaging	11	OCAHO	1253	2015
United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021

United States v. Romans Racing Stables, Inc.	11	OCAHO	1230	2014
United States v. Safe-Air of Illinois, Inc.	12	OCAHO	1270	2016
United States v. Senox Corporation	11	OCAHO	1219	2014
United States v. SKZ Harvesting, Inc.	11	OCAHO	1266	2016
United States v. Solutions Group International, LLC	12	OCAHO	1288	2016
United States v. Speedy Gonzalez Construction, Inc.	11	OCAHO	1243	2015
United States v. St. Croix Personnel Services, Inc.	12	OCAHO	1289	2016
United States v. Symmetric Solutions, Incorporated d/b/a Minerva Indian Cuisine	10	OCAHO	1209	2014
United States v. Visiontron Corp.	13	OCAHO	1348	2020

FINES

Penalties Not Meant to Force Employers Out of Business or Result in Loss of Employment for Workers

United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021

Penalties Should Deter Future Violations Without Being Unduly Punitive

United States v. Clean Sweep Janitor Service	11	OCAHO	1226	2014
United States v. Crescent City Meat Company, Inc.	11	OCAHO	1223	2014
United States v. Homestead Metal Recycling Corp.	11	OCAHO	1251	2015
United States v. Horno MSJ, Ltd., Company	11	OCAHO	1247	2015
	11	OCAHO	1247	2015
United States v. Ideal Transportation Co., Inc.	12	OCAHO	1290	2016
United States v. Intelli Transport Services, Inc.	13	OCAHO	1319	2019
United States v. Kenneth McPeek Racing Stables, Inc.	11	OCAHO	1249	2015
United States v. Niche, Inc.	11	OCAHO	1250	2015
United States v. Safe-Air of Illinois, Inc.	12	OCAHO	1270	2016
United States v. Solutions Group International, LLC	12	OCAHO	1288	2016
United States v. Speedy Gonzalez Construction, Inc.	11	OCAHO	1243	2015

FINES

Penalties Should Have a Deterrent Effect and Not Be Merely a Cost of Doing Business

United States v. Hartmann Studios, Inc.	11	OCAHO	1255	2015

FINES

Penalties Should Not Be Disproportionate to Employer's Revenue

United States v. Crescent City Meat Company, Inc.	11	OCAHO	1223	2014

Penalties Should Promote Future Compliance Without Being Unduly Punitive

United States v. 3679 Commerce Place, Inc.	12	OCAHO	1296	2017
United States v. Eriksmoen Cottages, Ltd.	14	OCAHO	1355a	2020
United States v. Executive Cleaning Services of Long Island, Ltd.	13	OCAHO	1314	2018
United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill	13	OCAHO	1338	2020
	13	OCAHO	1338	2020
United States v. Integrity Concrete, Inc. and American Concrete, Inc.	13	OCAHO	1307	2017
United States v. Pegasus Family Restaurant, Inc.	12	OCAHO	1293	2016
United States v. Visiontron Corp.	13	OCAHO	1348	2020

Penalty Within Statutory Range Presumed Valid Under Eighth Amendment Excessive Fines Clause

United States v. Employer Solutions Staffing Group II, LLC	11	OCAHO	1242	2015

FINES

Poor Rate of Compliance Without Showing Culpable Conduct Insufficient to Prove Lack of Good Faith

United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12	OCAHO	1281	2016
United States v. Executive Cleaning Services of Long Island, Ltd.	13	OCAHO	1314	2018
United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill	13	OCAHO	1338	2020
United States v. Pegasus Family Restaurant, Inc.	12	OCAHO	1293	2016
United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021
United States v. Solutions Group International, LLC	12	OCAHO	1288	2016
United States v. St. Croix Personnel Services, Inc.	12	OCAHO	1289	2016

Presenting Forms I-9 Late Is Not As Serious as Complete Failure to Prepare of Present Forms I-9

United States v. Eriksmoen Cottages, Ltd.	14	OCAHO	1355a	2020

FINES

Principal Goal Is To Enhance Probability of Future Compliance

United States v. Durable, Inc.	11	OCAHO	1229	2014

Prophylactic Purpose Best Served When Penalty Is Significant Enough to Prompt Change of Behavior

United States v. Employer Solutions Staffing Group II, LLC	11	OCAHO	1242	2015

Proportionality is Critical in Setting Penalties

United States v. Century Hotels Corporation, d/b/a Scottsdale Thunderbird Suites	11	OCAHO	1218	2014
United States v. Metropolitan Warehouse, Inc.	10	OCAHO	1207	2013
United States v. Niche, Inc.	11	OCAHO	1250	2015
United States v. Safe-Air of Illinois, Inc.	12	OCAHO	1270	2016

FINES

Proportionality of Fine Judged Relative to Gravity of Violations and Size of Business

United States v. Jalisco's Bar and Grill, Inc. 11 OCAHO 1224 2014

Purpose is to Deter Repeat Violations and Encourage Others to Comply

United States v. Employer Solutions Staffing Group II, LLC 11 OCAHO 1242 2015

Purposes of Fines Are To Deter Future Violations & Encourage Compliance w/Verification Procesures

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 2016

Rate of Violations Is Not An Enumerated Factor But Can Be Considered In Assessing the Penalty

United States v. Psychosomatic Fitness LLC 14 OCAHO 1387a 2021

United States v. Visiontron Corp. 13 OCAHO 1348 2020

FINES

Reasonableness Based On Record As Whole and Statutory Factors in Particular

United States v. Century Hotels Corporation, d/b/a Scottsdale Thunderbird Suites 11 OCAHO 1218 2014

United States v. Dr. Robert Schaus, D.D.S. 11 OCAHO 1239 2014

United States v. Leed Construction, Megan Burkholder 11 OCAHO 1237 2014

Sale of Fraudulent Documents Is A Serious Violation

United States v. Leticia Velarde 14 OCAHO 1384 2020

Seriousness of Violation Depends on Degree of Deviation From Verification Requirements

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 2016

United States v. Imacuclean Cleaning Services, LLC 13 OCAHO 1327 2019

United States v. Muniz Concrete & Contracting, Inc. 12 OCAHO 1278 2016

FINES

Seriousness of Violation Evaluated on Continuum Because Not All Violations Are Equally Serious

United States v. Cawoods Produce, Inc. 12 OCAHO 1280 2016

United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles 12 OCAHO 1281 2016

United States v. Eriksmoen Cottages, Ltd. 14 OCAHO 1355a 2020

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 2016

United States v. Golden Employment Group, Inc. 12 OCAHO 1277 2016

United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167) 11 OCAHO 1258 2015

United States v. Horno MSJ, Ltd., Company 11 OCAHO 1247 2015

11 OCAHO 1247 2015

United States v. Ideal Transportation Co., Inc. 12 OCAHO 1290 2016

United States v. Jula888, LLC d/b/a Para Tacos La Chilanga 12 OCAHO 1286 2016

United States v. Mott Thoroughbred Stables, Inc. 11 OCAHO 1233 2014

United States v. Muniz Concrete & Contracting, Inc. 12 OCAHO 1278 2016

United States v. Niche, Inc. 11 OCAHO 1250 2015

United States v. PM Packaging, Inc., and PM Corporate Group, Inc., d/b/a PM Packaging	11	OCAHO	1253	2015
United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021
United States v. Romans Racing Stables, Inc.	11	OCAHO	1230	2014
United States v. Safe-Air of Illinois, Inc.	12	OCAHO	1270	2016
United States v. Senox Corporation	11	OCAHO	1219	2014
United States v. SKZ Harvesting, Inc.	11	OCAHO	1266	2016
United States v. Solutions Group International, LLC	12	OCAHO	1288	2016
United States v. Speedy Gonzalez Construction, Inc.	11	OCAHO	1243	2015
United States v. Visiontron Corp.	13	OCAHO	1348	2020

FINES

Seriousness of Violation(s)

United States v. Intelli Transport Services, Inc.	13	OCAHO	1319	2019

Should Deter Future Violations Without Being Unduly Punitive

United States v. Senox Corporation 11 OCAHO 1219 2014

FINES

Size of Business

United States v. Imacuclean Cleaning Services, LLC 13 OCAHO 1327 2019

United States v. Intelli Transport Services, Inc. 13 OCAHO 1319 2019

United States v. Jula888, LLC d/b/a Para Tacos La Chilanga 12 OCAHO 1286 2016

United States v. Psychosomatic Fitness LLC 14 OCAHO 1387a 2021

Size of Business Did Not Necessitate Further Mitigation of Civil Penalty

United States v. M & D Masonry 10 OCAHO 1215 2014

United States v. Psychosomatic Fitness LLC 14 OCAHO 1387a 2021

Size of Business Is A Factor in Assessment of the Penalty

United States v. Visiontron Corp. 13 OCAHO 1348 2020

FINES

Small Size of Business Only Considered as a Statutory Factor, Not as a Non-Statutory Factor

United States v. Psychosomatic Fitness LLC 14 OCAHO 1387a 2021

Social Security Mismatch Does Not Establish That a Particular Individual is Unauthorized for Employment

United States v. SKZ Harvesting, Inc. 11 OCAHO 1266 2016

Statute Does Not Prohibit Consideration of Unenumerated Factors

United States v. Clean Sweep Janitor Service 11 OCAHO 1226 2014

United States v. Crescent City Meat Company, Inc. 11 OCAHO 1223 2014

Statute Does Not Require That a Factor Found Not to Be Aggravating Must Be Found to Be Mitigating

United States v. Integrity Concrete, Inc. and American Concrete, Inc.	13	OCAHO	1307	2017
United States v. Metropolitan Enterprises, Inc.	12	OCAHO	1297	2017
United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021

FINES

Statute Does Not Require That Equal Weight Be Given Each of the Five Statutory Factors

United States v. Dr. Robert Schaus, D.D.S.	11	OCAHO	1239	2014
United States v. Durable, Inc.	11	OCAHO	1231	2014
United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167)	11	OCAHO	1258	2015
United States v. Homestead Metal Recycling Corp.	11	OCAHO	1251	2015
United States v. Intelli Transport Services, Inc.	13	OCAHO	1319	2019
United States v. Liberty Packaging, Inc.	11	OCAHO	1245	2015
United States v. Mott Thoroughbred Stables, Inc.	11	OCAHO	1233	2014
United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021
United States v. Romans Racing Stables, Inc.	11	OCAHO	1230	2014

United States v. Senox Corporation	11	OCAHO	1219	2014

FINES

Statute Does Not Require That Equal Weight Be Given Enumerated Factors Nor Rule Out Other Factors

United States v. 3679 Commerce Place, Inc.	12	OCAHO	1296	2017
United States v. Cawoods Produce, Inc.	12	OCAHO	1280	2016
United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12	OCAHO	1281	2016
United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12	OCAHO	1276	2016
United States v. Golden Employment Group, Inc.	12	OCAHO	1277	2016
United States v. Hair U Wear, LLC	11	OCAHO	1268	2016
United States v. Ideal Transportation Co., Inc.	12	OCAHO	1290	2016
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12	OCAHO	1286	2016
United States v. Kenneth McPeek Racing Stables, Inc.	11	OCAHO	1249	2015
United States v. Metropolitan Enterprises, Inc.	12	OCAHO	1297	2017
United States v. Muniz Concrete & Contracting, Inc.	12	OCAHO	1278	2016
United States v. Pegasus Family Restaurant, Inc.	12	OCAHO	1293	2016
United States v. PM Packaging, Inc., and PM Corporate Group, Inc., d/b/a PM Packaging	11	OCAHO	1253	2015

United States v. Safe-Air of Illinois, Inc. 12 OCAHO 1270 2016

United States v. SKZ Harvesting, Inc. 11 OCAHO 1266 2016

United States v. Solutions Group International, LLC 12 OCAHO 1288 2016

United States v. Wave Green, Inc. d/b/a Golden Farm Market 11 OCAHO 1267 2016

FINES

Statute Does Not Require That Equal Weight Be Given to Each Required Penalty Factor

Margarita Garcia Ocana v. El Dorado Stone, LLC 11 OCAHO 1244 2015

United States v. Clean Sweep Janitor Service 11 OCAHO 1226 2014

United States v. Crescent City Meat Company, Inc. 11 OCAHO 1223 2014

United States v. Romans Racing Stables, Inc. 11 OCAHO 1230 2014

United States v. Speedy Gonzalez Construction, Inc. 11 OCAHO 1243 2015

Statute Does Not Rule Out Consideration of Unenumerated Factors

Margarita Garcia Ocana v. El Dorado Stone, LLC 11 OCAHO 1244 2015

United States v. Homestead Metal Recycling Corp. 11 OCAHO 1251 2015

United States v. Liberty Packaging, Inc. 11 OCAHO 1245 2015

United States v. Mott Thoroughbred Stables, Inc. 11 OCAHO 1233 2014

United States v. Speedy Gonzalez Construction, Inc. 11 OCAHO 1243 2015

FINES

Statute Does Not Specify Factors ALJ Must Consider in Setting Penalty for Knowing Hire Violation

United States v. Muniz Concrete & Contracting, Inc. 12 OCAHO 1278 2016

Statutory Fine Factors Only for Paperwork Violations Not Knowing Hire or Continuing to Employ

United States v. Foothill Packing, Inc. 11 OCAHO 1240 2015

United States v. Jalisco's Bar and Grill, Inc. 11 OCAHO 1224 2014

Suspicion Alone is Insufficient to Aggravate Paperwork Penalty Based On Unauthorized Workers

United States v. 3679 Commerce Place, Inc. 12 OCAHO 1296 2017

United States v. Pegasus Family Restaurant, Inc. 12 OCAHO 1293 2016

FINES

Termination of Employees Does Not Sufficiently Establish the Presence of Unauthorized Aliens

United States v. Integrity Concrete, Inc. and American Concrete, Inc. 13 OCAHO 1307 2017

There Is No Sole Permissible Method for Calculating Penalties

United States v. 3679 Commerce Place, Inc. 12 OCAHO 1296 2017

United States v. Eriksmoen Cottages, Ltd. 14 OCAHO 1355a 2020

United States v. Metropolitan Enterprises, Inc. 12 OCAHO 1297 2017

United States v. Pegasus Family Restaurant, Inc. 12 OCAHO 1293 2016

United States v. Senox Corporation 11 OCAHO 1219 2014

United States v. Speedy Gonzalez Construction, Inc. 11 OCAHO 1243 2015

There Must Be Rational Relationship Between Magnitude of Offense and Penalty

United States v. Safe-Air of Illinois, Inc. 12 OCAHO 1270 2016

FINES

Under Section 1324c, ALJ Must Impose a Penalty for Each Document for Which a Violation is Found

United States v. Alma Delia Rubio-Reyes 14 OCAHO 1349a 2020

Under Section 1324c, Government's Requested Penalty May Be Adopted If It Is Reasonable

United States v. Alma Delia Rubio-Reyes 14 OCAHO 1349a 2020

Violations Evaluated on a Continuum Because Not All Violations are Equally Serious

United States v. Century Hotels Corporation, d/b/a Scottsdale Thunderbird Suites 11 OCAHO 1218 2014

Weight of Each Statutory Factor Depends on Facts of Each Case

United States v. 3679 Commerce Place, Inc.	12	OCAHO	1296	2017
United States v. Eriksmoen Cottages, Ltd.	14	OCAHO	1355a	2020
United States v. Executive Cleaning Services of Long Island, Ltd.	13	OCAHO	1314	2018
United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill	13	OCAHO	1338	2020
United States v. Golf International d/b/a Desert Canyon Golf	11	OCAHO	1222	2014
United States v. Metropolitan Enterprises, Inc.	12	OCAHO	1297	2017
United States v. Pegasus Family Restaurant, Inc.	12	OCAHO	1293	2016
United States v. Visiontron Corp.	13	OCAHO	1348	2020

FINES

Where A Paperwork Violation is Found, The Act Does Not Provide for Waiver of Penalty

United States v. Cawoods Produce, Inc.	12	OCAHO	1280	2016
United States v. Hair U Wear, LLC	11	OCAHO	1268	2016
United States v. Ideal Transportation Co., Inc.	12	OCAHO	1290	2016
United States v. Muniz Concrete & Contracting, Inc.	12	OCAHO	1278	2016

United States v. Wave Green, Inc. d/b/a Golden Farm Market 11 OCAHO 1267 2016

FORGED DOCUMENTS

Generally

United States v. Armando Alvarez-Suarez 6 OCAHO 862 1996

6 OCAHO 862 1996

United States v. Hardeep Singh 3 OCAHO 520 1993

United States v. Maria Sourovova 8 OCAHO 1020 1998

United States v. Mireya Pedraza-Guzman 5 OCAHO 792 1995

FORM I-9

A Birth Certificate is Not a Valid List B Document That Establishes Identity

United States v. Monadnock Mountain Spring Water, Inc. 10 OCAHO 1193 2013

Completion of I-9 after Notice of Inspection

United States v. Ideal Transportation Co., Inc.	12	OCAHO	1290	2016
United States v. Intelli Transport Services, Inc.	13	OCAHO	1319	2019

FORM I-9

Compliance

United States v. Benjamin P. Raygoza d/b/a Cielito Lindo Restaurant	5	OCAHO	729	1995
United States v. Burns and Intra-Continental Enterprises	5	OCAHO	768	1995
United States v. David Jenkins	5	OCAHO	743	1995
United States v. Diversified Technology and Services of Virginia, Inc.	9	OCAHO	1095	2003
United States v. DJ Drywall, Inc.	10	OCAHO	1136	2010
United States v. El Paso Hospitality, Inc.	5	OCAHO	737	1995
United States v. Giamblis Enterprises	5	OCAHO	817	1995
United States v. Hosung Cleaning Corporation d/b/a Sun Cleaner	4	OCAHO	670	1994
United States v. Jonel, Inc.	7	OCAHO	967	1997
United States v. Karnival Fashion, Inc.	5	OCAHO	769	1995
United States v. LFW Dairy Corporation	10	OCAHO	1129	2009
United States v. Mesabi Bituminous, Inc.	5	OCAHO	801	1995

United States v. New China Buffet Restaurant	10	OCAHO	1133	2010
United States v. R&M Fashion, Inc.	6	OCAHO	826	1995
United States v. Seven Elephants Distributing Corp.	10	OCAHO	1173	2013
United States v. Tri-Component Product Corporation	5	OCAHO	821	1995
United States v. Vogue Pleating, Stitching & Embroidery Corporation	5	OCAHO	782	1995
United States v. Walden Station, Inc.	8	OCAHO	1053	2000

FORM I-9

Document Abuse

Daniel DeNardo v. WH Smith USA Travel	9	OCAHO	1080	2002
Gloria Ondina-Mendez v. Sugar Creek Packing Company	9	OCAHO	1085	2002
United States v. Diversified Technology and Services of Virginia, Inc.	9	OCAHO	1095	2003

Document Fraud

United States v. Monica Zapata-Cosio	5	OCAHO	822	1995

United States v. Mourad Abu Remileh	5	OCAHO	724	1995
	5	OCAHO	724	1995

FORM I-9

Employee's Documents Are To Be Independently Verified By the Employer, Not By the Employee

United States v. International Packaging, Inc.	12	OCAHO	1275	2016
	12	OCAHO	1275	2016

Employee's Failure to Check a Box in Section 1 Attesting to Status is a Serious Violation

United States v. Hartmann Studios, Inc.	11	OCAHO	1255	2015
United States v. Horno MSJ, Ltd., Company	11	OCAHO	1247	2015
	11	OCAHO	1247	2015
United States v. Monadnock Mountain Spring Water, Inc.	10	OCAHO	1193	2013
United States v. Quickstuff, LLC, Its Member Maria Castillo, and A&C Staffing, LLC	11	OCAHO	1265	2015

Employee's Failure to Check Box Attesting to Status or Sign Section 1 is a Substantive Violation

United States v. Durable, Inc.	11	OCAHO	1229	2014
United States v. Eriksmoen Cottages, Ltd.	14	OCAHO	1355	2020
United States v. Imacuclean Cleaning Services, LLC	13	OCAHO	1327	2019
United States v. Quickstuff, LLC, Its Member Maria Castillo, and A&C Staffing, LLC	11	OCAHO	1265	2015

FORM I-9

Employer Is Permitted, But Not Required, To Copy Employee Documents Presented for Form I-9

United States v. International Packaging, Inc.	12	OCAHO	1275	2016
	12	OCAHO	1275	2016

Employer Must Attest to Examination of Section 2 Documents

United States v. Golden Employment Group, Inc.	12	OCAHO	1274	2016
United States v. Senox Corporation	11	OCAHO	1219	2014
United States v. SKZ Harvesting, Inc.	11	OCAHO	1266	2016

FORM I-9

Employer Must Complete Form I-9 Section 2 Within 3 Business Days of Employee's First Day of Work

United States v. Imacuclean Cleaning Services, LLC	13	OCAHO	1327	2019
United States v. Intelli Transport Services, Inc.	13	OCAHO	1319	2019
United States v. Visiontron Corp.	13	OCAHO	1348	2020

Employer Must Ensure Employee Completes and Signs Form I-9 Section 1 On Date of Hire

United States v. Durable, Inc.	11	OCAHO	1229	2014
United States v. Imacuclean Cleaning Services, LLC	13	OCAHO	1327	2019
United States v. Intelli Transport Services, Inc.	13	OCAHO	1319	2019
United States v. Visiontron Corp.	13	OCAHO	1348	2020

Employer Must Reverify An Employee's Expired Employment Authorization on Section 3 of Form I-9

United States v. Eriksmoen Cottages, Ltd. 14 OCAHO 1355 2020

FORM I-9

Employer Who Signs Section 2 With Electronic Signature Must Follow Applicable Regulations

United States v. Agri-Systems d/b/a ASI Industrial 12 OCAHO 1301 2017

Employer's Completion of Section 3 In Lieu of Section 2 Constitutes Substantive Violation

United States v. Durable, Inc. 11 OCAHO 1229 2014

Employer's Failure to Ensure Employee Properly Completes Form I-9 Section 1 is Serious Violation

United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill 13 OCAHO 1338 2020

United States v. Quickstuff, LLC, Its Member Maria Castillo, and A&C Staffing, LLC 11 OCAHO 1265 2015

Employer's Failure to Sign Form I-9 Section 2 Is A Very Serious Violation

United States v. Executive Cleaning Services of Long Island, Ltd.	13	OCAHO	1314	2018
United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill	13	OCAHO	1338	2020
United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12	OCAHO	1276	2016
United States v. Hartmann Studios, Inc.	11	OCAHO	1255	2015
United States v. Imacuclean Cleaning Services, LLC	13	OCAHO	1327	2019
United States v. Pegasus Family Restaurant, Inc.	12	OCAHO	1293	2016
United States v. SKZ Harvesting, Inc.	11	OCAHO	1266	2016

FORM I-9

Employers Must Prepare and Retain Forms I-9 for Employees Hired After November 6, 1986

United States v. Eriksmoen Cottages, Ltd.	14	OCAHO	1355	2020
United States v. Imacuclean Cleaning Services, LLC	13	OCAHO	1327	2019

Employers Not At Liberty to Create Own Alternative Employment Eligibility Verification Systems

United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167) 11 OCAHO 1258 2015

United States v. Ideal Transportation Co., Inc. 12 OCAHO 1290 2016

FORM I-9

Failure to Attest to Examination of Section 2 Documents is Serious Substantive Violation

United States v. Senox Corporation 11 OCAHO 1219 2014

Failure to Complete and Sign Section 2 of Form I-9 Is Both Substantive and Serious Violation

United States v. Hartmann Studios, Inc. 11 OCAHO 1255 2015

Failure to Complete I-9 Within Three Business Days is Serious Violation

United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167) 11 OCAHO 1258 2015

United States v. Imacuclean Cleaning Services, LLC 13 OCAHO 1327 2019

United States v. Intelli Transport Services, Inc. 13 OCAHO 1319 2019

United States v. Visiontron Corp. 13 OCAHO 1348 2020

FORM I-9

Failure to Complete or Sign Form I-9 Section 2 Employer Verification Constitutes Substantive Violation

United States v. Durable, Inc. 11 OCAHO 1229 2014

Failure to Ensure Employee Checks Box Attesting to Immigration Status is Serious Violation

United States v. Executive Cleaning Services of Long Island, Ltd. 13 OCAHO 1314 2018

United States v. Pegasus Family Restaurant, Inc. 12 OCAHO 1293 2016

Failure to Ensure Employee Enters Alien Number in Section 1 Constitutes Serious Violation

United States v. Durable, Inc. 11 OCAHO 1229 2014

United States v. Hartmann Studios, Inc. 11 OCAHO 1255 2015

United States v. Horno MSJ, Ltd., Company 11 OCAHO 1247 2015

United States v. Horno MSJ, Ltd., Company 11 OCAHO 1247 2015

FORM I-9

Failure to Ensure Employee Signs Form I-9 Section 1 Is A Serious Violation

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 2016

United States v. Hartmann Studios, Inc. 11 OCAHO 1255 2015

United States v. Imacuclean Cleaning Services, LLC 13 OCAHO 1327 2019

United States v. Pegasus Family Restaurant, Inc. 12 OCAHO 1293 2016

Failure to Ensure Employee Timely Completes Section 1 Constitutes Serious Violation

United States v. Durable, Inc. 11 OCAHO 1229 2014

Failure to Enter Required Document Information in Section 2 Constitutes Serious Violation

United States v. Durable, Inc. 11 OCAHO 1229 2014

FORM I-9

Failure to Identify Issuing Authority In Form I-9 Section 2 Is A Serious Violation

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12	OCAHO	1276	2016

Failure to Prepare Form I-9 Among Most Serious Paperwork Violations

United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167)	11	OCAHO	1258	2015
United States v. Imacuclean Cleaning Services, LLC	13	OCAHO	1327	2019
United States v. Muniz Concrete & Contracting, Inc.	12	OCAHO	1278	2016
United States v. Visiontron Corp.	13	OCAHO	1348	2020

Failure to Prepare Form I-9 Subverts the Purpose of the Employment Verification Requirements

United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167)	11	OCAHO	1258	2015
United States v. Integrity Concrete, Inc. and American Concrete, Inc.	13	OCAHO	1307	2017

United States v. Psychosomatic Fitness LLC 14 OCAHO 1387a 2021

FORM I-9

Failure to Prepare I-9 More Serious Than Paperwork Violations

United States v. Psychosomatic Fitness LLC 14 OCAHO 1387a 2021

Failure to Present a Form I-9 Is A Substantive Violation

United States v. Eriksmoen Cottages, Ltd. 14 OCAHO 1355 2020

Failure to Present Forms I-9 Within Three Days of Government's Request

United States v. Eriksmoen Cottages, Ltd. 14 OCAHO 1355 2020

Failure to Print Employer Representative's Name in Section 2 May Be Substantive Violation

United States v. Agri-Systems d/b/a ASI Industrial 12 OCAHO 1301 2017

United States v. Imacuclean Cleaning Services, LLC 13 OCAHO 1327 2019

FORM I-9

Failure to Properly Complete Section 2 of the Form I-9 is a Serious Violation

United States v. Durable, Inc. 11 OCAHO 1229 2014

Failure to Reverify Employment Authorization Document Before Expiration Date Constitutes Violation

United States v. Eriksmoen Cottages, Ltd. 14 OCAHO 1355 2020

United States v. Hartmann Studios, Inc. 11 OCAHO 1255 2015

United States v. Niche, Inc. 11 OCAHO 1250 2015

Failure to Timely Prepare Form I-9 Is A Serious Violation

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 2016

United States v. Visiontron Corp. 13 OCAHO 1348 2020

FORM I-9

Failure to Timely Submit Forms I-9 to ICE Cannot be Corrected Through Good Faith Exception

United States v. Eriksmoen Cottages, Ltd. 14 OCAHO 1355 2020

Form I-9 Timely Prepared If Section 1 Completed at Hire and Section 2 Within Three Days of Hire

United States v. Cawoods Produce, Inc. 12 OCAHO 1280 2016

United States v. Intelli Transport Services, Inc. 13 OCAHO 1319 2019

United States v. Muniz Concrete & Contracting, Inc. 12 OCAHO 1278 2016

United States v. Senox Corporation 11 OCAHO 1219 2014

United States v. Speedy Gonzalez Construction, Inc. 11 OCAHO 1228 2014

United States v. St. Croix Personnel Services, Inc. 12 OCAHO 1289 2016

Generally

United States v. Alberta Sosa, Inc.	6	OCAHO	831	1996
United States v. David Segura-Sataray	4	OCAHO	703	1994
United States v. Davis Nursery, Inc.	4	OCAHO	694	1994
United States v. GRS, Inc. d/b/a Gasket Engineering	4	OCAHO	627	1994
United States v. H&H Saguaro Specialists	10	OCAHO	1147	2012
	10	OCAHO	1147	2012
United States v. Harran Transportation Company, Inc.	6	OCAHO	857	1996
United States v. Leticia Cruz-Mandoza	5	OCAHO	750	1995
United States v. LFW Dairy Corporation	10	OCAHO	1129	2009
United States v. Maria Teresa De Jesus Morales-Martinez	5	OCAHO	727	1995
	5	OCAHO	727	1995
United States v. Northern Michigan Fruit Company	4	OCAHO	667	1994
United States v. Ricardo Calderon, Inc.	6	OCAHO	832	1996
	6	OCAHO	832	1996
United States v. Simon Osagie Iyawe	5	OCAHO	744	1995

I-9 Retention Required for 3 Years After Hire or 1 Year After Termination, Whichever Is Later

United States v. Intelli Transport Services, Inc. 13 OCAHO 1319 2019

United States v. Lazy Days South, Inc. 13 OCAHO 1322 2020

United States v. Metropolitan Enterprises, Inc. 12 OCAHO 1297 2017

United States v. Visiontron Corp. 13 OCAHO 1348 2020

FORM I-9

I-9 Section 3 To Be Used Only for Reverification After Section 2 is Properly Completed At Hire

United States v. Durable, Inc. 11 OCAHO 1231 2014

Merely Pre-Printing or Typing Company Name in Section 2 Is Not the Equivalent of a Signature

United States v. Agri-Systems d/b/a ASI Industrial 12 OCAHO 1301 2017

No Substitute for Proper Completion of Form I-9

United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167) 11 OCAHO 1258 2015

United States v. Ideal Transportation Co., Inc. 12 OCAHO 1290 2016

FORM I-9

Paperwork Violation Involving Failure to Complete Section 1 or 2 Continues Until Corrected

United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill 13 OCAHO 1338 2020

Retention Requirement for Former Employees

United States v. March Construction, Inc. 10 OCAHO 1158 2012

United States v. Metropolitan Enterprises, Inc. 12 OCAHO 1297 2017

Submission of Form I-9 Completed After Service of NOI Does Not Cure Failure to Timely Prepare

United States v. Ideal Transportation Co., Inc. 12 OCAHO 1290 2016

FORM I-9

The Longer the Delay In Preparing a Form I-9, The More Serious the Violation

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12	OCAHO	1276	2016
United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167)	11	OCAHO	1258	2015
United States v. Intelli Transport Services, Inc.	13	OCAHO	1319	2019
United States v. Muniz Concrete & Contracting, Inc.	12	OCAHO	1278	2016

Use of Section 3 of Form I-9 Only Proper If Employee Is Rehired or Work Authorization Expires

United States v. Durable, Inc.	11	OCAHO	1231	2014

FOURTH AMENDMENT

Consent

United States v. David Jenkins	5	OCAHO	743	1995

FOURTH AMENDMENT

Exclusionary Rule

United States v. David Jenkins 5 OCAHO 743 1995

Generally

United States v. C&K Metals, Inc. a/k/a Leach Cast & Steel, Inc. 6 OCAHO 845 1996

United States v. David Jenkins 5 OCAHO 743 1995

FRONT PAY

Award of Front Pay Cannot Be Unduly Speculative

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP 13 OCAHO 1332j 2021

Definition

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP 13 OCAHO 1332j 2021

FRONT PAY

Practical Considerations in Awarding Front Pay

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP 13 OCAHO 1332j 2021

Professional Relationship Between Parties Relevant to Determining Reinstatement and Front Pay

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP 13 OCAHO 1332j 2021

GOOD CAUSE

ALJ Can Apply Relevant Circuit Court Test to Determine Good Cause for Setting Aside Default

United States v. AMA Repiping, LLC 15 OCAHO 1391 2021

United States v. Popo's Bar and Restaurant 15 OCAHO 1398 2021

ALJ May Issue Protective Order Upon Showing of Good Cause

Ana Maria Ravines de Schur v. Easter Seals-Goodwill Northern Rocky Mountain, Inc.	15	OCAHO	1388c	2021
United States v. Facebook, Inc.	14	OCAHO	1386a	2021
	14	OCAHO	1386d	2021
	14	OCAHO	1386c	2021

GOOD CAUSE

Definition

Dave O'Brian Tingling v. City of Richmond, VA	13	OCAHO	1324c	2021
United States v. AMA Repiping, LLC	15	OCAHO	1391	2021

Factors Considered in Good Cause Analysis

United States v. AMA Repiping, LLC	15	OCAHO	1391	2021

Generally

Kevin Raffay v. Western Digital	10	OCAHO	1159	2012
United States v. David Ley Salido d/b/a David Ley Salido Rockwall Subcontractor	1	OCAHO	81	1989
United States v. Lee Moyle, Owner d/b/a Moyle Mink Farm	1	OCAHO	187	1990
United States v. Michael's Greek Village, Limited and Michael Lotsis, Jointly and Severally	1	OCAHO	86	1989
United States v. Nu Line Fashions, Inc.	1	OCAHO	147	1990
United States v. Shine Auto Service	1	OCAHO	94	1989
United States v. YES Industries d/b/a Soft Touch Carwash	1	OCAHO	35	1988
United States v. Zeferino Castillo, Individually	3	OCAHO	505	1993

GOOD CAUSE

Good Cause for Failure to File a Timely Answer

United States v. Popo's Bar and Restaurant	15	OCAHO	1398	2021
United States v. Treescapes, Inc.	15	OCAHO	1389	2021

Party Moving for Extension of Time Has Burden of Showing Good Cause

A.S. v. Amazon Web Services, Inc. 14 OCAHO 1381f 1

Dave O'Brian Tingling v. City of Richmond, VA 13 OCAHO 1324c 2021

GOOD CAUSE

Party Seeking Protective Order Has Burden of Showing Good Cause

United States v. Facebook, Inc. 14 OCAHO 1386a 2021

14 OCAHO 1386c 2021

Party Seeking to File Supplemental Response Must Demonstrate Good Cause

Ravi Sharma v. Lattice Semiconductor 14 OCAHO 1362 2021

Protective Order(s)

United States v. Facebook, Inc. 14 OCAHO 1386a 2021

14 OCAHO 1386d 2021

GOOD CAUSE

Showing of Good Cause Generally Requires Showing of Diligence or Changed Circumstances

Dave O'Brian Tingling v. City of Richmond, VA 13 OCAHO 1324c 2021

Showing of Good Cause Must Be Based on Particular and Specific Demonstration of Fact

Ana Maria Ravines de Schur v. Easter Seals-Goodwill Northern Rocky Mountain, Inc. 15 OCAHO 1388c 2021

United States v. Facebook, Inc. 14 OCAHO 1386a 2021

14 OCAHO 1386d 2021

Showing of Good Cause Required for Extension of Time

A.S. v. Amazon Web Services, Inc. 14 OCAHO 1381f 1

A.S. v. Amazon WebServices, Inc. 14 OCAHO 1381i 2021

Dave O'Brian Tingling v. City of Richmond, VA 13 OCAHO 1324c 2021

GOOD CAUSE

Vague Justification Insufficient to Demonstrate Good Cause for Protective Order

United States v. Facebook, Inc. 14 OCAHO 1386c 2021

GOOD FAITH

Absence of Bad Faith Does Not Necessarily Show Good Faith

United States v. Visiontron Corp. 13 OCAHO 1348 2020

Absence of Good Faith Shown Where Employer Enters False Hire Dates on Multiple 1-9 Forms

United States v. Durable, Inc. 11 OCAHO 1229 2014

Absence of Good Faith Where Employer Fails to Ascertain and Conform Conduct to Legal Obligations

United States v. Durable, Inc. 11 OCAHO 1229 2014

GOOD FAITH

Bad Faith Requires a Showing of Culpable Conduct Beyond Respondent's Verification Failures

United States v. Imacuclean Cleaning Services, LLC 13 OCAHO 1327 2019

United States v. Integrity Concrete, Inc. and American Concrete, Inc. 13 OCAHO 1307 2017

United States v. Visiontron Corp. 13 OCAHO 1348 2020

Certification(s)

Production

United States v. Allen Holdings, Inc. 9 OCAHO 1059 2000

Culpable Conduct Can Be Shown by Evidence that Employer Tried to Mislead Government

Margarita Garcia Ocana v. El Dorado Stone, LLC 11 OCAHO 1244 2015

United States v. Liberty Packaging, Inc. 11 OCAHO 1245 2015

GOOD FAITH

Deliberate Falsification of Information in Section 2 of Form I-9 Does Not Indicate Good Faith

Margarita Garcia Ocana v. El Dorado Stone, LLC 11 OCAHO 1244 2015

United States v. Liberty Packaging, Inc. 11 OCAHO 1245 2015

Evidence of Backdating Does Not Alone Warrant a Finding of Bad Faith

United States v. Imacuclean Cleaning Services, LLC 13 OCAHO 1327 2019

United States v. Integrity Concrete, Inc. and American Concrete, Inc. 13 OCAHO 1307 2017

United States v. Visiontron Corp. 13 OCAHO 1348 2020

Failure to Conform Practices to Law After Previous Violations May Constitute Lack of Good Faith

United States v. Durable, Inc. 11 OCAHO 1231 2014

GOOD FAITH

Failure to Cooperate With ICE's Investigation Can Constitute Culpable Conduct

Margarita Garcia Ocana v. El Dorado Stone, LLC 11 OCAHO 1244 2015

United States v. Liberty Packaging, Inc. 11 OCAHO 1245 2015

Failure to Use E-Verify System as Mandated by State Law Does Not Warrant Finding of Bad Faith

United States v. Psychosomatic Fitness LLC 14 OCAHO 1387a 2021

Failure to Use Voluntary E-Verify System Creates No Inference of Good or Bad Faith

United States v. Integrity Concrete, Inc. and American Concrete, Inc. 13 OCAHO 1307 2017

Generally

United States v. Alberta Sosa, Inc.	6	OCAHO	831	1996
United States v. Continental Sports Corporation	5	OCAHO	799	1995
	5	OCAHO	799	1995
United States v. De Luca's Market	8	OCAHO	1039	1999
United States v. Fairfield Jersey, Inc.	9	OCAHO	1072	2001
United States v. Four Star Knitting, Inc.	6	OCAHO	868	1996
United States v. Great Bend Packing Company	6	OCAHO	835	1996
United States v. Hudson Delivery Service, Inc. d/b/a Home Delivery Service	7	OCAHO	945	1997
United States v. Kerry J. Vicker d/b/a SNB Cleaning	5	OCAHO	819	1995
United States v. LFW Dairy Corporation	10	OCAHO	1129	2009
United States v. Mark Steven Carter d/b/a Dixie industrial Service Company	6	OCAHO	865	1996
United States v. Mesabi Bituminous, Inc.	5	OCAHO	801	1995
United States v. Monroe Novelty Co., Inc. d/b/a Monroe Novelties Corporation	7	OCAHO	986	1998
United States v. Pegasus Restaurant, Inc.	10	OCAHO	1143	2012
United States v. Ricardo Calderon, Inc.	6	OCAHO	832	1996

United States v. Ricardo Calderon, Inc.	6	OCAHO	832	1996
United States v. Skydive Academy of Hawaii Corporation d/b/a Skydive Hawaii	6	OCAHO	848	1996
United States v. Sunshine Building Maintenance, Inc.	7	OCAHO	997	1998
United States v. Tri-Component Product Corporation	6	OCAHO	853	1996

GOOD FAITH

Good Faith Affirmative Defense Only Available for Technical/Procedural Violations

United States v. Employer Solutions Staffing Group II, LLC	11	OCAHO	1242	2015
United States v. International Packaging, Inc.	12	OCAHO	1275	2016
	12	OCAHO	1275	2016

Good Faith Assessment Looks Primarily at Steps Employer Took Before Notice of Inspection

United States v. 3679 Commerce Place, Inc.	12	OCAHO	1296	2017
United States v. Eriksmoen Cottages, Ltd.	14	OCAHO	1355a	2020
United States v. Executive Cleaning Services of Long Island, Ltd.	13	OCAHO	1314	2018

United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill	13	OCAHO	1338	2020
United States v. Imacuclean Cleaning Services, LLC	13	OCAHO	1327	2019
United States v. Integrity Concrete, Inc. and American Concrete, Inc.	13	OCAHO	1307	2017
United States v. Intelli Transport Services, Inc.	13	OCAHO	1319	2019
United States v. Pegasus Family Restaurant, Inc.	12	OCAHO	1293	2016
United States v. Visiontron Corp.	13	OCAHO	1348	2020

GOOD FAITH

Good Faith Factor Focuses on Compliance With Section 1324a Obligations

United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021

Good Faith Shown When Employer Makes Effort to Ascertain and Conform to its Legal Obligations

United States v. M & D Masonry, Inc.	10	OCAHO	1211	2014

Good Faith Standard has Subjective Components

United States v. Employer Solutions Staffing Group II, LLC 11 OCAHO 1242 2015

GOOD FAITH

High Compliance Rate May Be Evidence of Good Faith

United States v. Eriksmoen Cottages, Ltd. 14 OCAHO 1355a 2020

It Is Not Objectively Reasonable to Knowingly Create False Attestations in Section 2 of Form I-9

United States v. Employer Solutions Staffing Group II, LLC 11 OCAHO 1242 2015

No Error in Finding That Pre-signing I-9 Forms in Batches Is Not Consistent with Good Faith

United States v. M & D Masonry 10 OCAHO 1215 2014

Poor Rate of Compliance Without Showing Culpable Conduct Insufficient to Prove Lack of Good Faith

United States v. Pegasus Family Restaurant, Inc. 12 OCAHO 1293 2016

United States v. Psychosomatic Fitness LLC 14 OCAHO 1387a 2021

GOOD FAITH

Requires Assessment of Whether Employer Honestly Exercised Reasonable Care and Diligence

United States v. Employer Solutions Staffing Group II, LLC 11 OCAHO 1242 2015

United States v. Visiontron Corp. 13 OCAHO 1348 2020

GOOD FAITH DEFENSE

Defense Only Available for Technical or Procedural - Not Substantive - Violations

United States v. Dr. Robert Schaus, D.D.S. 11 OCAHO 1239 2014

United States v. Eriksmoen Cottages, Ltd. 14 OCAHO 1355 2020

United States v. International Packaging, Inc. 12 OCAHO 1275 2016

12 OCAHO 1275 2016

Good Faith Affirmative Defense Only Available for Technical/Procedural Violations

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 2016

GOOD FAITH DEFENSE

Good faith defense at 8 U.S.C. 1324a(a)(3) applies only to knowing hire violations

United States v. Lazy Days South, Inc. 13 OCAHO 1322 2020

Good faith defense at 8 U.S.C. 1324a(b)(6)(A) only available for technical/procedural violation

United States v. Lazy Days South, Inc. 13 OCAHO 1322 2020

Good Faith Defense at 8 U.S.C. 1324a(b)(6)(A) Only Available for Technical/Procedural Violations

United States v. Cawoods Produce, Inc. 12 OCAHO 1280 2016

United States v. Eriksmoen Cottages, Ltd. 14 OCAHO 1355 2020

United States v. Golf International d/b/a Desert Canyon Golf	10	OCAHO	1214	2014
United States v. Horno MSJ, Ltd., Company	11	OCAHO	1247	2015
	11	OCAHO	1247	2015
United States v. International Packaging, Inc.	12	OCAHO	1275	2016
	12	OCAHO	1275	2016

GOOD FAITH DEFENSE

Good Faith Defense At 8 U.S.C.1324a(a)(3) Applies Only to Knowing Hire Violations

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12	OCAHO	1276	2016

Good Faith Defense Does Not Apply to Substantive Violations

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12	OCAHO	1276	2016
United States v. International Packaging, Inc.	12	OCAHO	1275	2016
	12	OCAHO	1275	2016
United States v. PM Packaging, Inc., and PM Corporate Group, Inc., d/b/a PM Packaging	11	OCAHO	1253	2015

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Abdul Hamid Kadir v. Regal Dental Ceramics	4	OCAHO	598	1994
Adolfo Cruz Deguzman v. First America Bank Corporation	3	OCAHO	585	1993
Troncoso v. Ferlin Service Industries	1	OCAHO	110	1989
United States v. Jonel, Inc.	8	OCAHO	1008	1998
United States v. Mitchell Greif, President, Coast Poly, LLC	10	OCAHO	1177	2013
United States v. Mojave, Inc. d/b/a Casa Jose Café, a Texas Corporation	3	OCAHO	473	1992

Bifurcation

Hernandez v. Farley Candy Company	5	OCAHO	781	1995

Consolidation

Elodia Guzman v. Yakima Fruit & Cold Storage 9 OCAHO 1063 2000

HEARING(S)

Evidence

Juan Manuel Alamprese v. MNSH, Inc. 9 OCAHO 1094 2003

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Abdul Hamid Kadir v. Regal Dental Ceramics 4 OCAHO 598 1994

Adnan Niaz Mir v. Federal Bureau of Prisons 3 OCAHO 577 1993

Ironsi C. Ndusorouwa v. Prepared Foods, Inc. 1 OCAHO 192 1990

Hearing Vacated Because of Nonappearance At Final Prehearing Conference

Dave O'Brian Tingling v. City of Richmond, VA 13 OCAHO 1324e 2021

HEARING(S)

Hearings Under 8 U.S.C. Section 1324b Are Conducted by ALJs

A.S. v. Amazon Web Services, Inc.	14	OCAHO	1381c	2021

Jury Trial

A.S. v. Amazon Web Services, Inc.	14	OCAHO	1381c	2021
United States v. Rosario Strano and Vito Strano d/b/a Strano Farms	4	OCAHO	623	1994

Permissive Joinder

Linda S. Walker v. United Airlines, Inc.	4	OCAHO	686	1994

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Juan Manuel Alamprese v. MNSH, Inc.	9	OCAHO	1094	2003

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Alberto Izquierdo v. Victoria Nursing & Rehabilitation Center	10	OCAHO	1131	2009
Michael K. Lee v. Airtouch Communications	6	OCAHO	888	1996

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United States v. Esther Flores-Martinez	4	OCAHO	647	1994
	4	OCAHO	698	1994
United States v. Kanon Associated Services, Inc.	5	OCAHO	800	1995
United States v. R&M Fashion, Inc.	6	OCAHO	826	1995

Waiver of Evidentiary Hearing

Ironsi C. Ndusorouwa v. Prepared Foods, Inc. 1 OCAHO 192 1990

United States v. Marcos Iniguez-Casillas 8 OCAHO 1001 1998

HEARSAY EVIDENCE

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United States v. David Jenkins 5 OCAHO 743 1995

United States v. Mohammed Noorealam 5 OCAHO 753 1995

United States v. Sunshine Building Maintenance, Inc. 7 OCAHO 997 1998

Hearsay Is Freely Admissible in Administrative Proceeding if Probative and Reliable

United States v. Jalisco's Bar and Grill, Inc. 11 OCAHO 1224 2014

United States v. Jula888, LLC d/b/a Para Tacos La Chilanga 12 OCAHO 1286 2016

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Celia Simon v. Ingram Micro, Inc.	9	OCAHO	1088	2003
United States v. China Wok Restaurant, Inc., a Nebraska Corporation	4	OCAHO	608	1994
United States v. Snack Attack Deli, Inc.	10	OCAHO	1137	2010

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Definition

Sanchez v. Leobardo and Carmen Ocanas d/b/a Leo Ocanas Farm	9	OCAHO	1115	2005
United States v. David Jenkins	4	OCAHO	649	1994

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United States v. Riverboat Delta King, Inc.	5	OCAHO	738	1995
United States v. Task Force Security, Inc. d/b/a Task Force Security and Investigations	4	OCAHO	625	1994
United States v. Williams Produce, Inc.	5	OCAHO	730	1995

Compliance with Employer Sanctions

Technical or Procedural Verification Failures

United States v. Forsch Polymer Corporation 10 OCAHO 1156 2012

United States v. WSC Plumbing, Inc. 9 OCAHO 1071 2001

IMMIGRATION AND NATURALIZATION SERVICE/IMMIGRATION AND CUSTOMS ENFORCEMENT

Confidential Informant(s)

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DHS Has Prosecutorial Discretion to Decide How to Perform Worksite Enforcement Audits

United States v. Cawoods Produce, Inc. 12 OCAHO 1280 2016

United States v. Muniz Concrete & Contracting, Inc. 12 OCAHO 1278 2016

DHS Has Prosecutorial Discretion to Decide Whether to Issue Notice of Intent to Fine

United States v. Muniz Concrete & Contracting, Inc. 12 OCAHO 1278 2016

IMMIGRATION AND NATURALIZATION SERVICE/IMMIGRATION AND CUSTOMS ENFORCEMENT

Enforcement Priorities Are Within DHS Discretion Unless Prosecution is Based on Improper Grounds

United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill	13	OCAHO	1338	2020

Fifth Amendment

United States v. David Jenkins	4	OCAHO	649	1994

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United States v. American Terrazzo Corporation d/b/a John Delallo Foods	6	OCAHO	828	1995
	6	OCAHO	828	1995
United States v. Earl & Beverly McDougal d/b/a Grand Tradition	4	OCAHO	687	1994
United States v. Galilee Fashions, Inc.	4	OCAHO	697	1994
United States v. Italy Department Store, Inc.	6	OCAHO	847	1996

IMMIGRATION AND NATURALIZATION SERVICE/IMMIGRATION AND CUSTOMS ENFORCEMENT

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United States v. Diversified Technology and Services of Virginia, Inc. 9 OCAHO 1095 2003

ICE Does Not File a Charge With IER Before Filing a Complaint Under Section 1324a

United States v. HRK Investments, Inc. 13 OCAHO 1318 2019

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United States v. David Jenkins 4 OCAHO 649 1994

Presumption That Prosecution Is Undertaken in Good Faith And In a Non-Discriminatory Manner

United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill 13 OCAHO 1338 2020

IMMIGRATION AND NATURALIZATION SERVICE/IMMIGRATION AND CUSTOMS ENFORCEMENT

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United States v. La Parisienne Bakery, LLC	15	OCAHO	1390a	2021

Recruitment

Technical or Procedural Verification Failures

United States v. Paula Schwartz d/b/a Metroplex Maid and Placement Service	5	OCAHO	760	1995
	5	OCAHO	760	1995

IMMUNITY

Recruitment

Qais Ibrahim Alhameed v. Grand Traverse Resort and Casinos	10	OCAHO	1126	2008

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United States v. Maria Elizondo Garza d/b/a Garza Farm Labor 4 OCAHO 644 1994

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United States v. Maria Elizondo Garza d/b/a Garza Farm Labor 4 OCAHO 644 1994

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In re Investigation of Wal-Mart Distribution Center, Subpoena 5 OCAHO 788 1995

United States v. Robison Fruit Ranch, Inc. 4 OCAHO 594 1994

Investigations on OSC/IER's Own Initiative May Occur Where There Is No Underlying Charge

In re Investigation of: Space Exploration, Technologies Corp. d/b/a Space X 14 OCAHO 1378 2020

Investigations on OSC's Own Initiative May Occur Where There Is No Underlying Charge

In re Investigation of: Space Exploration, Technologies Corp. d/b/a Space X	14	OCAHO	1378	2020

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United States v. 4431, Inc. t/a Candlelight Inn	4	OCAHO	611	1994
United States v. Davis Nursery, Inc.	4	OCAHO	694	1994
United States v. Italy Department Store, Inc.	6	OCAHO	847	1996
United States v. LFW Dairy Corporation	10	OCAHO	1129	2009

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United States v. Bayley's Quality Seafoods, Inc.	1	OCAHO	238	1990
United States v. Big Bear Market	1	OCAHO	48	1989
United States v. Citizens Utilities Company, Inc., Telephone Division	1	OCAHO	161	1990
United States v. Gauriel Vanounou d/b/a Surf's Up Custom T-Shirts	1	OCAHO	54	1989

United States v. Land Coast Insulation, Inc. 2 OCAHO 379 1991

United States v. Nevada Lifestyles, Inc. d/b/a Commercial Drapery Cleaners 3 OCAHO 463 1992

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United States v. Southwest Marine Corporation, a California Corporation 2 OCAHO 400 1989

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Appeal of Interlocutory Order Construed as Motion for Reconsideration

Alvin J. Green, III v. All Desert Appliances d/b/a ADA Repair, Inc. 14 OCAHO 1370a 2020

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	1	OCAHO	63	1989
United States v. Lea's Party Rentals, Inc.	1	OCAHO	124	1990
United States v. Mushtaq Admed Chaudhry	3	OCAHO	576	1993
United States v. Paula Schwartz d/b/a Metroplex Maid and Placement Service	5	OCAHO	760	1995
	5	OCAHO	760	1995
United States v. Pedro Dominguez	6	OCAHO	876	1996
	6	OCAHO	876	1996
	6	OCAHO	876	1996
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A.S. v. Amazon WebServices, Inc. 14 OCAHO 1381e 2021

14 OCAHO 1381b 2021

Alvin J. Green, III v. All Desert Appliances d/b/a ADA Repair, Inc. 14 OCAHO 1370a 2020

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc. 14 OCAHO 1370b 2021

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OCAHO ALJs May Consider Substantive Motions to Reconsider Interlocutory Orders

A.S. v. Amazon WebServices, Inc. 14 OCAHO 1381b 2021

Alvin J. Green, III v. All Desert Appliances d/b/a ADA Repair, Inc. 14 OCAHO 1370a 2020

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc. 14 OCAHO 1370b 2021

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Alvin J. Green, III v. All Desert Appliances d/b/a ADA Repair, Inc.	14	OCAHO	1370a	2020
Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc.	14	OCAHO	1370b	2021

Review

United States v. Lazy Days South, Inc.	13	OCAHO	1322	2020
United States v. Split Rail Fence Company, Inc.	10	OCAHO	1181	2013

Standard of Review for Reconsideration of Interlocutory Order is "As Justice Requires"

A.S. v. Amazon WebServices, Inc.	14	OCAHO	1381b	2021

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Interpreter Provided for Prehearing Conference

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A.S. v. Amazon WebServices, Inc. 14 OCAHO 1381g 2021

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Self-identifying As A Limited English Proficient Person

A.S. v. Amazon WebServices, Inc. 14 OCAHO 1381g 2021

INTERROGATORIES

Contention Interrogatories Are a Permissible Tool of Discovery

United States v. Durable, Inc. 11 OCAHO 1221 2014

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Jorge Pugliese v. Auto-Grafica Corporation 5 OCAHO 820 1995

Individual Capacity

Mr. Doron Tal v. M. L. Energia, Inc. 4 OCAHO 639 1994

INTERROGATORIES

OCAHO's Rules Do Not Permit a Party to Propound Interrogatories Upon a Non-Party

Robert Heath v. ConsultAdd and an Anonymous Employer 15 OCAHO 1395 2021

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Jose Proto Alcaraz v. General Motors Corporation 7 OCAHO 962 1997

Subpoenas Cannot Compel Responses to Interrogatories

Robert Heath v. ConsultAdd and an Anonymous Employer 15 OCAHO 1395 2021

Sufficiency of Response

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Iron Workers Local 455 v. Lake Construction & Development Corporation	6	OCAHO	911	1997

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	5	OCAHO	810	1995
Joan A. Lardy v. United Airlines, Inc.	6	OCAHO	843	1996

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United States v. Abel Galvez-Malgarejo	4	OCAHO	684	1994
United States v. Carlos Antonio Aquino	5	OCAHO	818	1995
United States v. Green Plaza, Inc.	4	OCAHO	618	1994
United States v. Hotel Valet, Inc. d/b/a New York Valet	6	OCAHO	849	1996
United States v. Moses Sportswear, Inc.	6	OCAHO	841	1996
United States v. Rodeo Night Club	5	OCAHO	812	1995
United States v. Spartan Brands, Inc. a/k/a Longwood Manufacturing, Inc.	5	OCAHO	749	1995
United States v. U.S. Style, Inc.	6	OCAHO	827	1995
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United States v. Chums Corporation	6	OCAHO	842	1996
United States v. El Dorado Furniture Manufacturing, Inc. d/b/a El Dorado Furniture Manufacturer, Inc.	3	OCAHO	417	1992
United States v. Exim, Inc. and Jaime Monardes, Individually	3	OCAHO	591	1993
United States v. Feliciano Leon-Gutierrez	6	OCAHO	875	1996
United States v. General Dynamics	3	OCAHO	517	1993
United States v. Gloria Fashions, Inc.	6	OCAHO	839	1996
	6	OCAHO	839	1996
United States v. Harran Transportation Company, Inc.	6	OCAHO	857	1996
United States v. Hyatt Regency Lake Tahoe	6	OCAHO	861	1996
United States v. Johnny Ng Lim and Christina Lim Go d/b/a The New Orient	3	OCAHO	499	1993
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United States v. Jim Bailey and Charles Fristoe d/b/a B & F Golf Services, Inc.	6	OCAHO	851	1996

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	6	OCAHO	833	1996
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United States v. Lambok Sihombing	7	OCAHO	944	1997
United States v. Leonor Yolanda Ortiz	6	OCAHO	863	1996
	6	OCAHO	905	1996
United States v. Marisol Chavez-Ramirez	5	OCAHO	774	1995
United States v. Martin Palominos-Talavera	6	OCAHO	896	1996
United States v. Nicolas Tinoco-Medina	6	OCAHO	890	1996
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	5	OCAHO	760	1995
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United States v. Dodge Printing Centers, Inc.	1	OCAHO	159	1990

Virtue Memorandum Is Entitled to Skidmore Deference

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Virtue Memorandum Not Entitled to Chevron Deference

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Zaji Obatala Zajradhara v. Donghui Kengxindun Corporation d/b/a Kengxindun Apartment Rental	14	OCAHO	1382	2020

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	7	OCAHO	933	1997
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United States v. Facebook, Inc.	14	OCAHO	1386d	2021

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A.S. v. Amazon WebServices, Inc.	14	OCAHO	1381g	2021

Motion for Leave of Court to File Supplemental Response

Ravi Sharma v. Lattice Semiconductor	14	OCAHO	1362	2021
Robert Heath v. ASTA CRS, Inc.	14	OCAHO	1385b	2021

MOTION(S)

Motion for Prehearing Conference

A.S. v. Amazon WebServices, Inc. 14 OCAHO 1381i 2021

Motion for Restraining Order

Ana Maria Ravines de Schur v. Easter Seals-Goodwill Northern Rocky Mountain, Inc. 15 OCAHO 1388c 2021

Motion for Restraining Order Against Opposing Counsel

Ana Maria Ravines de Schur v. Easter Seals-Goodwill Northern Rocky Mountain, Inc. 15 OCAHO 1388c 2021

Motion for Stay of Enforcement of Agency Order

United States v. Frimmel Management, LLC 12 OCAHO 1271 2017

United States v. Frimmel Management, LLC d/b/a Uncle Sam's	13	OCAHO	1271	2019
	12	OCAHO	1271	2016
	12	OCAHO	1271	2016
	12	OCAHO	1271	2016
United States v. Frimmel Management, LLS	12	OCAHO	1271	2016

MOTION(S)

Motion for Summary Decision

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc.	14	OCAHO	1370b	2021
Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021
United States v. Alma Delia Rubio-Reyes	14	OCAHO	1349a	2020
United States v. Lazy Days South, Inc.	13	OCAHO	1322	2020
United States v. Samuel Tominiyi Fasakin	14	OCAHO	1375	2020
Zaji Obatala Zajradhara	14	OCAHO	1363c	2021
Zaji Obatala Zajradhara v. Donghui Kengxindun Corporation d/b/a Kengxindun Apartment Rental	14	OCAHO	1382	2020

Motion for Summary Decision Treated As Motion to Dismiss

Donna Yvette Miller v. United States Postal Service, Greater South Carolina District Office 12 OCAHO 1284 2016

MOTION(S)

Motion Opposing Deposition Construed As Motion For Protective Order

Robert Heath v. ASTA CRS, Inc. 14 OCAHO 1385a 2021

Motion to Amend Order Construed as Motion for Reconsideration

A.S. v. Amazon WebServices, Inc. 14 OCAHO 1381e 2021

Motion to Compel Discovery

A.S. v. Amazon WerServices, Inc. 14 OCAHO 1381 2020

Ana Maria Ravines de Schur v. Easter Seals-Goodwill Northern Rocky Mountain, Inc. 15 OCAHO 1388b 2021

Ravi Sharma v. Lattice Semiconductor	14	OCAHO	1362	2020
Robert Heath v. ASTA CRS, Inc.	14	OCAHO	1385b	2021
Robert Heath v. IKON Systems and an Anonymous Employer	14	OCAHO	1377	2020
Temitope Ogunrinu v. Law Resources and Arnold & Porter Kaye Scholer LLP	13	OCAHO	1332d	2020

MOTION(S)

Motion to Compel Discovery Must Explain Why Requested Material Is Relevant

Ana Maria Ravines de Schur v. Easter Seals-Goodwill Northern Rocky Mountain, Inc.	15	OCAHO	1388b	2021

Motion to Dismiss

A.S. v. Neiman Marcus Group	13	OCAHO	1323	2020
Brent Leslie Reed v. Dupont Pioneer Hi-Bred International, Inc.	13	OCAHO	1321	2019
Donna Yvette Miller v. United States Postal Service, Greater South Carolina District Office	12	OCAHO	1284	2016
Robert Heath v. Asta CRS, Inc.	14	OCAHO	1385	2021
Steven Brown, et al. v. Pilgrims Pride Corporation	14	OCAHO	1379	2020

Temitope Ogunrinu v. Law Resources & Arnold & Porter Kaye Scholer LLP	13	OCAHO	1332g	2020
Temitope Ogunrinu v. Law Resources & Arnold and Porter Kaye Scholer LLP	13	OCAHO	1332c	2020
United States v. Capital Fireproof Door	14	OCAHO	1372	2020
United States v. Facebook, Inc.	14	OCAHO	1386b	2021
United States v. Frimmel Management, LLC	12	OCAHO	1271	2017
United States v. Frimmel Management, LLC d/b/a Uncle Sam's	13	OCAHO	1271	2019
	12	OCAHO	1271	2016
	12	OCAHO	1271	2016
	12	OCAHO	1271	2016
United States v. Frimmel Management, LLS	12	OCAHO	1271	2016
United States v. Garcia-Guaneros	13	OCAHO	1334	2020
United States v. HRK Investments, Inc.	13	OCAHO	1318	2019
United States v. Lazy Days South, Inc.	13	OCAHO	1322	2020
United States v. R & SL Inc., d/b/a Total Employment and Management (TEAM)	13	OCAHO	1333	2020
United States v. Samuel Tominiyi Fasakin	14	OCAHO	1375	2020
United States v. Split Rail Fence Company, Inc.	10	OCAHO	1181	2013

MOTION(S)

Motion to Dismiss Treated As Motion for Summary Decision Where Evidence Outside Pleadings is Considered

Temitope Ogunrinu v. Law Resources & Arnold & Porter Kaye Scholer LLP 13 OCAHO 1332g 2020

Motion to Dismiss Treated as Motion to Reconsider When Filed After ALJ Already Ruled on the Issue

Temitope Ogunrinu v. Law Resources & Arnold and Porter Kaye Scholer LLP 13 OCAHO 1332c 2020

Motion to Enforce Order Compelling Discovery

Temitope Ogunrinu v. Law Resources and Arnold & Porter Kaye Scholer LLP 13 OCAHO 1332f 2020

Motion to Enforce Previous Order

A.S. v. Amazon Web Services, Inc. 14 OCAHO 1381f 1

Temitope Ogunrinu v. Law Resources and Arnold & Porter Kaye Scholer LLP 13 OCAHO 1332f 2020

MOTION(S)

Motion to Enforce Should Specify Relief Sought

A.S. v. Amazon Web Services, Inc. 14 OCAHO 1381f 1

Motion to Reconsider an Interlocutory Order

A.S. v. Amazon WebServices, Inc. 14 OCAHO 1381e 2021

Alvin J. Green, III v. All Desert Appliances d/b/a ADA Repair, Inc. 14 OCAHO 1370a 2020

Motion to Reconsider Final Order of Dismissal Construed As Motion to Amend

M.S v. Dave S.B. Hoon - John Wayne Cancer Institute 12 OCAHO 1305 2017

M.S. v. Dave S.B. Hoon - John Wayne Cancer Institute 12 OCAHO 1305a 2018

12 OCAHO 1305b 2018

MOTION(S)

Motion to Strike

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc.	14	OCAHO	1370b	2021
Jack N. Toussaint v. Tekwood Data Processing Consulting	6	OCAHO	892	1996
James R. Cook v. Pro Source, Inc.	7	OCAHO	960	1997
Jenlih John Hsieh v. PMC - Sierra, Inc.	9	OCAHO	1093	2003
Joan A. Lardy v. United Airlines, Inc.	3	OCAHO	493	1993
	3	OCAHO	450	1992
Temitope Ogunrinu v. Law Resources and Arnold & Porter Kaye Scholer LLP	13	OCAHO	1332d	2020
United States v. Alberta Sosa, Inc.	5	OCAHO	739	1995
United States v. Applied Computer Technology	2	OCAHO	306	1991
United States v. Armando Alvarez-Suarez	4	OCAHO	655	1994
United States v. Azteca Restaurant, Northgate	1	OCAHO	33	1988
United States v. Boah Fashion, Corporation	1	OCAHO	281	1990
United States v. Broadway Tire, Inc.	1	OCAHO	226	1990
United States v. Capitol Arts & Frames, Inc.	1	OCAHO	229	1990

United States v. Chi Ling, Inc. d/b/a Chi Ling Chinese Restaurant	5	OCAHO	723	1995
United States v. David Jenkins	4	OCAHO	649	1994
United States v. Desert Palace, Inc.	9	OCAHO	1067	2001
	9	OCAHO	1067	2001
United States v. Diamond Construction, Inc.	3	OCAHO	456	1992
United States v. Ed Valencia & Sons, Inc. d/b/a Valladares	2	OCAHO	387	1991
United States v. Fairfield Jersey, Inc.	9	OCAHO	1072	2001
United States v. Great Earth Companies, Inc.	9	OCAHO	1070	2001
United States v. Gregorio Alabada Makilan	4	OCAHO	610	1994
United States v. Hosung Cleaning Corporation d/b/a Sun Cleaner	4	OCAHO	670	1994
United States v. James Q. Carlson d/b/a Jimmy On The Spot	1	OCAHO	260	1990
United States v. LFW Dairy Corporation	10	OCAHO	1129	2009
United States v. Local Building & Remodeling of International Falls	3	OCAHO	567	1993
United States v. Martina Limon-Perez	5	OCAHO	796	1995
United States v. Minaco Fashions, Inc.	3	OCAHO	534	1993
United States v. Mourad Abu Remileh	4	OCAHO	706	1994
United States v. Multimatic Products, Inc.	1	OCAHO	221	1990

United States v. Northern Michigan Fruit Company	4	OCAHO	667	1994
United States v. Oscar Eduardo Villatoro-Guzman	3	OCAHO	540	1993
United States v. Patrol & Guard Enterprises, Inc.	8	OCAHO	1040	2000
	8	OCAHO	1040	2000
United States v. Penrod National Enterprises, Inc. d/b/a Floral Bionomics Landscape Management	3	OCAHO	541	1993
United States v. Robert Watson d/b/a North State Tile Company	1	OCAHO	253	1990
United States v. Samuel J. Wasem, General Partner d/b/a Educated Car Wash	1	OCAHO	98	1989
United States v. Task Force Security, Inc. d/b/a Task Force Security and Investigations	3	OCAHO	563	1993
	3	OCAHO	533	1993
United States v. Tuttle's Design Build, Inc.	2	OCAHO	370	1991
United States v. U.S. Style, Inc.	5	OCAHO	793	1995
United States v. Walia's, Inc. d/b/a Walia's Restaurant	1	OCAHO	122	1990

MOTION(S)

Motion to Strike Affirmative Defenses

United States v. Solutions Group International, LLC	12	OCAHO	1288	2016

MOTION(S)

Motion to Strike Deposition Errata Sheet

Temitope Ogunrinu v. Law Resources & Arnold & Porter Kaye Scholer LLP 13 OCAHO 1332i 2020

Motion to Strike Evidence

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP 13 OCAHO 1332j 2021

Motion(s) to Quash

United States v. Edith Fine 1 OCAHO 89 1989

Motions for Reconsideration Granted Only in Limited Circumstances

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc. 14 OCAHO 1370b 2021

Robert Heath v. Optnation and an Anonymous Employer 14 OCAHO 1374a 2021

Zaji Obatala Zajradhara v. GIG Partners 14 OCAHO 1363d 2021

MOTION(S)

Motions for Voluntary Dismissal Generally Granted Unless Non-Moving Party Will Suffer Prejudice

United States v. La Parisienne Bakery, LLC 15 OCAHO 1390a 2021

Movant Must State With Particularity the Grounds for the Motion

A.S. v. Amazon Web Services, Inc. 14 OCAHO 1381f 1

Ravi Sharma v. Lattice Semiconductor 14 OCAHO 1362 2021

Notice of Conversion of Motion to Dismiss to Motion for Summary Decision

Li Zu v. Avalon Valley Rehabilitation Center 14 OCAHO 1376 2020

Temitope Ogunrinu v. Law Resources & Arnold & Porter Kaye Scholer LLP 13 OCAHO 1332g 2020

United States v. R2M2 Rebar & Stressing, Inc. 14 OCAHO 1357 2020

MOTION(S)

OCAHO ALJs May Consider Substantive Motions to Reconsider Interlocutory Orders

A.S. v. Amazon WebServices, Inc. 14 OCAHO 1381b 2021

Alvin J. Green, III v. All Desert Appliances d/b/a ADA Repair, Inc. 14 OCAHO 1370a 2020

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc. 14 OCAHO 1370b 2021

Temitope Ogunrinu v. Law Resources 13 OCAHO 1332b 2019

United States v. Rose Acre Farms, Inc. 12 OCAHO 1285a 2018

12 OCAHO 1285 2016

OCAHO Rules Do Not Allow for Replies to Responses to Motions Except Upon Leave of the ALJ

Robert Heath v. ASTA CRS, Inc. 14 OCAHO 1385b 2021

OCAHO Rules Do Not Specifically Authorize Motions to Reconsider Final Orders in 1324b Cases

M.S v. Dave S.B. Hoon - John Wayne Cancer Institute	12	OCAHO	1305	2017
M.S. v. Dave S.B. Hoon - John Wayne Cancer Institute	12	OCAHO	1305a	2018
	12	OCAHO	1305b	2018
Robert Heath v. Optnation and an Anonymous Employer	14	OCAHO	1374a	2021
Zaji Obatala Zajradhara v. GIG Partners	14	OCAHO	1363d	2021

MOTION(S)

Official Notice

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021
United States v. Psychosomatic Fitness	14	OCAHO	1387	2021

Order Granting Motion for Interpreter

A.S. v. Amazon WebServices, Inc.	14	OCAHO	1381g	2021

Order Granting Motion for Leave to File a Reply

Robert Heath v. ASTA CRS, Inc. 14 OCAHO 1385b 2021

MOTION(S)

Posthearing Motion

Juan Manuel Alamprese v. MNSH, Inc. 9 OCAHO 1094 2003

Prehearing Motion

United States v. David Jenkins 4 OCAHO 649 1994

Pro Se Motions May Be Construed Liberally

Li Zu v. Avalon Valley Rehabilitation Center 14 OCAHO 1376 2020

M.S v. Dave S.B. Hoon - John Wayne Cancer Institute 12 OCAHO 1305 2017

M.S. v. Dave S.B. Hoon - John Wayne Cancer Institute	12	OCAHO	1305a	2018
	12	OCAHO	1305b	2018
Zaji Obatala Zajradhara	14	OCAHO	1363c	2021

MOTION(S)

Protective Order(s)

Ana Maria Ravines de Schur v. Easter Seals-Goodwill Northern Rocky Mountain, Inc.	15	OCAHO	1388c	2021
Robert Heath v. ASTA CRS, Inc.	14	OCAHO	1385a	2021
United States v. Facebook, Inc.	14	OCAHO	1386a	2021
	14	OCAHO	1386d	2021

Reconsideration

A.S. v. Amazon WebServices, Inc.	14	OCAHO	1381e	2021
	14	OCAHO	1381b	2021
Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc.	14	OCAHO	1370b	2021

M.S v. Dave S.B. Hoon - John Wayne Cancer Institute	12	OCAHO	1305	2017
M.S. v. Dave S.B. Hoon - John Wayne Cancer Institute	12	OCAHO	1305a	2018
	12	OCAHO	1305b	2018
Robert Heath v. Optnation and an Anonymous Employer	14	OCAHO	1374a	2021
Stephen A. Lewis v. Ogden Services	2	OCAHO	384	1991
United States v. Burns and Intra-Continental Enterprises	5	OCAHO	768	1995
United States v. Diversified Technology and Services of Virginia, Inc.	9	OCAHO	1098	2003
United States v. Diversified Technology and Services of Virginia, Inc.	9	OCAHO	1098	2003
United States v. Four Star Knitting, Inc.	5	OCAHO	815	1995
United States v. Min Goldblatt & Sons, Inc. t/a J.J.L.C.	1	OCAHO	170	1990
United States v. Mojave, Inc. d/b/a Casa Jose Café, a Texas Corporation	3	OCAHO	502	1993
United States v. New Peking, Inc. d/b/a New Peking Chinese Restaurant	2	OCAHO	339	1991
United States v. New Peking, Inc. d/b/a New Peking Chinese Restaurant	2	OCAHO	329	1991
	2	OCAHO	329	1991
United States v. Nu Look Cleaners of Pembroke Pines, Inc.	2	OCAHO	312	1991
United States v. PPJV, Inc. d/b/a Publishers Press	2	OCAHO	373	1991
United States v. Robert Cleek d/b/a Robert Cleek Concrete Company	1	OCAHO	201	1990

United States v. Rose Acre Farms, Inc.	12	OCAHO	1285a	2018
	12	OCAHO	1285	2016
United States v. Sophie Valdez d/b/a La Parilla Restaurant	1	OCAHO	91	1989
	1	OCAHO	104	1989
United States v. Williams Produce, Inc.	5	OCAHO	730	1995
Zaji Obatala Zajradhara v. GIG Partners	14	OCAHO	1363d	2021

MOTION(S)

Reconsideration of Final Orders in 8 U.S.C. Section 1324b Cases

M.S v. Dave S.B. Hoon - John Wayne Cancer Institute	12	OCAHO	1305	2017
M.S. v. Dave S.B. Hoon - John Wayne Cancer Institute	12	OCAHO	1305a	2018
	12	OCAHO	1305b	2018
Zaji Obatala Zajradhara v. GIG Partners	14	OCAHO	1363d	2021

Re-Open Case

Ramnik M. Trivedi v. Northrop Corporation and Department of Defense 4 OCAHO 603 1994

MOTION(S)

Request for Relief Should Be In Separate Motion, Not Response to a Motion

A.S. v. Amazon Web Services, Inc. 14 OCAHO 1381f 1

Request to Extend Discovery Period

A.S. v. Amazon Web Services, Inc. 14 OCAHO 1381f 1

A.S. v. Amazon WebServices, Inc. 14 OCAHO 1381e 2021

14 OCAHO 1381i 2021

Robert Heath v. Asta CRS, Inc. 14 OCAHO 1385 2021

Requesting New Relief in Response to Motion Strips Original Moving Party of Chance to Respond

A.S. v. Amazon Web Services, Inc. 14 OCAHO 1381f 1

MOTION(S)

Requests Are Required to Be Made By Motion

A.S. v. Amazon Web Services, Inc.	14	OCAHO	1381f	1
A.S. v. Amazon WebServices, Inc.	14	OCAHO	1381e	2021
Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc.	14	OCAHO	1370b	2021
Ana Maria Ravines de Schur v. Easter Seals-Goodwill Northern Rocky Mountain, Inc.	15	OCAHO	1388	2021
United States v. Quickstuff, LLC, Its Member Maria Castillo, and A&C Staffing, LLC	11	OCAHO	1265	2015

Response to a Motion Should Address Only the Issues Raised by the Moving Party

A.S. v. Amazon Web Services, Inc.	14	OCAHO	1381f	1

Response to Motion to Dismiss Construed as Motion for Leave to Amend Complaint

Steven Brown, et al. v. Pilgrims Pride Corporation	14	OCAHO	1379	2020

MOTION(S)

Sanctions

Guy Santiglia v. Sun Microsystems, Inc.	9	OCAHO	1104	2004
Jenlih John Hsieh v. PMC - Sierra, Inc.	9	OCAHO	1091	2003
Joan A. Lardy v. United Airlines, Inc.	3	OCAHO	493	1993
Temitope Ogunrinu v. Law Resources and Arnold & Porter Kaye Scholer LLP	13	OCAHO	1332d	2020
United States v. David Day d/b/a David Day Masonry	3	OCAHO	553	1993
United States v. Giamblis Enterprises	5	OCAHO	817	1995
United States v. John W. Guewell & Alfred P. Cooper d/b/a Wagco Security Services	3	OCAHO	444	1992
United States v. Nevada Lifestyles, Inc. d/b/a Commercial Drapery Cleaners	3	OCAHO	472	1992
United States v. Primera Enterprises, Inc. d/b/a J.B.'s Lounge	3	OCAHO	560	1993
United States v. Ulysses, Inc. and Ulysses Restaurant Group, Inc.	3	OCAHO	409	1992
	2	OCAHO	390	1991

Subject Matter Jurisdiction

Donna Yvette Miller v. United States Postal Service, Greater South Carolina District Office	12	OCAHO	1284	2016
Esther Din Brooks v. Watts Window World	3	OCAHO	570	1993
Qais Ibrahim Alhameed v. Grand Traverse Resort and Casinos	10	OCAHO	1126	2008

MOTION(S)

Summary Decision

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc.	14	OCAHO	1370b	2021
Carlos Aciar v. Rosen's Delicatessen	9	OCAHO	1086	2002
Celia Simon v. Ingram Micro, Inc.	9	OCAHO	1088	2003
Daniel Bendig v. Conoco, Inc.	9	OCAHO	1065	2001
Daniel Joseph Bendig v. Conoco, Inc.	9	OCAHO	1077	2001
Dinko Sefic v. Marconi Wireless	9	OCAHO	1123	2007
Dolores Garcia Contreras v. Cascade Fruit Company	9	OCAHO	1090	2003
Elodia Guzman v. Yakima Fruit & Cold Storage	9	OCAHO	1066	2001
	9	OCAHO	1066	2001
Ephrain Manuel Berlanga v. Butterball Company	4	OCAHO	669	1994

Florinda Kattan v. Union League Club of Chicago	3	OCAHO	586	1993
Gurpreet Sodhi v. Maricopa Medical Center	10	OCAHO	1127	2008
Guy Santiglia v. Sun Microsystems, Inc.	9	OCAHO	1110	2004
Jenlih John Hsieh v. PMC - Sierra, Inc.	9	OCAHO	1093	2003
Kenneth Wade Parker, Jr. v. Wild Goose Storage, Inc.	9	OCAHO	1081	2002
Linda S. Walker v. United Airlines, Inc.	4	OCAHO	686	1994
Martin John Shortt v. Dick Clark's American Bandstand Grill	10	OCAHO	1130	2009
Natasha Dionne Humphries v. PalmOne	9	OCAHO	1112	2004
Olatunji Moshood Fakunmoju v. Claims Administration Corporation	4	OCAHO	624	1994
Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021
United States v. Fairfield Jersey, Inc.	9	OCAHO	1069	2001
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12	OCAHO	1286	2016
United States v. Maria Gregorio-Gomez, and Elsa Aguilar-Pablo	14	OCAHO	1359a	2021
United States v. Marisol Chavez-Ramirez	5	OCAHO	774	1995
United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021
United States v. Yin Tien Chen, Individually and Winning Orchards, LLC	9	OCAHO	1092	2003
Wartan Bozoghlanian v. Raytheon Company, Electromagnetic Systems Division	4	OCAHO	660	1994

Zaji Obatala Zajradhara 14 OCAHO 1363c 2021

MOTION(S)

Supplemental

Chand Wije v. Barton Springs/Edwards Aquifier C.D. 4 OCAHO 668 1994

Linda S. Walker v. United Airlines, Inc. 6 OCAHO 856 1996

Ravi Sharma v. Lattice Semiconductor 14 OCAHO 1362 2021

Timeliness

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc. 14 OCAHO 1370b 2021

Untimely Filing

Ravi Sharma v. Lattice Semiconductor 14 OCAHO 1362 2021

MOTION(S)

Voluntary Dismissal

United States v. La Parisienne Bakery, LLC	15 OCAHO	1390a	2021

When Considering Motion to Dismiss, Court Limits Analysis to the Four Corners of the Complaint

Alex J. Montalvo v. Kering Americas, Inc.	14 OCAHO	1350	2020
Robert Heath v. Optnation and an Anonymous Employer	14 OCAHO	1374a	2021
Steven Brown, et al. v. Pilgrims Pride Corporation	14 OCAHO	1379	2020
United States v. Lazy Days South, Inc.	13 OCAHO	1322	2020
United States v. R2M2 Rebar & Stressing, Inc.	14 OCAHO	1357	2020
United States v. Samuel Tominiyi Fasakin	14 OCAHO	1375	2020

Withdrawal

United States v. Auburn University	4	OCAHO	662	1994
United States v. Esther Flores-Martinez	4	OCAHO	647	1994
United States v. Maria Celia Aispuro-Nunez	5	OCAHO	745	1995
United States v. Mark's Electrical Contracting Corporation	4	OCAHO	641	1994
United States v. Midtown Fashion, Inc.	4	OCAHO	657	1994
	4	OCAHO	665	1994
United States v. William D. Boatright and Hanie Boatright d/b/a BNB Kennels	3	OCAHO	589	1993

MOTIONS TO COMPEL

ALJ May Deny Motion to Compel If It Is Not Timely Filed

A.S. v. Amazon WebServices, Inc.	14	OCAHO	1381i	2021
Martine Mbitaze v. Greenbelt Police Department	14	OCAHO	1360a	2020

General, Conclusory Assertion of Irrelevance, Overbreadth or Undue Burden Insufficient Objection

Robert Heath v. ASTA CRS, Inc.	14	OCAHO	1385b	2021

United States v. Autobuses Ejecutivos, LLC d/b/a Omnibus Express	11	OCAHO	1220	2014
United States v. Employer Solutions Staffing Group II, LLC	11	OCAHO	1234	2014

MOTIONS TO COMPEL

Motion to Compel Denied for Failure to Provide Specific Argument

Ana Maria Ravines de Schur v. Easter Seals-Goodwill Northern Rocky Mountain, Inc.	15	OCAHO	1388b	2021

Motion to Compel Must Identify Discovery Requests With Specificity

A.S. v. Amazon WerServices, Inc.	14	OCAHO	1381	2020

Motion to Compel Must Include Argument in Support of the Motion

A.S. v. Amazon WerServices, Inc.	14	OCAHO	1381	2020
Ana Maria Ravines de Schur v. Easter Seals-Goodwill Northern Rocky Mountain, Inc.	15	OCAHO	1388b	2021
Robert Heath v. ASTA CRS, Inc.	14	OCAHO	1385b	2021

MOTIONS TO COMPEL

Motion to Compel Must Include Certification of Good Faith Resolution Efforts

A.S. v. Amazon WerServices, Inc.	14	OCAHO	1381	2020
Robert Heath v. IKON Systems and an Anonymous Employer	14	OCAHO	1377	2020
Temitope Ogunrinu v. Law Resources and Arnold & Porter Kaye Scholer LLP	13	OCAHO	1332e	2020
Zaji Obatala Zajradhara v. Gig Partners	14	OCAHO	1363a	2020

Motion to Compel Must Meet Requirements of 28 C.F.R. Section 68.23(b)

A.S. v. Amazon WebServices, Inc.	14	OCAHO	1381e	2021
A.S. v. Amazon WerServices, Inc.	14	OCAHO	1381	2020
Martine Mbitaze v. Greenbelt Police Department	14	OCAHO	1360a	2020
Zaji Obatala Zajradhara v. Gig Partners	14	OCAHO	1363a	2020

Motion to Compel Must State the Nature of a Party's Responses and Objections

A.S. v. Amazon WerServices, Inc.	14	OCAHO	1381	2020
Ravi Sharma v. Lattice Semiconductor	14	OCAHO	1362	2020
Zaji Obatala Zajradhara v. Gig Partners	14	OCAHO	1363a	2020

MOTIONS TO COMPEL

Must Include Nature of Request, Objections, Arguments, and Good Faith Attempt to Resolve

A.S. v. Amazon WerServices, Inc.	14	OCAHO	1381	2020
Ana Maria Ravines de Schur v. Easter Seals-Goodwill Northern Rocky Mountain, Inc.	15	OCAHO	1388b	2021
Martine Mbitaze v. Greenbelt Police Department	14	OCAHO	1360a	2020
	14	OCAHO	1360	2020
Ravi Sharma v. Lattice Semiconductor	14	OCAHO	1362	2020
Temitope Ogunrinu v. Law Resources and Arnold & Porter Kaye Scholer LLP	13	OCAHO	1332d	2020
United States v. Autobuses Ejecutivos, LLC d/b/a Omnibus Express	11	OCAHO	1220	2014
United States v. Durable, Inc.	11	OCAHO	1221	2014
United States v. Employer Solutions Staffing Group II, LLC	11	OCAHO	1234	2014

MOTIONS TO COMPEL

Objections & Reasons Must Be Stated in Discovery Response, Not Only in Opposing Motion to Compel

United States v. Autobuses Ejecutivos, LLC d/b/a Omnibus Express	11	OCAHO	1220	2014
United States v. Employer Solutions Staffing Group II, LLC	11	OCAHO	1234	2014

Opposing Party Bears Burden of Persuasion

United States v. Autobuses Ejecutivos, LLC d/b/a Omnibus Express	11	OCAHO	1220	2014

Opposing Party Must Specify Objections and Demonstrate That Objections Are Justified

Ana Maria Ravines de Schur v. Easter Seals-Goodwill Northern Rocky Mountain, Inc.	15	OCAHO	1388b	2021
United States v. Autobuses Ejecutivos, LLC d/b/a Omnibus Express	11	OCAHO	1220	2014

Order Denying Motion to Compel

Robert Heath v. ASTA CRS, Inc. 14 OCAHO 1385b 2021

MOTIONS TO COMPEL

Party May Not Propound New Requests in a Motion to Compel

Ravi Sharma v. Lattice Semiconductor 14 OCAHO 1362 2020

Party Seeking to Compel Discovery Must Show That Discovery Was Sent In a Timely Manner

Robert Heath v. ASTA CRS, Inc. 14 OCAHO 1385b 2021

Purpose of Requirements for a Motion to Compel

A.S. v. Amazon WerServices, Inc. 14 OCAHO 1381 2020

Martine Mbitaze v. Greenbelt Police Department 14 OCAHO 1360a 2020

Robert Heath v. IKON Systems and an Anonymous Employer	14	OCAHO	1377	2020
Zaji Obatala Zajradhara v. Gig Partners	14	OCAHO	1363a	2020

MOTIONS TO COMPEL

Request for Attorney Fees for Motion to Compel Denied as Premature

Ana Maria Ravines de Schur v. Easter Seals-Goodwill Northern Rocky Mountain, Inc.	15	OCAHO	1388b	2021

Whether and When Individual Was Employed Relevant to Whether Employer Had Duty to Retain I-9

United States v. Employer Solutions Staffing Group II, LLC	11	OCAHO	1234	2014

NATIONAL ORIGIN

Claims Against Employers With Fifteen or More Employees Not Within Scope of Section 1324b

A.S. v. Amazon WebServices, Inc.	14	OCAHO	1381e	2021
Garth Anton Hayden v. New York Police Department	13	OCAHO	1313	2018
Julio Ricardo Sanchez Molina v. Securitas Security Services USA, Inc.	11	OCAHO	1261	2015

Leola Branch v. Duong Schumacher	14	OCAHO	1358	2020
Li Zu v. Avalon Valley Rehabilitation Center	14	OCAHO	1376	2020
Martine Mbitaze v. City of Greenbelt	13	OCAHO	1345a	2020
Nicasio Angulo v. Securitas Security Services USA, Inc.	11	OCAHO	1259	2015
Ricardo Farhard Gamez Caltzoncin v. GSM Insurors-Glass, Sorenson & McDavid	12	OCAHO	1287a	2016
	12	OCAHO	1287	2016
Robert Heath v. F18 Consulting and an Anonymous Employer	14	OCAHO	1365	2020
Robert Heath v. VBeyond Corporation and an Anonymous Employer	14	OCAHO	1368	2020
Walter Oswaldo Paz-Martinez v. Securitas Security Services USA, Inc.	11	OCAHO	1260	2015

NATIONAL ORIGIN

Claims Against Employers With Fifteen or More Employees Should Be Referred to EEOC

A.S. v. Amazon WebServices, Inc.	14	OCAHO	1381e	2021
Julio Ricardo Sanchez Molina v. Securitas Security Services USA, Inc.	11	OCAHO	1261	2015
Nicasio Angulo v. Securitas Security Services USA, Inc.	11	OCAHO	1259	2015
Prakash Sinha v. Infosys	14	OCAHO	1373	2020
Ricardo Farhard Gamez Caltzoncin v. GSM Insurors-Glass, Sorenson & McDavid	12	OCAHO	1287a	2016

Ricardo Farhard Gamez Caltzoncin v. GSM Insurors-Glass, Sorenson & McDavid	12	OCAHO	1287	2016
Robert Heath v. Vbeyond Corporation and an Anonymous Employer	14	OCAHO	1368a	2020
Walter Oswaldo Paz-Martinez v. Securitas Security Services USA, Inc.	11	OCAHO	1260	2015

NATIONAL ORIGIN

Dismissal

Zaji Obatala Zajradhara	14	OCAHO	1363c	2021

Jurisdiction

Carlos Aciar v. Rosen's Delicatessen	9	OCAHO	1086	2002
Christine Delarese Stubbs v. Desoto Hilton, Maryland Hospitality, Inc.	8	OCAHO	1005	1998
Drahomira Adame v. Dunkin Donuts	5	OCAHO	722	1995
	4	OCAHO	691	1994
Frederick John Harris v. Mr. Bob Marbut, Chairman & CEO, Argyle Television Operations, Inc.	7	OCAHO	943	1997
Gloria Ondina-Mendez v. Sugar Creek Packing Company	9	OCAHO	1085	2002

Howard Eugene McNier v. San Francisco State University College of Business	7	OCAHO	947	1997
	7	OCAHO	947	1997
Jack N. Toussaint v. Tekwood Data Processing Consulting	6	OCAHO	892	1996
Jixian Pan v. Christian Engineering Company d/b/a Jude Engineering	4	OCAHO	648	1994
Jose Pablo Martinez v. Superior Linen	10	OCAHO	1180	2013
Kevin Raffay v. Western Digital	10	OCAHO	1159	2012
Leola Branch v. Duong Schumacher	14	OCAHO	1358	2020
Marcos Valencio v. VASP Brazilian Airlines	5	OCAHO	740	1995
Martin Flores v. Logan Foods Company	6	OCAHO	874	1995
Michael K. Wockenfuss v. Bureau of Prisons	5	OCAHO	767	1995
Mr. Doron Tal v. M. L. Energia, Inc.	4	OCAHO	705	1994
Prakash Sinha v. Infosys	14	OCAHO	1373	2020
Robert Heath v. Vbeyond Corporation and an Anonymous Employer	14	OCAHO	1368a	2020
Robert S. Mathews v. Goodyear Tire & Rubber Company	7	OCAHO	929	1997
Temitope Ogunrinu v. Law Resources & Arnold & Porter Kaye Scholer LLP	13	OCAHO	1332g	2020
Tina B. Boyd v. Amzi Sherling, DDS	6	OCAHO	916	1997
Travis John Guth v. Kaiser Permanente Hawaii	10	OCAHO	1190	2013

United States v. Shirley Fuimoto, Hawaii Government Employees Association 7 OCAHO 937 1997

NATIONAL ORIGIN

Knowledge

Zaji Obatala Zajradhara 14 OCAHO 1363c 2021

Overlap with EEOC Charges

Leola Branch v. Duong Schumacher 14 OCAHO 1358 2020

Li Zu v. Avalon Valley Rehabilitation Center 14 OCAHO 1376 2020

Whether and When Individual Was Employed Relevant to Whether Employer Had Duty to Retain I-9

Kevin Raffay v. Western Digital 10 OCAHO 1159 2012

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Appearance

Johnson v. Florida Power Corporation	7	OCAHO	981	1997
United States v. Charo's Corporation d/b/a Charo's Restaurant	2	OCAHO	334	1991
United States v. Elena Finishing, Inc.	1	OCAHO	132	1990
United States v. Esther Flores-Martinez	4	OCAHO	647	1994
United States v. Green Plaza, Inc.	4	OCAHO	618	1994
United States v. Gus and Candy Kirk d/b/a Kirk Enterprises	1	OCAHO	72	1989
United States v. Koamerican Trading Corporation	1	OCAHO	63	1989
	1	OCAHO	63	1989
United States v. Manuel Medina, Jr., Individually d/b/a The Montana Hideaway	3	OCAHO	485	1993
United States v. Mourad Abu Remileh	4	OCAHO	680	1994

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Bifurcation

United States v. Anders Kampe d/b/a Kampe Motors, Ltd.	3	OCAHO	462	1992
United States v. Mid-Island Jericho Motel, Inc. d/b/a Ramada Inn	3	OCAHO	468	1992

NOTICE

Completion of I-9 after Notice of Inspection

Siam Thai Sushi Restaurant, d/b/a Four Siamese Company, Inc.	10	OCAHO	1174	2013

Generally

United States v. Big Bear Market	1	OCAHO	48	1989
	1	OCAHO	49	1989
United States v. David Day d/b/a David Day Masonry	3	OCAHO	514	1993
United States v. Elena Finishing, Inc.	1	OCAHO	132	1990
United States v. Fancy That, Inc. and New Fancy That, Inc. d/b/a The Great Alaskan Bush Company	3	OCAHO	446	1992
United States v. Italy Department Store, Inc.	6	OCAHO	847	1996
United States v. Jupiter Crab Company Restaurant	1	OCAHO	6	1988
United States v. Leo Yruegas d/b/a Chito's Mexican Restaurant	1	OCAHO	45	1989
United States v. Marcos Iniguez-Casillas	8	OCAHO	1001	1998

United States v. Mester Manufacturing Company	1	OCAHO	18	1988
United States v. YES Industries d/b/a Soft Touch Carwash	1	OCAHO	198	1990

NOTICE

Hearing(s)

United States v. Green Plaza, Inc.	4	OCAHO	618	1994
United States v. Johnny Ng Lim and Christina Lim Go d/b/a The New Orient	3	OCAHO	512	1993
United States v. Midtown Fashion, Inc.	4	OCAHO	665	1994
United States v. Sea Dart Trading Corporation	2	OCAHO	336	1991

Inspection

United States v. Cindy L. Golchuk d/b/a Rancho Sierra Drywall	2	OCAHO	353	1991
United States v. Earl & Beverly McDougal d/b/a Grand Tradition	4	OCAHO	687	1994
United States v. Goldenfield Corporation d/b/a Rodeway Inn	2	OCAHO	321	1991
United States v. Land Coast Insulation, Inc.	2	OCAHO	379	1991

United States v. Tom & Yu, Inc. t/a Peking Garden Restaurant 3 OCAHO 412 1993

NOTICE

Legal Rights

United States v. Israel Velasquez-Tabir 6 OCAHO 872 1996

United States v. Julio Carpio-Lingan 6 OCAHO 871 1996

Letter of Determination

Rosa Isela Olivares Aguirre v. KDI American Products, Inc. 6 OCAHO 882 1996

United States v. Hyatt Regency Lake Tahoe 6 OCAHO 861 1996

United States v. Workrite Uniform Company, Inc. 5 OCAHO 755 1995

Notice of Inspection

United States v. Big Bear Market 1 OCAHO 48 1989

United States v. Citizens Utilities Company, Inc., Telephone Division	1	OCAHO	161	1990
United States v. Gauriel Vanounou d/b/a Surf's Up Custom T-Shirts	1	OCAHO	54	1989
United States v. Manos & Associates, Inc. d/b/a The Bread Basket Restaurant	1	OCAHO	130	1989
United States v. Stanford Sign and Awning, Inc.	10	OCAHO	1145	2012

NOTICE

Notice of Subpoena

In Re Investigation of: NHS Human Services	10	OCAHO	1198	2013
United States v. Harris Ranch Beef Company	2	OCAHO	302	1991

Respondent

Linda S. Walker v. United Airlines, Inc.	4	OCAHO	686	1994

Service

United States v. Honorio Carmona-Anica 5 OCAHO 770 1995

NOTICE

Statute of Limitations

United States v. Workrite Uniform Company, Inc. 5 OCAHO 755 1995

Subpoena

In re Investigation of Florida Rural Legal Services, Subpoena 3 OCAHO 428 1992

In re Investigation of Wal-Mart Stores, Subpoena 5 OCAHO 754 1995

Summary Decision

Carlos Aciar v. Rosen's Delicatessen 9 OCAHO 1086 2002

Krzysztof Zarazinski v. Anglo Fabrics, Company 4 OCAHO 638 1994

NOTICE

Telephonic Conference(s)

United States v. Jupiter Crab Company Restaurant 1 OCAHO 6 1988

Ten Day Notice Rule

United States v. Auburn University 3 OCAHO 564 1993

United States v. Frank's Meat Company, a Sole Proprietorship 3 OCAHO 513 1993

NOTICE OF APPEARANCE

Attorney Must File Notice of Appearance to Represent Party in OCAHO Proceedings

United States v. Popo's Bar and Restaurant 15 OCAHO 1398 2021

Form EOIR-28 Does Not Satisfy OCAHO's Requirements for Notice of Appearance

United States v. Popo's Bar and Restaurant	15	OCAHO	1398	2021

NOTICE OF APPEARANCE

Order Requiring Filing of Notice of Appearance

United States v. Popo's Bar and Restaurant	15	OCAHO	1398	2021

OFFICE OF SPECIAL COUNSEL/IMMIGRANT AND EMPLOYEE RIGHTS SECTION

Charge

A.S. v. Amazon WebServices, Inc.	14	OCAHO	1381a	2021
Dr. Mahmoud M. Hammoudah v. Rush-Presbyterian St. Luke's Medical Center	8	OCAHO	1031	1999
Elodia Guzman v. Yakima Fruit & Cold Storage	9	OCAHO	1066	2001
	9	OCAHO	1066	2001
Frank Farzin Nickman v. Mesa Air Group	9	OCAHO	1113	2004
Glauco Luiz Ortolano v. Wordperfect Company	4	OCAHO	716	1994
Jose R. Lima v. New York City Department of Education	10	OCAHO	1128	2009
	10	OCAHO	1128	2009

Joseph E. Sabol v. Northern Michigan University	9	OCAHO	1107	2004
Roman Udala v. New York State Department of Education	4	OCAHO	633	1994
Rosa Isela Olivares Aguirre v. KDI American Products, Inc.	6	OCAHO	882	1996
Wartan Bozoghlanian v. Raytheon Company, Electromagnetic Systems Division	4	OCAHO	660	1994

OFFICE OF SPECIAL COUNSEL/IMMIGRANT AND EMPLOYEE RIGHTS SECTION

Charge Must Identify Name & Address of the Person or Entity Against Whom the Charge is Being Made

Temitope Ogunrinu v. Law Resources	13	OCAHO	1332	2019

Charge Requirement Is Intended to Put Respondent on Notice and Provide Opportunity for Concilliation

Temitope Ogunrinu v. Law Resources & Arnold and Porter Kaye Scholer LLP	13	OCAHO	1332c	2020

Civil Money Penalty

United States v. Jerry Estopy and Manuel Bortoni, d/b/a Estopy Farms	11	OCAHO	1256	2015

United States v. Pancho's Mexican Buffet, Inc. 4 OCAHO 632 1994

United States v. Red Lobster 4 OCAHO 631 1994

OFFICE OF SPECIAL COUNSEL/IMMIGRANT AND EMPLOYEE RIGHTS SECTION

Complainant Generally May Not Bring OCAHO Claim Against Party Not Named in the Charge

Temitope Ogunrinu v. Law Resources 13 OCAHO 1332b 2019

13 OCAHO 1332 2019

Complaint

Jose R. Lima v. New York City Department of Education 10 OCAHO 1128 2009

10 OCAHO 1128 2009

United States v. Patrol & Guard Enterprises, Inc. 8 OCAHO 1052 2000

United States v. Workrite Uniform Company, Inc. 5 OCAHO 736 1995

Contents of a Charge Under Section 1324b

Temitope Ogunrinu v. Law Resources 13 OCAHO 1332b 2019

13 OCAHO 1332 2019

OFFICE OF SPECIAL COUNSEL/IMMIGRANT AND EMPLOYEE RIGHTS SECTION

Document Abuse

United States v. Diversified Technology and Services of Virginia, Inc. 9 OCAHO 1095 2003

United States v. Robison Fruit Ranch, Inc. 4 OCAHO 594 1994

Ex Parte Communication(s)

United States v. Red Lobster 4 OCAHO 631 1994

Exceptions to Requirement That Complainant Must Name Party in Charge Before Bringing OCAHO Claim

Temitope Ogunrinu v. Law Resources 13 OCAHO 1332b 2019

Temitope Ogunrinu v. Law Resources 13 OCAHO 1332 2019

Temitope Ogunrinu v. Law Resources & Arnold and Porter Kaye Scholer LLP 13 OCAHO 1332c 2020

OFFICE OF SPECIAL COUNSEL/IMMIGRANT AND EMPLOYEE RIGHTS SECTION

Filing A Timely IER Charge Is A Condition Precedent to Filing a 1324b Complaint With OCAHO

Temitope Ogunrinu v. Law Resources 13 OCAHO 1332 2019

Temitope Ogunrinu v. Law Resources & Arnold and Porter Kaye Scholer LLP 13 OCAHO 1332c 2020

Filing of EEOC Charge Does Not Toll Limitations Period for Filing of IER/OSC Charge

Oswalde Woode v. Central Regional Hospital NCDHHS Agency 11 OCAHO 1235 2014

Filing of EEOC Charge Is Not A Condition Precedent to Filing of OSC Charge

Oswalde Woode v. Central Regional Hospital NCDHHS Agency 11 OCAHO 1235 2014

OFFICE OF SPECIAL COUNSEL/IMMIGRANT AND EMPLOYEE RIGHTS SECTION

Generally

Alexsandr Yakubson v. Effective Security	6	OCAHO	858	1996
Grzegirz Pioterek v. Anderson Cleaning Systems, Inc.	3	OCAHO	484	1993
Jaycee George v. Bridgeport Jai-Alai, Inc.	3	OCAHO	537	1993
Margarita Yefremov v. New York City Department of Transportation	3	OCAHO	466	1992
United States v. McDonnell Douglas Corporation	3	OCAHO	507	1993
United States v. Patrol & Guard Enterprises, Inc.	8	OCAHO	1052	2000

IER is Appropriate Counsel to Apply to District Court for Enforcement of Subpoena

In re Investigation of Creative Resource Personnel, Inc.	12	OCAHO	1299	2017

IER May Broaden the Scope of an Investigation Beyond the Allegations Made in a Particular Charge

In re Investigation of: Space Exploration, Technologies Corp. d/b/a Space X 14 OCAHO 1378 2020

OFFICE OF SPECIAL COUNSEL/IMMIGRANT AND EMPLOYEE RIGHTS SECTION

IER May Conduct Investigations on Its Own Initiative

In re Investigation of: Space Exploration, Technologies Corp. d/b/a Space X 14 OCAHO 1378 2020

Intervenor

Hernandez v. Farley Candy Company 5 OCAHO 810 1995

United States v. Jerry Estopy and Manuel Bortoni, d/b/a Estopy Farms 11 OCAHO 1256 2015

Investigation(s)

In re Investigation of Conoco, Inc., Subpoena 8 OCAHO 1049 2000

In Re Investigation of: NHS Human Services 10 OCAHO 1198 2013

In re Investigation of: Space Exploration, Technologies Corp. d/b/a Space X 14 OCAHO 1378 2020

United States v. Patrol & Guard Enterprises, Inc.	8	OCAHO	1052	2000

OFFICE OF SPECIAL COUNSEL/IMMIGRANT AND EMPLOYEE RIGHTS SECTION

Investigatory Period

In re Investigation of Conoco, Inc., Subpoena	8	OCAHO	1048	2000
	8	OCAHO	1048	2000
Jose R. Lima v. New York City Department of Education	10	OCAHO	1128	2009
	10	OCAHO	1128	2009
United States v. Patrol & Guard Enterprises, Inc.	8	OCAHO	1052	2000

Invitation to IER to File Amicus Curiae Brief

A.S. v. Amazon WebServices, Inc.	14	OCAHO	1381a	2021

Jurisdiction

Garth Anton Hayden v. New York Police Department	13	OCAHO	1313	2018
In re Investigation of Hyatt Regency Lake Tahoe, Subpoena	5	OCAHO	751	1995
Joan A. Lardy v. United Airlines, Inc.	4	OCAHO	595	1994
United States v. Butterfly Legwear, Inc. d/b/a Classic Hosiery, Inc.	6	OCAHO	900	1996
United States v. Facebook, Inc.	14	OCAHO	1386b	2021
United States v. Great Earth Companies, Inc.	9	OCAHO	1070	2001
United States v. Hotel Martha Washington Corporation	5	OCAHO	786	1995
United States v. Patrol & Guard Enterprises, Inc.	8	OCAHO	1052	2000

OFFICE OF SPECIAL COUNSEL/IMMIGRANT AND EMPLOYEE RIGHTS SECTION

Letter of Determination

Joan A. Lardy v. United Airlines, Inc.	4	OCAHO	595	1994
Jose R. Lima v. New York City Department of Education	10	OCAHO	1128	2009
	10	OCAHO	1128	2009
Robert Heath v. F18 Consulting and an Anonymous Employer	14	OCAHO	1365	2020
Robert Heath v. VBeyond Corporation and an Anonymous Employer	14	OCAHO	1368	2020
Rosa Isela Olivares Aguirre v. KDI American Products, Inc.	6	OCAHO	882	1996

United States v. Butterfly Legwear, Inc. d/b/a Classic Hosiery, Inc.	6	OCAHO	900	1996
United States v. Workrite Uniform Company, Inc.	5	OCAHO	736	1995
	5	OCAHO	755	1995

OFFICE OF SPECIAL COUNSEL/IMMIGRANT AND EMPLOYEE RIGHTS SECTION

Memorandum of Understanding (MOU)

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc.	14	OCAHO	1370	2020
Bunn v. USX/US Steel	7	OCAHO	985	1998
Garth Anton Hayden v. New York Police Department	13	OCAHO	1313	2018
Jack N. Toussaint v. Tekwood Data Processing Consulting	6	OCAHO	892	1996
United States v. Auburn University	4	OCAHO	617	1994
United States v. Hyatt Regency Lake Tahoe	6	OCAHO	879	1996

Notification

Jose R. Lima v. New York City Department of Education	10	OCAHO	1128	2009

Jose R. Lima v. New York City Department of Education	10	OCAHO	1128	2009
Joseph E. Sabol v. Northern Michigan University	9	OCAHO	1107	2004
Linda S. Walker v. United Airlines, Inc.	4	OCAHO	686	1994
United States v. Hyatt Regency Lake Tahoe	6	OCAHO	861	1996
United States v. Workrite Uniform Company, Inc.	5	OCAHO	736	1995
	5	OCAHO	755	1995

OFFICE OF SPECIAL COUNSEL/IMMIGRANT AND EMPLOYEE RIGHTS SECTION

OCAHO ALJs Are Not Required to Give Any Evidence to IER's Determination

Alex J. Montalvo v. Kering Americas, Inc.	14	OCAHO	1350	2020

OSC, A Separate and Distinct Party, Can Pursue Complaint-In-Intervention Without Charging Party

United States v. Jerry Estopy and Manuel Bortoni, d/b/a Estopy Farms	11	OCAHO	1252	2015

Party Who Files Charge With IER May File a Complaint With OCAHO Even If IER Dismisses the Charge

Alex J. Montalvo v. Kering Americas, Inc. 14 OCAHO 1350 2020

OFFICE OF SPECIAL COUNSEL/IMMIGRANT AND EMPLOYEE RIGHTS SECTION

Pattern or Practice

In re Investigation of: Space Exploration, Technologies Corp. d/b/a Space X 14 OCAHO 1378 2020

United States v. Pancho's Mexican Buffet, Inc. 4 OCAHO 632 1994

United States v. Workrite Uniform Company, Inc. 5 OCAHO 755 1995

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United States v. Agripac, Inc. 8 OCAHO 1012 1998

Requirement to File a Charge With IER Is Not Applicable in Cases Under Section 1324a

United States v. HRK Investments, Inc. 13 OCAHO 1318 2019

OFFICE OF SPECIAL COUNSEL/IMMIGRANT AND EMPLOYEE RIGHTS SECTION

Retaliation

Jose Danilo Cruz v. Able Service Contractors, Inc. 6 OCAHO 837 1996

Sanctions

United States v. Rosario Strano and Vito Strano d/b/a Strano Farms 4 OCAHO 636 1994

Settlement

United States v. New Mexico State Fair 6 OCAHO 898 1996

Statute of Limitations

Jose R. Lima v. New York City Department of Education 10 OCAHO 1128 2009

Jose R. Lima v. New York City Department of Education	10	OCAHO	1128	2009
Oswalde Woode v. Central Regional Hospital NCDHHS Agency	11	OCAHO	1235	2014
United States v. Agripac, Inc.	8	OCAHO	1028	1999
United States v. Fairfield Jersey, Inc.	9	OCAHO	1069	2001
United States v. Workrite Uniform Company, Inc.	5	OCAHO	755	1995

OFFICE OF SPECIAL COUNSEL/IMMIGRANT AND EMPLOYEE RIGHTS SECTION

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In re Investigation of ABM Industries, Subpoena	5	OCAHO	763	1995
In re Investigation of Hyatt Regency Lake Tahoe, Subpoena	5	OCAHO	751	1995
In re Investigation of Miccosukee Resort	9	OCAHO	1114	2004
In re Investigation of Norfolk Public Schools, Subpoena	4	OCAHO	621	1994
In re Investigation of: Space Exploration, Technologies Corp. d/b/a Space X	14	OCAHO	1378	2020
United States v. Rosario Strano and Vito Strano d/b/a Strano Farms	5	OCAHO	748	1995

Withdrawal

United States v. Auburn University 4 OCAHO 662 1994

OFFICE OF SPECIAL COUNSEL/IMMIGRANT AND EMPLOYEE RIGHTS SECTION INVESTIGATIONS

IER May Broaden the Scope of an Investigation Beyond the Allegations Made in a Particular Charge

In re Investigation of: Space Exploration, Technologies Corp. d/b/a Space X 14 OCAHO 1378 2020

IER May Conduct Investigations on Its Own Initiative

In re Investigation of: Space Exploration, Technologies Corp. d/b/a Space X 14 OCAHO 1378 2020

Investigations on OSC/IER's Own Initiative May Occur Where There Is No Underlying Charge

In re Investigation of: Space Exploration, Technologies Corp. d/b/a Space X 14 OCAHO 1378 2020

Investigations on OSC's Own Initiative May Occur Where There Is No Underlying Charge

United States v. Louisiana Crane Company, LLC d/b/a Louisiana Crane and Construction 11 OCAHO 1246 2015

OFFICE OF SPECIAL COUNSEL/IMMIGRANT AND EMPLOYEE RIGHTS SECTION INVESTIGATIONS

OCAHO Lacks Authority to Regulate OSC's Prosecutorial Discretion

United States v. Louisiana Crane Company, LLC d/b/a Louisiana Crane and Construction 11 OCAHO 1246 2015

OSC May Investigate On Its Own Initiative Where It Receives DHS Referral

United States v. Louisiana Crane Company, LLC d/b/a Louisiana Crane and Construction 11 OCAHO 1246 2015

Plain reading of OCAHO Rules Does Not Divest OSC of Authority to File Complaint Based on Referral

United States v. Louisiana Crane Company, LLC d/b/a Louisiana Crane and Construction 11 OCAHO 1246 2015

OFFICIAL NOTICE

Information Not Officially Noticed May Be Admissible Under General Evidentiary Standards

United States v. Psychosomatic Fitness 14 OCAHO 1387 2021

OFFICIAL NOTICE

Official Notice Inappropriate When Document Subject to Various Intrepretations

United States v. Psychosomatic Fitness 14 OCAHO 1387 2021

Official Notice May Be Taken at Any Stage in Proceedings

United States v. Psychosomatic Fitness 14 OCAHO 1387 2021

Order Denying Motion for Judicial Notice

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP 13 OCAHO 1332j 2021

ORDER(S)

ALJ May Correct Substantive or Clerical/Typographical Errors in Final Orders in 1324b Cases

Zaji Obatala Zajradhara v. GIG Partners	14	OCAHO	1363d	2021

ORDER(S)

Amended

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021
United States v. Felipe, Inc.	1	OCAHO	99	1989
	1	OCAHO	101	1989
United States v. Leo Yruegas d/b/a Chito's Mexican Restaurant	1	OCAHO	46	1989
United States v. Marcel Watch Corporation	1	OCAHO	169	1990

Certification(s)

United States v. Pedro Dominguez	6	OCAHO	876	1996
	6	OCAHO	876	1996
	6	OCAHO	876	1996

United States v. Pedro Dominguez	6	OCAHO	876	1996

ORDER(S)

Clarification

Marcos Valencio v. VASP Brazilian Airlines	5	OCAHO	740	1995
United States v. Monfort, Inc.	4	OCAHO	597	1994
United States v. Patrol & Guard Enterprises, Inc.	8	OCAHO	1052	2000

Compel Discovery

Dinko Sefic v. Marconi Wireless	9	OCAHO	1125	2007
Iron Workers Local 455 v. Lake Construction & Development Corporation	7	OCAHO	964	1997
Jenlih John Hsieh v. PMC - Sierra, Inc.	9	OCAHO	1087	2002
United States v. Diamond Construction, Inc.	3	OCAHO	451	1992
United States v. M.C.S.M. Inc. d/b/a Tre Fratelly Restaurant	3	OCAHO	544	1993
United States v. Marvlee, Inc.	5	OCAHO	728	1995

United States v. Primera Enterprises, Inc. d/b/a J.B.'s Lounge	3	OCAHO	560	1993
United States v. Rose Acre Farms, Inc.	12	OCAHO	1285a	2018
	12	OCAHO	1285	2016
United States v. Select Temporaries, Inc. d/b/a Select Personnel Services	9	OCAHO	1082	2002

ORDER(S)

Consent

United States v. IBP, Inc.	5	OCAHO	766	1995
United States v. Westin Galleria & Westin Oaks Hotel	4	OCAHO	701	1994

Default Judgment

United States of America v. Danielle Messineo	14	OCAHO	1367	2020

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United States v. Facebook, Inc.	14	OCAHO	1386b	2021

ORDER(S)

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Jaime Banuelos v. Transportation Leasing Company	1	OCAHO	259	1990

Discharge of an Order to Show Cause

United States v. Popo's Bar and Restaurant	15	OCAHO	1398	2021

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Leonid Naginsky v. Department of Defense	5	OCAHO	802	1995
Martin A. Holguin v. Dona Ana Fashions	3	OCAHO	582	1993
Olatunji Moshood Fakunmoju v. Claims Administration Corporation	4	OCAHO	613	1994
Temitope Ogunrinu v. Law Resources	13	OCAHO	1332	2020

United States v. Rose Acre Farms, Inc.	12	OCAHO	1285a	2018
	12	OCAHO	1285	2016
United States v. Select Temporaries, Inc. d/b/a Select Personnel Services	9	OCAHO	1082	2002

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Dave O'Brian Tingling v. City of Richmond, VA	13	OCAHO	1324e	2021
Elizabeth A. Kalil v. Utica City School District	9	OCAHO	1101	2003
Elodia Guzman v. Yakima Fruit & Cold Storage	9	OCAHO	1066	2001
	9	OCAHO	1066	2001
Robert Heath v. Vbeyond Corporation and an Anonymous Employer	14	OCAHO	1368a	2020
Roman Udala v. New York State Department of Education	4	OCAHO	633	1994
Temitope Ogunrinu v. Law Resources & Arnold & Porter Kaye Scholer LLP	13	OCAHO	1332g	2020
United States v. Capital Fireproof Door	14	OCAHO	1372	2020
United States v. Torres Mexican Food, Inc.	4	OCAHO	596	1994
Zaji Obatala Zajradhara	14	OCAHO	1363c	2021
Zaji Obatala Zajradhara v. Donghui Kengxindun Corporation d/b/a Kengxindun Apartment Rental	14	OCAHO	1382	2020

ORDER(S)

Dismissal With Prejudice

Dave O'Brian Tingling v. City of Richmond, VA	13	OCAHO	1324e	2021

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United States v. Emiliano Rios-Villatoro	14	OCAHO	1364	2020
United States v. La Parisienne Bakery, LLC	15	OCAHO	1390a	2021

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Ahmad S. Elhajomar v. City and County of Honolulu	1	OCAHO	248	1990
Cristina Escalante v. California Commerce Bank	1	OCAHO	65	1989
Jesse Charles Jones v. DeWitt Nursing Home	1	OCAHO	140	1990
Martha Navarro Mata v. Bear Creek Production Company	1	OCAHO	241	1990

Rafael Prieto v. News World Communications, Inc.	1	OCAHO	177	1989
	1	OCAHO	178	1990
	1	OCAHO	177	1990
	1	OCAHO	177	1989
Richard Becker v. Ademco Corporation d/b/a Alarm Device Manufacturing Corporation	1	OCAHO	118	1989
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Jenlih John Hsieh v. PMC - Sierra, Inc.	9	OCAHO	1093	2003
United States v. Alberto Noriega-Perez	5	OCAHO	811	1995

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Daniel Joseph Bendig v. Conoco, Inc.	9	OCAHO	1077	2001
Gloria Ondina-Mendez v. Sugar Creek Packing Company	9	OCAHO	1085	2002

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021
United States v. Casa Orozco, Inc.	1	OCAHO	92	1989
United States v. Danny Mathis d/b/a Mathis Maspory	5	OCAHO	752	1995
United States v. Giannini Landscaping, Inc.	3	OCAHO	573	1993
United States v. Sophie Valdez d/b/a La Parilla Restaurant	1	OCAHO	91	1989
Zaji Obatala Zajradhara v. GIG Partners	14	OCAHO	1363d	2021

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Florinda Kattan v. Union League Club of Chicago	4	OCAHO	599	1994

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United States v. American Terrazzo Corporation d/b/a John Delallo Foods	6	OCAHO	829	1995
United States v. Power Operating Company	3	OCAHO	561	1993

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United States v. Rosario Strano and Vito Strano d/b/a Strano Farms 4 OCAHO 623 1994

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Motion to Enforce Order Compelling Discovery

Temitope Ogunrinu v. Law Resources and Arnold & Porter Kaye Scholer LLP 13 OCAHO 1332f 2020

Motion to Enforce Previous Order

Temitope Ogunrinu v. Law Resources and Arnold & Porter Kaye Scholer LLP 13 OCAHO 1332f 2020

Motion to Strike Deposition Errata Sheet

Temitope Ogunrinu v. Law Resources & Arnold & Porter Kaye Scholer LLP 13 OCAHO 1332i 2020

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United States v. Mushtaq Ahmed Chaudhry 4 OCAHO 666 1994

ORDER(S)

Notice and Opportunity to Respond Prior to Granting Summary Decision in Favor of Nonmoving Party

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc. 14 OCAHO 1370b 2021

OCAHO ALJs May Consider Substantive Motions to Reconsider Interlocutory Orders

A.S. v. Amazon WebServices, Inc. 14 OCAHO 1381b 2021

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc. 14 OCAHO 1370b 2021

Temitope Ogunrinu v. Law Resources 13 OCAHO 1332b 2019

Official Notice

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021
United States v. Psychosomatic Fitness	14	OCAHO	1387	2021

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United States v. Facebook, Inc.	14	OCAHO	1386e	2021

Order Denying Motion for a Protective Order

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc.	14	OCAHO	1370	2020
Ana Maria Ravines de Schur v. Easter Seals-Goodwill Northern Rocky Mountain, Inc.	15	OCAHO	1388c	2021
Robert Heath v. ASTA CRS, Inc.	14	OCAHO	1385a	2021
Temitope Ogunrinu v. Law Resources and Arnold & Porter Kaye Scholer LLP	13	OCAHO	1332e	2020
United States v. Facebook, Inc.	14	OCAHO	1386a	2021

Order Denying Motion for a Restraining Order

Ana Maria Ravines de Schur v. Easter Seals-Goodwill Northern Rocky Mountain, Inc. 15 OCAHO 1388c 2021

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Order Denying Motion for Default Judgment

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc. 14 OCAHO 1370b 2021

Order Denying Motion for Extension of Time

Dave O'Brian Tingling v. City of Richmond, VA 13 OCAHO 1324c 2021

Order Denying Motion for Judicial Notice

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP 13 OCAHO 1332j 2021

Order Denying Motion for Jury Trial

A.S. v. Amazon Web Services, Inc. 14 OCAHO 1381c 2021

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Order Denying Motion for Reconsideration

A.S. v. Amazon WebServices, Inc. 14 OCAHO 1381e 2021

Alvin J. Green, III v. All Desert Appliances d/b/a ADA Repair, Inc. 14 OCAHO 1370a 2020

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc. 14 OCAHO 1370b 2021

Robert Heath v. Optnation and an Anonymous Employer 14 OCAHO 1374a 2021

Zaji Obatala Zajradhara v. GIG Partners 14 OCAHO 1363d 2021

Order Denying Motion for Summary Decision

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP 13 OCAHO 1332j 2021

13 OCAHO 1332j 2021

United States v. Maria Gregorio-Gomez, and Elsa Aguilar-Pablo 14 OCAHO 1359a 2021

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A.S. v. Amazon WerServices, Inc.	14	OCAHO	1381	2020
Ana Maria Ravines de Schur v. Easter Seals-Goodwill Northern Rocky Mountain, Inc.	15	OCAHO	1388b	2021
	15	OCAHO	1388b	2021
Martine Mbitaze v. Greenbelt Police Department	14	OCAHO	1360a	2020
	14	OCAHO	1360	2020
Robert Heath v. ASTA CRS, Inc.	14	OCAHO	1385b	2021
Zaji Obatala Zajradhara v. Gig Partners	14	OCAHO	1363a	2020

Order Denying Motion to Enforce

A.S. v. Amazon Web Services, Inc.	14	OCAHO	1381f	1

Order Denying Motion to Strike Evidence

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP 13 OCAHO 1332j 2021

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Order Disclosing Ex Parte Filing

Ana Maria Ravines de Schur v. Easter Seals-Goodwill Northern Rocky Mountain, Inc. 15 OCAHO 1388 2021

Dave O'Brian Tingling v. City of Richmond, VA 13 OCAHO 1324 1

Order for Prehearing Statements

United States v. Arctic Air Conditioning & Heating, Inc., Cesar Rodriguez and Rosa Rodriguez 13 OCAHO 1341 2020

United States v. Pita Pit Bakery, LLC 13 OCAHO 1339 2020

Order Granting Extension of Time to Supplement Discovery

United States v. Facebook, Inc. 14 OCAHO 1386e 2021

ORDER(S)

Order Granting Motion for Entry of Protective Order

United States v. Facebook, Inc. 14 OCAHO 1386d 2021

Order Granting Motion for Leave to File a Reply

Robert Heath v. ASTA CRS, Inc. 14 OCAHO 1385b 2021

Order Granting Motion to Compel

Temitope Ogunrinu v. Law Resources and Arnold & Porter Kaye Scholer LLP 13 OCAHO 1332e 2020

United States v. Capital Fireproof Door 14 OCAHO 1372 2020

Order Granting Request to Extend Discovery Period

A.S. v. Amazon Web Services, Inc. 14 OCAHO 1381f 1

A.S. v. Amazon WebServices, Inc. 14 OCAHO 1381e 2021

14 OCAHO 1381i 2021

Robert Heath v. Asta CRS, Inc. 14 OCAHO 1385 2021

ORDER(S)

Order Granting Withdrawal of Counsel

United States v. Facebook, Inc. 14 OCAHO 1386e 2021

Order Memorializing Prehearing Conference

A.S. v. Amazon WebServices, Inc. 14 OCAHO 1381i 2021

Order Not Considering Sur-reply Filed in Derogation of OCAHO Rules

Degaonkar v. Infosys Ltd. 15 OCAHO 1393 2021

ORDER(S)

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Prakash Sinha v. Infosys 14 OCAHO 1373 2020

Order on Cross-Motions for Summary Decision

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP 13 OCAHO 1332j 2021

Order Rejecting Oral Motion

United States v. Facebook, Inc. 14 OCAHO 1386e 2021

Order Requiring Filing of Notice of Appearance

United States v. Popo's Bar and Restaurant 15 OCAHO 1398 2021

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United States v. Sal's Lounge 15 OCAHO 1394 2021

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United States v. Facebook, Inc. 14 OCAHO 1386e 2021

Order to Show Cause Regarding Subpoenas

Robert Heath v. ConsultAdd and an Anonymous Employer 15 OCAHO 1395 2021

Order to Show Cause Why Claim Should Not Be Dismissed for Lack of Subject Matter Jurisdiction

Jayaben Patel v. USCIS Boston 14 OCAHO 1353 2020

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Order to Show Cause Why Complaint Should Not Be Dismissed

A.S. v. Amazon WebServices, Inc. 14 OCAHO 1381a 2021

Order(s)

Elizabeth A. Kalil v. Utica City School District 9 OCAHO 1101 2003

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United States v. Sunshine Building Maintenance, Inc. 7 OCAHO 997 1998

Protective Order(s)

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc. 14 OCAHO 1370 2020

Chand Wije v. Barton Springs/Edwards Aquifier C.D.	4	OCAHO	635	1994
Gabriel Niyi Adepitan v. United States Postal Service	3	OCAHO	416	1991
In re Investigation of ABM Industries, Subpoena	5	OCAHO	763	1995
Jacob Roginsky v. Department of Defense, Center for Naval Analyses, EPL Analysis	3	OCAHO	415	1991
Joan A. Lardy v. United Airlines, Inc.	3	OCAHO	450	1992
Leonid Naginsky v. Department of Defense	5	OCAHO	813	1995
Robert Heath v. ASTA CRS, Inc.	14	OCAHO	1385a	2021
Temitope Ogunrinu v. Law Resources	13	OCAHO	1332	2020
United States v. Agripac, Inc.	8	OCAHO	1012	1998
United States v. Alberta Sosa, Inc.	5	OCAHO	731	1995
United States v. Chancery Staffing Solutions, LLC et al.	13	OCAHO	1326a	2019
	13	OCAHO	1326	2019
United States v. Facebook, Inc.	14	OCAHO	1386a	2021
	14	OCAHO	1386d	2021
United States v. Guardsmark	4	OCAHO	614	1994
United States v. Harris Ranch Beef Company	2	OCAHO	302	1991
United States v. James Arnold, Individually and d/b/a Fiesta/Bonanza Motors	1	OCAHO	119	1989

United States v. R & C Tours (Guam), Inc.	2	OCAHO	393	1989
United States v. Roberto C. Davila	6	OCAHO	902	1996
United States v. Rosario Strano d/b/a Strano Farms	3	OCAHO	555	1993
United States v. San Diego Semiconductors, Inc.	1	OCAHO	180	1990
United States v. Tuttle's Design Build, Inc.	3	OCAHO	422	1992
United States v. William D. Clark d/b/a Tidwell Medical Center	5	OCAHO	771	1995

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A.S. v. Amazon WebServices, Inc.	14	OCAHO	1381e	2021
	14	OCAHO	1381b	2021
United States v. Alberto Noriega-Perez	5	OCAHO	811	1995
United States v. Diversified Technology and Services of Virginia, Inc.	9	OCAHO	1098	2003
United States v. Diversified Technology and Services of Virginia, Inc.	9	OCAHO	1098	2003
United States v. Workrite Uniform Company, Inc.	5	OCAHO	755	1995
Zaji Obatala Zajradhara v. GIG Partners	14	OCAHO	1363d	2021

ORDER(S)

Request for Attorney Fees Denied as Premature

Ana Maria Ravines de Schur v. Easter Seals-Goodwill Northern Rocky Mountain, Inc. 15 OCAHO 1388b 2021

Request for Attorney Fees for Motion to Compel Denied as Premature

Ana Maria Ravines de Schur v. Easter Seals-Goodwill Northern Rocky Mountain, Inc. 15 OCAHO 1388b 2021

Restraining

Anthony F. Lundy v. OOCL, Inc. 1 OCAHO 215 1990

1 OCAHO 196 1990

Revocation of Electronic Filing Privileges

Ana Maria Ravines de Schur v. Easter Seals-Goodwill Northern Rocky Mountain, Inc. 15 OCAHO 1388a 2021

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Jenlih John Hsieh v. PMC - Sierra, Inc. 9 OCAHO 1091 2003

United States v. Alberto Noriega-Perez 5 OCAHO 811 1995

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United States v. Monica Zapata-Cosio 4 OCAHO 685 1994

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Benjamin Stephen Mackinnon v. The Financial Times 13 OCAHO 1316 2019

Carlos Alfredo Osorno v. Cesar Geraldo, Owner, Reliable Graphics, Inc. 1 OCAHO 251 1990

Crecencio Cabrera Mendez v. Jim Daniels 2 OCAHO 374 1991

Florinda Kattan v. Union League Club of Chicago	3	OCAHO	586	1993
Jairo Diaz v. Canteen Corporation	2	OCAHO	332	1991
Jose Proto Alcaraz v. General Motors Corporation	7	OCAHO	962	1997
Lazaro Antonio Arrieta v. Michigan Employment Security Commission	3	OCAHO	471	1992
Maria Lourdes Castillo v. Hotel Casa Marina (Marriott)	3	OCAHO	508	1993
Mr. Doron Tal v. M. L. Energia, Inc.	3	OCAHO	519	1993
Robert Heath v. F18 Consulting and an Anonymous Employer	14	OCAHO	1365	2020
Robert Heath v. VBeyond Corporation and an Anonymous Employer	14	OCAHO	1368	2020
Stephen A. Lewis v. Ogden Services	2	OCAHO	375	1991
Temitope Ogunrinu v. Law Resources and Arnold & Porter Kaye Scholer LLP	13	OCAHO	1332d	2020
Troncoso v. Ferlin Service Industries	1	OCAHO	110	1989
United States v. Abel Galvez-Malgarejo	4	OCAHO	684	1994
United States v. Armando Alvarez-Suarez	4	OCAHO	699	1994
	4	OCAHO	655	1994
United States v. Auburn University	4	OCAHO	658	1994
United States v. Broadcasters Unlimited, Inc. d/b/a KGRE AM Radio	4	OCAHO	719	1994
United States v. Bubble Fashions Company, Inc. d/b/a Hi-Tide Fashions	2	OCAHO	355	1991

United States v. Diamond Construction, Inc.	3	OCAHO	451	1992
United States v. Elena Finishing, Inc.	1	OCAHO	132	1990
United States v. Ferrantino Fuel Corp.	13	OCAHO	1335	2020
United States v. Flat Knitting Mills Company, Inc.	2	OCAHO	317	1991
United States v. Hosung Cleaning Corporation d/b/a Sun Cleaner	4	OCAHO	681	1994
United States v. John Morales d/b/a Riverside Insulation	1	OCAHO	197	1990
United States v. M.C.S.M. Inc. d/b/a Tre Fratelly Restaurant	3	OCAHO	544	1993
United States v. McDonnell Douglas Corporation	4	OCAHO	616	1994
United States v. Mireya Pedraza-Guzman	5	OCAHO	792	1995
United States v. Nu Look Cleaners of Pembroke Pines, Inc.	1	OCAHO	292	1991
	2	OCAHO	318	1991
United States v. Popo's Bar and Restaurant	15	OCAHO	1398	2021
United States v. Redi-Cut Foods, Inc.	4	OCAHO	659	1994
United States v. Sea Dart Trading Corporation	2	OCAHO	336	1991
United States v. South Bay Auto Detail	1	OCAHO	68	1989
United States v. William D. Boatright and Hanie Boatright d/b/a BNB Kennels	4	OCAHO	634	1994
United States v. Zeferino Castillo, Individually	3	OCAHO	505	1993

United States v. Ziagul Zekreya	4	OCAHO	683	1994
	4	OCAHO	677	1994

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Armando Huberth Crespo v. FAMSA, Inc.	13	OCAHO	1337	2019
	13	OCAHO	1337	2019
Celia Simon v. Ingram Micro, Inc.	9	OCAHO	1088	2003
Daniel Joseph Bendig v. Conoco, Inc.	9	OCAHO	1077	2001
Dolores Garcia Contreras v. Cascade Fruit Company	9	OCAHO	1090	2003
Elodia Guzman v. Yakima Fruit & Cold Storage	9	OCAHO	1066	2001
	9	OCAHO	1066	2001
Guy Santiglia v. Sun Microsystems, Inc.	9	OCAHO	1110	2004
Jenlih John Hsieh v. PMC - Sierra, Inc.	9	OCAHO	1093	2003
Manikandan Sivasankar v. Strategic Staffing Solutions	14	OCAHO	1354	2020
Roman Udala v. New York State Department of Education	4	OCAHO	633	1994
Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021

United States v. Diversified Technology and Services of Virginia, Inc.	9	OCAHO	1095	2003
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12	OCAHO	1286	2016
United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021
United States v. Yin Tien Chen, Individually and Winning Orchards, LLC	9	OCAHO	1092	2003
Zaji Obatala Zajradhara	14	OCAHO	1363c	2021
Zaji Obatala Zajradhara v. Donghui Kengxindun Corporation d/b/a Kengxindun Apartment Rental	14	OCAHO	1382	2020

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United States v. Big Bear Market	1	OCAHO	49	1989
United States v. Diversified Technology and Services of Virginia, Inc.	9	OCAHO	1098	2003

Unpublished

United States v. Workrite Uniform Company, Inc.	5	OCAHO	755	1995

PAPERWORK REQUIREMENT (S)/VIOLATION(S)

Absent Extension of Time, Employer Cannot Avoid Liability by Submitting I-9s Later in Process

United States v. Eriksmoen Cottages, Ltd. 14 OCAHO 1355 2020

United States v. Golden Employment Group, Inc. 12 OCAHO 1274 2016

PAPERWORK REQUIREMENT (S)/VIOLATION(S)

Accrual Date of a Paperwork Violation Depends on the Specific Violation

United States v. R2M2 Rebar & Stressing, Inc. 14 OCAHO 1357 2020

United States v. Visiontron Corp. 13 OCAHO 1348 2020

Admission(s)

United States v. DJ Drywall, Inc. 10 OCAHO 1136 2010

United States v. WSC Plumbing, Inc. 9 OCAHO 1062 2000

United States v. Zip City Partner, L.P. d/b/a Zip City Brewing 7 OCAHO 965 1997

Affirmative Defense(s)

United States v. Barnett Taylor, LLC, d/b/a Burger King	10	OCAHO	1155	2012
United States v. WSC Plumbing, Inc.	9	OCAHO	1062	2000
United States v. Zip City Partner, L.P. d/b/a Zip City Brewing	7	OCAHO	965	1997

PAPERWORK REQUIREMENT (S)/VIOLATION(S)

Cease and Desist

United States v. Torres Mexican Food, Inc.	4	OCAHO	596	1994

Civil Money Penalty

United States v. Alberta Sosa, Inc.	6	OCAHO	831	1996
United States v. Davis Nursery, Inc.	4	OCAHO	694	1994
United States v. DJ Drywall, Inc.	10	OCAHO	1136	2010
United States v. El Azteca Dunkirk, Inc.	10	OCAHO	1172	2013
United States v. El Paso Hospitality, Inc.	5	OCAHO	737	1995

United States v. Exim, Inc. and Jaime Monardes, Individually	4	OCAHO	604	1994
United States v. Four Star Knitting, Inc.	6	OCAHO	868	1996
United States v. Giamblis Enterprises	6	OCAHO	834	1996
	5	OCAHO	817	1995
United States v. Great Bend Packing Company	6	OCAHO	835	1996
United States v. Ice Castles Daycare Too, Inc.	10	OCAHO	1142	2011
United States v. Irma Hernandez	8	OCAHO	1043	2000
United States v. Ketchikan Drywall Services, Inc.	10	OCAHO	1139	2011
United States v. La Hacienda Mexican Café	10	OCAHO	1167	2013
United States v. Monroe Novelty Co., Inc. d/b/a Monroe Novelties Corporation	7	OCAHO	986	1998
United States v. Morgan's Mexican & Lebanese Foods, Inc.	8	OCAHO	1013	1998
United States v. New China Buffet Restaurant	10	OCAHO	1133	2010
United States v. Ricardo Calderon, Inc.	6	OCAHO	832	1996
	6	OCAHO	832	1996
United States v. Riverboat Delta King, Inc.	5	OCAHO	738	1995
United States v. Rupson of Hyde Park, Inc. d/b/a Super 8 Motel, Hyde Park	7	OCAHO	958	1997
United States v. Skydive Academy of Hawaii Corporation d/b/a Skydive Hawaii	6	OCAHO	848	1996

United States v. Sunshine Building Maintenance, Inc.	7	OCAHO	997	1998
United States v. Task Force Security, Inc. d/b/a Task Force Security and Investigations	4	OCAHO	625	1994
United States v. Taste of China	10	OCAHO	1164	2013

PAPERWORK REQUIREMENT (S)/VIOLATION(S)

Civil Penalties

United States v. Jabil Circuit, Inc.	10	OCAHO	1146	2012

Completion

United States v. Big Bear Market	1	OCAHO	48	1989
United States v. Boo Bears Den	1	OCAHO	71	1989
United States v. DJ Drywall, Inc.	10	OCAHO	1136	2010
United States v. LFW Dairy Corporation	10	OCAHO	1129	2009
United States v. Manos & Associates, Inc. d/b/a The Bread Basket Restaurant	1	OCAHO	130	1989
United States v. Mester Manufacturing Company	1	OCAHO	18	1988

United States v. Min Goldblatt & Sons, Inc. t/a Richfield Caterers 1 OCAHO 154 1990

United States v. New China Buffet Restaurant 10 OCAHO 1133 2010

PAPERWORK REQUIREMENT (S)/VIOLATION(S)

Completion of I-9 after Notice of Inspection

United States v. Intelli Transport Services, Inc. 13 OCAHO 1319 2019

Completion of I-9 for Employee Who Works Fewer Than Three Business Days

United States v. A&J Kyoto Japanese Restaurant, Inc. 10 OCAHO 1186 2013

United States v. Two For Seven, LLC d/b/a Black & Blue Restaurant 10 OCAHO 1208 2014

Compliance

United States v. Corporate Loss Prevention Associates, Ltd. 6 OCAHO 886 1996

PAPERWORK REQUIREMENT (S)/VIOLATION(S)

Continuing Violation(s)

United States v. Curran Engineering Company, Inc.	7	OCAHO	975	1997
United States v. Executive Cleaning Services of Long Island, Ltd.	13	OCAHO	1314	2018
United States v. R2M2 Rebar & Stressing, Inc.	14	OCAHO	1357	2020
United States v. Rupson of Hyde Park, Inc. d/b/a Super 8 Motel, Hyde Park	7	OCAHO	940	1997
United States v. Visiontron Corp.	13	OCAHO	1348	2020
United States v. WSC Plumbing, Inc.	9	OCAHO	1071	2001
United States v. WSC Plumbing, Inc.	9	OCAHO	1061	2000

Copying and Attaching Verification Documents Without Properly Completing Form I-9

United States v. Super 8 Motel & Villella Italian Restaurant	10	OCAHO	1191	2013

Copying Employment Eligibility Documents Doesn't Excuse Employer's Failure to Complete Section 2

	Ketchikan Drywall Services, Inc. v. Immigration and Customs Enforcement; Office of the Chief Administrative Hearing Officer	10 OCAHO	1201	2013
	United States v. A&J Kyoto Japanese Restaurant, Inc.	10 OCAHO	1186	2013
	United States v. Platinum Builders of Central Florida, Inc.	10 OCAHO	1199	2013
PAPERWORK REQUIREMENT (S)/VIOLATION(S)				
Copying Verification Documents				
	United States v. International Packaging, Inc.	12 OCAHO	1275	2016
		12 OCAHO	1275	2016
	United States v. Seven Elephants Distributing Corp.	10 OCAHO	1173	2013
Creation of False Section 2 Attestations Is Substantive Violation				
	United States v. Employer Solutions Staffing Group II, LLC	11 OCAHO	1242	2015
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United States v. Alliance Construction, Inc.	7	OCAHO	983	1998

PAPERWORK REQUIREMENT (S)/VIOLATION(S)

Defense(s)

United States v. Alberta Sosa, Inc.	4	OCAHO	720	1994
United States v. Anthony Borrelli and Sons, Inc.	8	OCAHO	1027	1999
United States v. Chi Ling, Inc. d/b/a Chi Ling Chinese Restaurant	5	OCAHO	723	1995
United States v. China Wok Restaurant, Inc., a Nebraska Corporation	4	OCAHO	608	1994
United States v. Davis Nursery, Inc.	4	OCAHO	694	1994
United States v. Diversified Technology and Services of Virginia, Inc.	9	OCAHO	1095	2003
United States v. Enrique Reyes d/b/a King's Produce	4	OCAHO	592	1994
United States v. Exim, Inc. and Jaime Monardes, Individually	4	OCAHO	604	1994
United States v. LFW Dairy Corporation	10	OCAHO	1129	2009
United States v. Local Building & Remodeling of International Falls	3	OCAHO	567	1993
United States v. Manuel Orozco-Minjares	4	OCAHO	606	1994
United States v. Northern Michigan Fruit Company	4	OCAHO	667	1994

United States v. Onion River Sports, Inc.	4	OCAHO	673	1994
United States v. Randall Kurzon, Individually and Alonza Restaurant Ventures, inc.	3	OCAHO	583	1993
United States v. Sunshine Building Maintenance, Inc.	7	OCAHO	997	1998
United States v. WSC Plumbing, Inc.	9	OCAHO	1062	2000

PAPERWORK REQUIREMENT (S)/VIOLATION(S)

Employee's Documents Are To Be Independently Verified By the Employer, Not By the Employee

United States v. International Packaging, Inc.	12	OCAHO	1275	2016
	12	OCAHO	1275	2016

Employee's Failure to Check a Box in Section 1 Attesting to Status is a Serious Violation

United States v. Hartmann Studios, Inc.	11	OCAHO	1255	2015
United States v. Horno MSJ, Ltd., Company	11	OCAHO	1247	2015
	11	OCAHO	1247	2015
United States v. Quickstuff, LLC, Its Member Maria Castillo, and A&C Staffing, LLC	11	OCAHO	1265	2015

PAPERWORK REQUIREMENT (S)/VIOLATION(S)

Employee's Failure to Check Box Attesting to Status or Sign Section 1 is a Substantive Violation

United States v. Eriksmoen Cottages, Ltd. 14 OCAHO 1355 2020

United States v. Imacuclean Cleaning Services, LLC 13 OCAHO 1327 2019

Employee's Failure to Complete Citizenship Attestation Constitutes Serious Substantive Violation

United States v. Super 8 Motel & Villella Italian Restaurant 10 OCAHO 1191 2013

Employees Must Attest to Specific Category of Employment Eligibility in Which They Fit

Ketchikan Drywall Services, Inc. v. Immigration and Customs Enforcement; Office of the Chief Administrative Hearing Officer 10 OCAHO 1201 2013

Employer Cannot Avoid Liability by Submitting I-9s After the Deadline Unless Extension is Granted

United States v. SKZ Harvesting, Inc. 11 OCAHO 1266 2016

PAPERWORK REQUIREMENT (S)/VIOLATION(S)

Employer is Liable for Only One Violation Per Form I-9

United States v. Cawoods Produce, Inc. 12 OCAHO 1280 2016

United States v. Super 8 Motel & Villella Italian Restaurant 10 OCAHO 1191 2013

Employer Must Complete Form I-9 Section 2 Within 3 Business Days of Employee's First Day of Work

United States v. Hair U Wear, LLC 11 OCAHO 1268 2016

United States v. Imacuclean Cleaning Services, LLC 13 OCAHO 1327 2019

United States v. Intelli Transport Services, Inc. 13 OCAHO 1319 2019

United States v. Visiontron Corp. 13 OCAHO 1348 2020

United States v. Wave Green, Inc. d/b/a Golden Farm Market 11 OCAHO 1267 2016

Employer Must Ensure Employee Completes and Signs Form I-9 Section 1 On Date of Hire

United States v. Hair U Wear, LLC	11	OCAHO	1268	2016
United States v. Imacuclean Cleaning Services, LLC	13	OCAHO	1327	2019
United States v. Intelli Transport Services, Inc.	13	OCAHO	1319	2019
United States v. Visiontron Corp.	13	OCAHO	1348	2020
United States v. Wave Green, Inc. d/b/a Golden Farm Market	11	OCAHO	1267	2016

PAPERWORK REQUIREMENT (S)/VIOLATION(S)

Employer Must Reverify An Employee's Expired Employment Authorization on Section 3 of Form 1-9

United States v. Eriksmoen Cottages, Ltd.	14	OCAHO	1355	2020

Employer Responsibility

United States v. 4431, Inc. t/a Candlelight Inn	4	OCAHO	611	1994
United States v. Burns and Intra-Continental Enterprises	5	OCAHO	768	1995
United States v. Cafe Camino Real, Inc.	2	OCAHO	307	1991
United States v. China Wok Restaurant, Inc., a Nebraska Corporation	4	OCAHO	608	1994

United States v. David Jenkins	5	OCAHO	743	1995
United States v. Diversified Technology and Services of Virginia, Inc.	9	OCAHO	1095	2003
United States v. El Paso Hospitality, Inc.	5	OCAHO	737	1995
United States v. Enrique Reyes d/b/a King's Produce	4	OCAHO	592	1994
United States v. Exim, Inc. and Jaime Monardes, Individually	3	OCAHO	591	1993
United States v. Giamblis Enterprises	5	OCAHO	817	1995
United States v. Giannini Landscaping, Inc.	3	OCAHO	573	1993
United States v. GRS, Inc. d/b/a Gasket Engineering	4	OCAHO	627	1994
United States v. Hosung Cleaning Corporation d/b/a Sun Cleaner	4	OCAHO	670	1994
United States v. Karnival Fashion, Inc.	5	OCAHO	769	1995
United States v. Manuel Orozco-Minjares	4	OCAHO	606	1994
United States v. New Peking, Inc. d/b/a New Peking Chinese Restaurant	2	OCAHO	329	1991
	2	OCAHO	329	1991
United States v. Oscar Chacon, Sr.	3	OCAHO	578	1993
United States v. PPJV, Inc. d/b/a Publishers Press	2	OCAHO	354	1991
United States v. R&M Fashion, Inc.	6	OCAHO	826	1995
United States v. Rosario Strano d/b/a Strano Farms	3	OCAHO	492	1993

United States v. Tri-Component Product Corporation	5	OCAHO	821	1995
United States v. Vogue Pleating, Stitching & Embroidery Corporation	5	OCAHO	782	1995
United States v. Wood 'N Stuff	3	OCAHO	574	1993

PAPERWORK REQUIREMENT (S)/VIOLATION(S)

Employer Who Signs Section 2 With Electronic Signature Must Follow Applicable Regulations

United States v. Agri-Systems d/b/a ASI Industrial	12	OCAHO	1301	2017

Employer's Failure to Ensure Employee Attests to Status in Section 1 is a Substantive Violation

United States v. Golf International d/b/a Desert Canyon Golf	10	OCAHO	1214	2014

Employer's Failure to Ensure Employee Properly Completes Form I-9 Section 1 is Serious Violation

United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill	13	OCAHO	1338	2020
United States v. Golf International d/b/a Desert Canyon Golf	11	OCAHO	1222	2014

United States v. Kenneth McPeek Racing Stables, Inc.	11	OCAHO	1249	2015
United States v. Quickstuff, LLC, Its Member Maria Castillo, and A&C Staffing, LLC	11	OCAHO	1265	2015

PAPERWORK REQUIREMENT (S)/VIOLATION(S)

Employer's Failure to Sign Form I-9 Section 2 Is A Very Serious Violation

United States v. Executive Cleaning Services of Long Island, Ltd.	13	OCAHO	1314	2018
United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill	13	OCAHO	1338	2020
United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12	OCAHO	1276	2016
United States v. Golf International d/b/a Desert Canyon Golf	11	OCAHO	1222	2014
United States v. Hartmann Studios, Inc.	11	OCAHO	1255	2015
United States v. Horno MSJ, Ltd., Company	11	OCAHO	1247	2015
	11	OCAHO	1247	2015
United States v. Imacuclean Cleaning Services, LLC	13	OCAHO	1327	2019
United States v. Pegasus Family Restaurant, Inc.	12	OCAHO	1293	2016

Employers Must Prepare and Retain Forms I-9 for Employees Hired After November 6, 1986

United States v. Cawoods Produce, Inc.	12	OCAHO	1280	2016
United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12	OCAHO	1281	2016
United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12	OCAHO	1276	2016
United States v. Golden Employment Group, Inc.	12	OCAHO	1274	2016
United States v. Hair U Wear, LLC	11	OCAHO	1268	2016
United States v. Ideal Transportation Co., Inc.	12	OCAHO	1290	2016
United States v. Imacuclean Cleaning Services, LLC	13	OCAHO	1327	2019
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12	OCAHO	1286	2016
United States v. Muniz Concrete & Contracting, Inc.	12	OCAHO	1278	2016
United States v. Solutions Group International, LLC	12	OCAHO	1288	2016
United States v. St. Croix Personnel Services, Inc.	12	OCAHO	1289	2016
United States v. Wave Green, Inc. d/b/a Golden Farm Market	11	OCAHO	1267	2016

PAPERWORK REQUIREMENT (S)/VIOLATION(S)

Employers Not At Liberty to Create Own Alternative Employment Eligibility Verification Systems

United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167)	11	OCAHO	1258	2015

United States v. Ideal Transportation Co., Inc. 12 OCAHO 1290 2016

PAPERWORK REQUIREMENT (S)/VIOLATION(S)

Examing Copies of Employee Documents Insufficient Where Law Requires Examination of Originals

United States v. Employer Solutions Staffing Group II, LLC 11 OCAHO 1242 2015

Factors

United States v. DJ Drywall, Inc. 10 OCAHO 1136 2010

Failure to Complete and Sign Section 2 of Form I-9 Is Both Substantive and Serious Violation

United States v. Durable, Inc. 11 OCAHO 1231 2014

United States v. Hartmann Studios, Inc. 11 OCAHO 1255 2015

United States v. Horno MSJ, Ltd., Company 11 OCAHO 1247 2015

11 OCAHO 1247 2015

PAPERWORK REQUIREMENT (S)/VIOLATION(S)

Failure to Complete Employment Eligibility Verification Form I-9 Constitutes Serious Violation

United States v. Crescent City Meat Company, Inc.	11 OCAHO	1223	2014
United States v. Super 8 Motel & Villella Italian Restaurant	10 OCAHO	1191	2013

Failure to Complete I-9 Form for Employee Who Works Fewer Than Three Business Days

United States v. Golden Employment Group, Inc.	12 OCAHO	1274	2016

Failure to Complete I-9 Within Three Business Days

Siam Thai Sushi Restaurant, d/b/a Four Siamese Company, Inc.	10 OCAHO	1174	2013
United States v. Anodizing Industries, Inc.	10 OCAHO	1184	2013
United States v. Modern Disposal Incorporated	10 OCAHO	1175	2013
United States v. Mr. Mike's Pizza, Inc.	10 OCAHO	1196	2013

United States v. New Star at Niagara Fall, Inc., d/b/a New Star Buffet	10	OCAHO	1192	2013
United States v. Pharaoh's Gentleman's Club, Inc.	10	OCAHO	1189	2013

PAPERWORK REQUIREMENT (S)/VIOLATION(S)

Failure to Complete I-9 Within Three Business Days is Serious Violation

United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167)	11	OCAHO	1258	2015
United States v. Imacuclean Cleaning Services, LLC	13	OCAHO	1327	2019
United States v. Intelli Transport Services, Inc.	13	OCAHO	1319	2019
United States v. Kenneth McPeek Racing Stables, Inc.	11	OCAHO	1249	2015
United States v. Mr. Mike's Pizza, Inc.	10	OCAHO	1196	2013
United States v. Niche, Inc.	11	OCAHO	1250	2015
United States v. Visiontron Corp.	13	OCAHO	1348	2020

Failure to Ensure Employee Checks Box Attesting to Immigration Status is Serious Violation

United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12	OCAHO	1281	2016

United States v. Executive Cleaning Services of Long Island, Ltd. 13 OCAHO 1314 2018

United States v. Pegasus Family Restaurant, Inc. 12 OCAHO 1293 2016

PAPERWORK REQUIREMENT (S)/VIOLATION(S)

Failure to Ensure Employee Enters Alien Number in Section 1 Constitutes Serious Violation

United States v. Hartmann Studios, Inc. 11 OCAHO 1255 2015

United States v. Horno MSJ, Ltd., Company 11 OCAHO 1247 2015

11 OCAHO 1247 2015

Failure to Ensure Employee Signs Form I-9 Section 1 Is A Serious Violation

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 2016

United States v. Hartmann Studios, Inc. 11 OCAHO 1255 2015

United States v. Imacuclean Cleaning Services, LLC 13 OCAHO 1327 2019

United States v. Pegasus Family Restaurant, Inc. 12 OCAHO 1293 2016

Failure to Ensure Employee Signs Form I-9 Section 1 is a Substantive Failure

United States v. Golf International d/b/a Desert Canyon Golf 10 OCAHO 1214 2014

PAPERWORK REQUIREMENT (S)/VIOLATION(S)

Failure to Ensure Employee Signs, Lists Immigration Status and A Number on I-9 Are Serious Violations

United States v. Speedy Gonzalez Construction, Inc. 11 OCAHO 1228 2014

Failure to Identify Issuing Authority In Form I-9 Section 2 Is A Serious Violation

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 2016

Failure to Prepare

United States v. DJ Drywall, Inc. 10 OCAHO 1136 2010

United States v. LFW Dairy Corporation 10 OCAHO 1129 2009

PAPERWORK REQUIREMENT (S)/VIOLATION(S)

Failure to Prepare Form I-9 Among Most Serious Paperwork Violations

United States v. Clean Sweep Janitor Service	11	OCAHO	1226	2014
United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12	OCAHO	1281	2016
United States v. Golden Employment Group, Inc.	12	OCAHO	1277	2016
United States v. Golf International d/b/a Desert Canyon Golf	11	OCAHO	1222	2014
United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167)	11	OCAHO	1258	2015
United States v. Homestead Metal Recycling Corp.	11	OCAHO	1251	2015
United States v. Horno MSJ, Ltd., Company	11	OCAHO	1247	2015
	11	OCAHO	1247	2015
United States v. Ideal Transportation Co., Inc.	12	OCAHO	1290	2016
United States v. Imacuclean Cleaning Services, LLC	13	OCAHO	1327	2019
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12	OCAHO	1286	2016
United States v. Keegan Varitey, LLC	11	OCAHO	1238	2014
United States v. Muniz Concrete & Contracting, Inc.	12	OCAHO	1278	2016
United States v. Pegasus Family Restaurant, Inc.	12	OCAHO	1293	2016

United States v. Safe-Air of Illinois, Inc.	12	OCAHO	1270	2016
United States v. Visiontron Corp.	13	OCAHO	1348	2020

PAPERWORK REQUIREMENT (S)/VIOLATION(S)

Failure to Prepare Form I-9 Subverts the Purpose of the Employment Verification Requirements

United States v. Clean Sweep Janitor Service	11	OCAHO	1226	2014
United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167)	11	OCAHO	1258	2015
United States v. Integrity Concrete, Inc. and American Concrete, Inc.	13	OCAHO	1307	2017
United States v. Keegan Varitey, LLC	11	OCAHO	1238	2014
United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021

Failure to Prepare Forms I-9

United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021
United States v. R2M2 Rebar & Stressing, Inc.	14	OCAHO	1357	2020

Failure to Prepare I-9 Among Most Serious Paperwork Violations

United States v. Kenneth McPeek Racing Stables, Inc.	11	OCAHO	1249	2015
United States v. Mott Thoroughbred Stables, Inc.	11	OCAHO	1233	2014
United States v. Niche, Inc.	11	OCAHO	1250	2015
United States v. PM Packaging, Inc., and PM Corporate Group, Inc., d/b/a PM Packaging	11	OCAHO	1253	2015
United States v. Solutions Group International, LLC	12	OCAHO	1288	2016
United States v. Speedy Gonzalez Construction, Inc.	11	OCAHO	1243	2015

PAPERWORK REQUIREMENT (S)/VIOLATION(S)

Failure to Prepare I-9 More Serious Than Paperwork Violations

United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021

Failure to Present a Form I-9 Is A Substantive Violation

United States v. Eriksmoen Cottages, Ltd.	14	OCAHO	1355	2020

PAPERWORK REQUIREMENT (S)/VIOLATION(S)

Failure to Present Forms I-9 Within Three Days of Government's Request

United States v. A&J Kyoto Japanese Restaurant, Inc.	10	OCAHO	1186	2013
United States v. Eriksmoen Cottages, Ltd.	14	OCAHO	1355	2020
United States v. Golden Employment Group, Inc.	12	OCAHO	1274	2016
United States v. The Red Coach Restaurant, Inc.	10	OCAHO	1195	2013

Failure to Present Timely Prepared I-9 Forms is a Serious Violation

Margarita Garcia Ocana v. El Dorado Stone, LLC	11	OCAHO	1244	2015
United States v. Kenneth McPeek Racing Stables, Inc.	11	OCAHO	1249	2015
United States v. Liberty Packaging, Inc.	11	OCAHO	1245	2015

Failure to Print Employer Representative's Name in Section 2 May Be Substantive Violation

United States v. Agri-Systems d/b/a ASI Industrial	12	OCAHO	1301	2017
United States v. Imacuclean Cleaning Services, LLC	13	OCAHO	1327	2019

PAPERWORK REQUIREMENT (S)/VIOLATION(S)

Failure to Properly Complete Employer Verification in Section 2 Constitutes Substantive Violation

United States v. Golf International d/b/a Desert Canyon Golf	10	OCAHO	1214	2014
United States v. Super 8 Motel & Villella Italian Restaurant	10	OCAHO	1191	2013

Failure to Properly Complete I-9 Less Serious Than Failure to Prepare or Present I-9

United States v. Cawoods Produce, Inc.	12	OCAHO	1280	2016
United States v. Horno MSJ, Ltd., Company	11	OCAHO	1247	2015
	11	OCAHO	1247	2015
United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021
United States v. Speedy Gonzalez Construction, Inc.	11	OCAHO	1243	2015

Failure to Properly Complete Section 2 of the Form I-9 is a Serious Violation

United States v. Golf International d/b/a Desert Canyon Golf 11 OCAHO 1222 2014

United States v. Kenneth McPeek Racing Stables, Inc. 11 OCAHO 1249 2015

PAPERWORK REQUIREMENT (S)/VIOLATION(S)

Failure to Properly Complete Section 2 of the Form I-9 is a Very Serious Violation

United States v. New Outlook Homecare, LLC 10 OCAHO 1210 2014

Failure to Properly Verify Documents in Form I-9 Section 2 Is Serious and Substantive Violation

Generally

United States v. Horno MSJ, Ltd., Company 11 OCAHO 1247 2015

11 OCAHO 1247 2015

Failure to Reverify Employment Authorization Document Before Expiration Date Constitutes Violation

United States v. Eriksmoen Cottages, Ltd. 14 OCAHO 1355 2020

United States v. Hartmann Studios, Inc. 11 OCAHO 1255 2015

PAPERWORK REQUIREMENT (S)/VIOLATION(S)

Failure to Timely Prepare Form I-9 Is A Serious Violation

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 2016

United States v. Hair U Wear, LLC 11 OCAHO 1268 2016

United States v. Homestead Metal Recycling Corp. 11 OCAHO 1251 2015

United States v. Visiontron Corp. 13 OCAHO 1348 2020

Failure to Timely Prepare Form I-9 is Both Substantive and Serious Violation

United States v. Dr. Robert Schaus, D.D.S. 11 OCAHO 1239 2014

United States v. Kobe Sakura Japanese, Inc. 10 OCAHO 1205 2013

United States v. Kobe Sapporo Japanese, Inc. 10 OCAHO 1204 2013

United States v. Platinum Builders of Central Florida, Inc. 10 OCAHO 1199 2013

United States v. Red Bowl of Cary, LLC, Inc. d/b/a Red Bowl Asian Bistro 10 OCAHO 1206 2013

United States v. Two For Seven, LLC d/b/a Black & Blue Restaurant 10 OCAHO 1208 2014

PAPERWORK REQUIREMENT (S)/VIOLATION(S)

Failure to Timely Submit Forms I-9 to ICE Cannot be Corrected Through Good Faith Exception

United States v. Eriksmoen Cottages, Ltd. 14 OCAHO 1355 2020

Form I-9

United States v. DJ Drywall, Inc. 10 OCAHO 1136 2010

United States v. LFW Dairy Corporation 10 OCAHO 1129 2009

United States v. New China Buffet Restaurant 10 OCAHO 1133 2010

Form I-9 Section 2 Is the Heart of the Employment Eligibility Verification Process

Margarita Garcia Ocana v. El Dorado Stone, LLC 11 OCAHO 1244 2015

United States v. Cawoods Produce, Inc. 12 OCAHO 1280 2016

United States v. Liberty Packaging, Inc. 11 OCAHO 1245 2015

PAPERWORK REQUIREMENT (S)/VIOLATION(S)

Form I-9 Timely Prepared If Section 1 Completed at Hire and Section 2 Within Three Days of Hire

United States v. Intelli Transport Services, Inc. 13 OCAHO 1319 2019

United States v. St. Croix Personnel Services, Inc. 12 OCAHO 1289 2016

Forms I-9 May Be So Deficient That Violations Are Tantamount to Total Failure to Prepare an I-9

United States v. Cawoods Produce, Inc. 12 OCAHO 1280 2016

Generally

Chand Wije v. Barton Springs/Edwards Aquifier C.D. 5 OCAHO 785 1995

United States v. Aegis Fashion, Inc. 1 OCAHO 239 1990

United States v. Anders Kampe d/b/a Kampe Motors, Ltd.	3	OCAHO	462	1992
United States v. Applied Computer Technology	2	OCAHO	367	1991
	2	OCAHO	367	1991
United States v. Bayley's Quality Seafoods, Inc.	1	OCAHO	238	1990
United States v. Big Bear Market	1	OCAHO	48	1989
United States v. Broadway Tire, Inc.	2	OCAHO	310	1991
United States v. Buckingham Limited Partnership d/b/a Mr. Wash	1	OCAHO	151	1990
United States v. Burns and Intra-Continental Enterprises	4	OCAHO	679	1994
United States v. Business Teleconsultants, Ltd.	3	OCAHO	565	1993
	3	OCAHO	536	1993
United States v. Cafe Camino Real, Inc.	2	OCAHO	307	1991
United States v. Charo's Corporation d/b/a Charo's Restaurant	2	OCAHO	369	1991
	3	OCAHO	467	1992
United States v. Christie Automotive Products	2	OCAHO	361	1991
United States v. Collins Food International, Inc. d/b/a Sizzler Restaurant	1	OCAHO	67	1989
United States v. Curran Engineering Company, Inc.	7	OCAHO	975	1997
United States v. David Day d/b/a David Day Masonry	3	OCAHO	575	1993

United States v. Diamond Construction, Inc.	3	OCAHO	456	1992
United States v. DJ Drywall, Inc.	10	OCAHO	1136	2010
United States v. Dubois Farms, Inc.	2	OCAHO	376	1991
	1	OCAHO	242	1990
United States v. Eagles Groups, Inc. d/b/a Golden Eagle Services	2	OCAHO	342	1991
United States v. Ebrahim Banafsheha	3	OCAHO	525	1993
	3	OCAHO	525	1993
	3	OCAHO	525	1993
	3	OCAHO	525	1993
United States v. Ed Valencia & Sons, Inc. d/b/a Valladares	2	OCAHO	316	1992
United States v. Eduardo Gutierrez, Individually and d/b/a Diamond Tires and Wheels	3	OCAHO	554	1993
	3	OCAHO	554	1993
	3	OCAHO	554	1993
	3	OCAHO	554	1993
United States v. Elder Jerez d/b/a Green Scaping	3	OCAHO	420	1992
United States v. Felipe, Inc.	1	OCAHO	93	1989
United States v. Four Seasons Earthworks, Inc.	10	OCAHO	1150	2012

United States v. Gerald Hollendorfer	1	OCAHO	175	1990
United States v. Giamblis Enterprises	5	OCAHO	817	1995
United States v. Giannini Landscaping, Inc.	3	OCAHO	573	1993
United States v. Goldenfield Corporation d/b/a Rodeway Inn	2	OCAHO	321	1991
United States v. Hilario Rodriguez, Jr.	1	OCAHO	276	1990
United States v. Honeybake Farms, Inc.	2	OCAHO	311	1991
United States v. Interdynamics, Inc.	3	OCAHO	433	1992
United States v. James Q. Carlson d/b/a Jimmy On The Spot	1	OCAHO	260	1990
	1	OCAHO	264	1990
United States v. Johnny Ng Lim and Christina Lim Go d/b/a The New Orient	3	OCAHO	499	1993
United States v. Juan V. Acevedo	1	OCAHO	95	1989
United States v. Kangaroo Express of Pueblo	3	OCAHO	581	1993
United States v. Land Coast Insulation, Inc.	2	OCAHO	379	1991
United States v. Local Building & Remodeling of International Falls	3	OCAHO	567	1993
United States v. Lola O'Brien Oil d/b/a O'Brien Oil Company	1	OCAHO	166	1990
United States v. Lorenzo Robles d/b/a Lorenzo Robles Roofing and Construction	2	OCAHO	309	1991
United States v. M.T.S. Service Corporation d/b/a Maggie's Catering Mexico Tipico Restaurant	3	OCAHO	448	1992

United States v. Manos & Associates, Inc. d/b/a The Bread Basket Restaurant	1	OCAHO	130	1989
United States v. Mario Saikhon, Inc.	1	OCAHO	279	1990
United States v. Mark Steven Carter d/b/a Dixie Industrial Service Company	7	OCAHO	931	1997
United States v. Min Goldblatt & Sons, Inc. t/a Richfield Caterers	1	OCAHO	154	1990
United States v. Minaco Fashions, Inc.	3	OCAHO	587	1993
United States v. Nevada Lifestyles, Inc. d/b/a Commercial Drapery Cleaners	3	OCAHO	518	1993
United States v. New China Buffet Restaurant	10	OCAHO	1133	2010
United States v. Noel Plastering & Stucco, Inc.	3	OCAHO	427	1992
United States v. Oscar Chacon, Sr.	3	OCAHO	578	1993
United States v. Penrod National Enterprises, Inc. d/b/a Floral Bionomics Landscape Management	3	OCAHO	541	1993
United States v. PPJV, Inc. d/b/a Publishers Press	2	OCAHO	354	1991
	2	OCAHO	337	1991
United States v. Ricky Catalano d/b/a Papa Joe's Pizza	7	OCAHO	974	1997
United States v. Robert Marnul d/b/a Lamont Street Grill	3	OCAHO	441	1992
United States v. Robert Watson d/b/a North State Tile Company	1	OCAHO	253	1990
United States v. Ronning Landscaping, Inc.	10	OCAHO	1149	2012
United States v. Rosario Strano d/b/a Strano Farms	3	OCAHO	492	1993

United States v. SDI Industries, Inc.	3	OCAHO	465	1992
United States v. Silver Cloud Investments, Inc. d/b/a Silver Clouds Restaurant	3	OCAHO	509	1993
United States v. Skydive Academy of Hawaii Corporation d/b/a Skydive Hawaii	6	OCAHO	848	1996
United States v. South Masonry Fencing Company	1	OCAHO	4	1988
United States v. Task Force Security, Inc. d/b/a Task Force Security and Investigations	3	OCAHO	563	1993
	3	OCAHO	533	1993
United States v. Tom & Yu, Inc. t/a Peking Garden Restaurant	3	OCAHO	412	1993
United States v. Tuttle's Design Build, Inc.	3	OCAHO	422	1992
	2	OCAHO	370	1991
United States v. USA Café	1	OCAHO	42	1989
United States v. William and Maria Sievert	1	OCAHO	294	1991
United States v. Wood 'N Stuff	3	OCAHO	574	1993

PAPERWORK REQUIREMENT (S)/VIOLATION(S)

Good Faith Compliance

Technical or Procedural Verification Failures

United States v. Stanford Sign and Awning, Inc.	10	OCAHO	1145	2012
United States v. WSC Plumbing, Inc.	9	OCAHO	1071	2001

United States v. WSC Plumbing, Inc. 9 OCAHO 1062 2000

PAPERWORK REQUIREMENT (S)/VIOLATION(S)

Government Refusal of Documents Deprived Employer of Opportunity to Correct Technical Violations

United States v. Chen Wilmington, Inc. 11 OCAHO 1241 2015

I-9 Retention Required for 3 Years After Hire or 1 Year After Termination, Whichever Is Later

United States v. Dr. Robert Schaus, D.D.S. 11 OCAHO 1239 2014

United States v. Intelli Transport Services, Inc. 13 OCAHO 1319 2019

United States v. Lazy Days South, Inc. 13 OCAHO 1322 2020

United States v. Metropolitan Enterprises, Inc. 12 OCAHO 1297 2017

United States v. R2M2 Rebar & Stressing, Inc. 14 OCAHO 1357 2020

United States v. SKZ Harvesting, Inc. 11 OCAHO 1266 2016

United States v. Visiontron Corp. 13 OCAHO 1348 2020

I-9 Retention Requirement for Former Employees

United States v. Dr. Robert Schaus, D.D.S.	11	OCAHO	1239	2014
United States v. Leed Construction, Megan Burkholder	11	OCAHO	1237	2014
United States v. March Construction, Inc.	10	OCAHO	1158	2012
United States v. R2M2 Rebar & Stressing, Inc.	14	OCAHO	1357	2020
United States v. Two For Seven, LLC d/b/a Black & Blue Restaurant	10	OCAHO	1208	2014

PAPERWORK REQUIREMENT (S)/VIOLATION(S)

I-9s To Be Examined Are Those Presented in Response to NOI, Not I-9s Produced Thereafter

Margarita Garcia Ocana v. El Dorado Stone, LLC	11	OCAHO	1244	2015
United States v. Liberty Packaging, Inc.	11	OCAHO	1245	2015

Ignorance of Statutory Requirements

United States v. Benjamin P. Raygoza d/b/a Cielito Lindo Restaurant	5	OCAHO	729	1995
United States v. DJ Drywall, Inc.	10	OCAHO	1136	2010

United States v. LFW Dairy Corporation	10	OCAHO	1129	2009
United States v. Onion River Sports, Inc.	4	OCAHO	673	1994

PAPERWORK REQUIREMENT (S)/VIOLATION(S)

Impossibility Not Available As Defense When Destruction of I-9s Is Due To Employer's Own Actions

United States v. Ideal Transportation Co., Inc.	12	OCAHO	1290	2016
United States v. SKZ Harvesting, Inc.	11	OCAHO	1266	2016

Lack of Issuing Authority for a Driver's License in Section 2 is a Substantive Violation

Ketchikan Drywall Services, Inc. v. Immigration and Customs Enforcement; Office of the Chief Administrative Hearing Officer	10	OCAHO	1201	2013

Liability

United States v. DJ Drywall, Inc.	10	OCAHO	1136	2010
United States v. Exim, Inc. and Jaime Monardes, Individually	4	OCAHO	604	1994

United States v. Intelli Transport Services, Inc.	13	OCAHO	1319	2019
United States v. LFW Dairy Corporation	10	OCAHO	1129	2009
United States v. March Construction, Inc.	10	OCAHO	1158	2012
United States v. New China Buffet Restaurant	10	OCAHO	1133	2010
United States v. Onion River Sports, Inc.	4	OCAHO	673	1994
United States v. Skydive Academy of Hawaii Corporation d/b/a Skydive Hawaii	6	OCAHO	848	1996

PAPERWORK REQUIREMENT (S)/VIOLATION(S)

Location

United States v. Dubois Farms, Inc.	2	OCAHO	376	1991
United States v. Land Coast Insulation, Inc.	2	OCAHO	379	1991

Mere Failure to Date I-9 Employer Attestation is Technical or Procedural

United States v. Leed Construction, Megan Burkholder	11	OCAHO	1237	2014

Merely Pre-Printing or Typing Company Name in Section 2 Is Not the Equivalent of a Signature

United States v. Agri-Systems d/b/a ASI Industrial	12	OCAHO	1301	2017

PAPERWORK REQUIREMENT (S)/VIOLATION(S)

Mitigation

United States v. 4431, Inc. t/a Candlelight Inn	4	OCAHO	611	1994
United States v. Alberta Sosa, Inc.	6	OCAHO	831	1996
United States v. Benjamin P. Raygoza d/b/a Cielito Lindo Restaurant	5	OCAHO	729	1995
United States v. China Wok Restaurant, Inc., a Nebraska Corporation	4	OCAHO	608	1994
United States v. David Jenkins	5	OCAHO	743	1995
United States v. Davis Nursery, Inc.	4	OCAHO	694	1994
United States v. Draper-King Cole, Inc.	7	OCAHO	933	1997
	7	OCAHO	933	1997
United States v. Great Bend Packing Company	6	OCAHO	835	1996
United States v. GRS, Inc. d/b/a Gasket Engineering	4	OCAHO	627	1994
United States v. LFW Dairy Corporation	10	OCAHO	1129	2009

United States v. Mesabi Bituminous, Inc.	5	OCAHO	801	1995
United States v. Primera Enterprises, Inc. d/b/a J.B.'s Lounge	4	OCAHO	692	1994
United States v. Ricardo Calderon, Inc.	6	OCAHO	832	1996
	6	OCAHO	832	1996
United States v. Taco Plus, Inc. d/b/a Taco Loco	5	OCAHO	775	1995
United States v. Task Force Security, Inc. d/b/a Task Force Security and Investigations	4	OCAHO	625	1994
United States v. Union Lakeville Corporation	8	OCAHO	1019	1998
United States v. Zip City Partner, L.P. d/b/a Zip City Brewing	7	OCAHO	965	1997

PAPERWORK REQUIREMENT (S)/VIOLATION(S)

Most Paperwork Violations are Continuing Violations Until Cured or Until Retention Period Expires

United States v. R2M2 Rebar & Stressing, Inc.	14	OCAHO	1357	2020

Most Paperwork Violations are Continuous Violations Until Cured or Until Retention Period Expires

United States v. Executive Cleaning Services of Long Island, Ltd.	13	OCAHO	1314	2018

United States v. Visiontron Corp. 13 OCAHO 1348 2020

PAPERWORK REQUIREMENT (S)/VIOLATION(S)

No Expiration Date for Driver's License in Section 2 is Substantive if No Copy Attached

United States v. Golf International d/b/a Desert Canyon Golf 10 OCAHO 1214 2014

No Substitute for Proper Completion of Form I-9

United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167) 11 OCAHO 1258 2015

United States v. Ideal Transportation Co., Inc. 12 OCAHO 1290 2016

Omitting Document Number/Expiration Date May Be Technical/Procedural If Document Copy Attached

United States v. Chen Wilmington, Inc. 11 OCAHO 1241 2015

Paperwork Violation Involving Failure to Complete Section 1 or 2 Continues Until Corrected

United States v. Executive Cleaning Services of Long Island, Ltd. 13 OCAHO 1314 2018

United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill 13 OCAHO 1338 2020

PAPERWORK REQUIREMENT (S)/VIOLATION(S)

Paperwork Violations for Failure to Timely Prepare a Form I-9 Cannot Be Cured

United States v. Visiontron Corp. 13 OCAHO 1348 2020

Person Who Signs Attestation Must Be Same Person Who Examines Employee's Original Documents

United States v. Employer Solutions Staffing Group II, LLC 11 OCAHO 1242 2015

Presenting Forms I-9 Late Is Not As Serious as Complete Failure to Prepare of Present Forms I-9

United States v. Eriksmoen Cottages, Ltd. 14 OCAHO 1355a 2020

PAPERWORK REQUIREMENT (S)/VIOLATION(S)

Retention Requirement for Former Employees

United States v. Metropolitan Enterprises, Inc. 12 OCAHO 1297 2017

Reverification of Expired Employment Authorization Must Occur No Later Than Date of Expiration

United States v. Eriksmoen Cottages, Ltd. 14 OCAHO 1355 2020

Rules for Completion of I-9 for Employee Who Works Fewer Than Three Business Days

United States v. Golden Employment Group, Inc. 12 OCAHO 1274 2016

United States v. Speedy Gonzalez Construction, Inc. 11 OCAHO 1228 2014

Section 2 - Expired Documents

United States v. Silverado Stages, Inc. 10 OCAHO 1182 2013

PAPERWORK REQUIREMENT (S)/VIOLATION(S)

Statute Aimed At All Employers, Not Just Traffickers or Those Who Hire Unauthorized Workers

United States v. Employer Solutions Staffing Group II, LLC 11 OCAHO 1242 2015

Statute of Limitations

United States v. Naim Ojeil & Samoeil Ishk 7 OCAHO 984 1998

United States v. R2M2 Rebar & Stressing, Inc. 14 OCAHO 1357 2020

United States v. Visiontron Corp. 13 OCAHO 1348 2020

Substantive Paperwork Violation Continues Until Cured or Employer's Duty to Retain I-9 Expires

United States v. R2M2 Rebar & Stressing, Inc. 14 OCAHO 1357 2020

PAPERWORK REQUIREMENT (S)/VIOLATION(S)

Systematically Executing False Attestations in Section 2 Is Very Serious Violation

United States v. Employer Solutions Staffing Group II, LLC 11 OCAHO 1242 2015

The Longer the Delay In Preparing a Form I-9, The More Serious the Violation

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 2016

United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167) 11 OCAHO 1258 2015

United States v. Intelli Transport Services, Inc. 13 OCAHO 1319 2019

United States v. Muniz Concrete & Contracting, Inc. 12 OCAHO 1278 2016

Timeliness Paperwork Violations Cannot Be Cured

United States v. St. Croix Personnel Services, Inc. 12 OCAHO 1289 2016

PAPERWORK REQUIREMENT (S)/VIOLATION(S)

Untimely Filing

United States v. Naim Ojeil & Samoeil Ishk 7 OCAHO 984 1998

Untimely Produced Documents Don't Excuse Substantive Errors in I-9s Presented During Inspection

Ketchikan Drywall Services, Inc. v. Immigration and Customs Enforcement; Office of the Chief Administrative Hearing Officer 10 OCAHO 1201 2013

Variety of Violations May Be Sufficiently Egregious to Merit Penalties Near Statutory Maximum

United States v. Durable, Inc. 11 OCAHO 1231 2014

Violation Is Serious If It Undercuts Effectiveness of Prohibition on Hiring Unauthorized Aliens

United States v. Eriksmoen Cottages, Ltd. 14 OCAHO 1355a 2020

PARTIES

All Parties Are Expected to Comply With Rules and Orders

Ana Maria Ravines de Schur v. Easter Seals-Goodwill Northern Rocky Mountain, Inc.	15	OCAHO	1388a	2021

Class Action

Guy Santiglia v. Sun Microsystems, Inc.	9	OCAHO	1097	2003
Jaime Banuelos v. Transportation Leasing Company	1	OCAHO	156	1990
Joan A. Lardy v. United Airlines, Inc.	6	OCAHO	843	1996
Jose E. Birisno Briceno-Briceno v. Farmco Farms	4	OCAHO	629	1994
Terrence McCaffrey v. LSI Logic Corporation	6	OCAHO	867	1996
United States v. Zabala Vineyards	6	OCAHO	830	1995

Complaint

United States v. Auburn University	4	OCAHO	646	1994
United States v. Workrite Uniform Company, Inc.	5	OCAHO	736	1995

PARTIES

Corporation(s)

Mr. Doron Tal v. M. L. Energia, Inc.	4	OCAHO	639	1994
Programmer's Guild, Inc. v. Value Consulting, Inc.	10	OCAHO	1135	2010
United States v. Sargetis d/b/a Castle Valley Sales, Inc., a Utah Corporation	3	OCAHO	407	1992

Generally

Alan Rusk v. Northrop Corporation and Department of Defense	4	OCAHO	607	1994
Chand Wije v. Barton Springs/Edwards Aquifier C.D.	4	OCAHO	668	1994
Linda S. Walker v. United Airlines, Inc.	4	OCAHO	686	1994
United States v. McDonnell Douglas Corporation	3	OCAHO	507	1993

Hearing(s)

Hernandez v. Farley Candy Company 5 OCAHO 781 1995

PARTIES

Individual Capacity

Howard Eugene McNier v. San Francisco State University College of Business 8 OCAHO 1030 1999

Mr. Doron Tal v. M. L. Energia, Inc. 4 OCAHO 639 1994

Interpleader of DHS Unwarranted in Case Under 8 U.S.C. Section 1324b

United States v. Louisiana Crane Company, LLC d/b/a Louisiana Crane and Construction 11 OCAHO 1246 2015

Intervenor

Hernandez v. Farley Candy Company 5 OCAHO 810 1995

PARTIES

Permissive Joinder

Linda S. Walker v. United Airlines, Inc.	4	OCAHO	686	1994
United States v. Ronning Landscaping, Inc.	10	OCAHO	1149	2012
United States v. WSC Plumbing, Inc.	8	OCAHO	1045	2000

Prevailing

Michael Williamson v. Autorama, Inc.	1	OCAHO	174	1990
United States v. Auburn University	4	OCAHO	688	1994

Previous Settlement Between Parties

A.S. v. Neiman Marcus Group	13	OCAHO	1323	2020

PARTIES

Settlement

A.S. v. Discover Financial Services, LLC	12	OCAHO	1292	2016
Azia Aityahia v. Sabena Airline Training Center, Inc.	9	OCAHO	1122	2006
United States v. California Mantel, Inc.	10	OCAHO	1168	2013
United States v. New Mexico State Fair	6	OCAHO	898	1996

Stipulation

Malek Ebrahim Hatam v. Mr. Nasser Zaghi, Park General, Inc.	1	OCAHO	160	1990
United States v. McDonnell Douglas Corporation	2	OCAHO	380	1991

Subpoena

Zaji Obatala Zajradhara v. Gig Partners	14	OCAHO	1363b	2020

PARTIES

Successorship Liability

Joan A. Lardy v. United Airlines, Inc.	4	OCAHO	595	1994
United States v. Spectrum Technical Staffing Services, Inc., and Personnel Plus, Inc.	12	OCAHO	1291	2016

Union(s)

Ramnik M. Trivedi v. Northrop Corporation and Department of Defense	4	OCAHO	600	1994
Richard Becker v. Ademco Corporation d/b/a Alarm Device Manufacturing Corporation	1	OCAHO	107	1989

Unnamed or Fictitiously-named Respondent

Robert Heath v. F18 Consulting and an Anonymous Employer	14	OCAHO	1365	2020
Robert Heath v. VBeyond Corporation and an Anonymous Employer	14	OCAHO	1368	2020
	14	OCAHO	1368a	2020

United States v. Capital Fireproof Door 14 OCAHO 1372 2020

PATTERN OR PRACTICE

Civil Money Penalty

United States v. Fairfield Jersey, Inc. 9 OCAHO 1069 2001

United States v. Pancho's Mexican Buffet, Inc. 4 OCAHO 632 1994

Document Abuse

United States v. Mar-Jac Poultry, Inc. 10 OCAHO 1148 2012

Generally

Guy Santiglia v. Sun Microsystems, Inc. 9 OCAHO 1097 2003

United States v. A.J. Bart, Inc. 3 OCAHO 538 1993

United States v. Agripac, Inc. 8 OCAHO 1012 1998

United States v. Fairfield Jersey, Inc.	9	OCAHO	1069	2001
United States v. Mesa Airlines	1	OCAHO	74	1989
	1	OCAHO	74	1989
United States v. TKJ, Inc. d/b/a Snelling Personnel Services, a Florida Corporation	3	OCAHO	413	1992
United States v. Weld County School District	2	OCAHO	326	1991
United States v. Workrite Uniform Company, Inc.	5	OCAHO	755	1995

PATTERN OR PRACTICE

Independent Contractor(s)

United States v. Robison Fruit Ranch, Inc.	4	OCAHO	594	1994

Persons Protected

United States v. Rosario Strano and Vito Strano d/b/a Strano Farms	4	OCAHO	601	1994
United States v. Zabala Vineyards	6	OCAHO	830	1995

Proof

United States v. Rosario Strano and Vito Strano d/b/a Strano Farms 4 OCAHO 601 1994

PENALTIES

Ability to Pay May Be Appropriate Factor to Consider In Assessing the Amount of the Penalty

United States v. 3679 Commerce Place, Inc. 12 OCAHO 1296 2017

United States v. Eriksmoen Cottages, Ltd. 14 OCAHO 1355a 2020

United States v. Hair U Wear, LLC 11 OCAHO 1268 2016

United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167) 11 OCAHO 1258 2015

United States v. Imacuclean Cleaning Services, LLC 13 OCAHO 1327 2019

United States v. Integrity Concrete, Inc. and American Concrete, Inc. 13 OCAHO 1307 2017

United States v. Niche, Inc. 11 OCAHO 1250 2015

United States v. Pegasus Family Restaurant, Inc. 12 OCAHO 1293 2016

United States v. Psychosomatic Fitness LLC 14 OCAHO 1387a 2021

United States v. Safe-Air of Illinois, Inc. 12 OCAHO 1270 2016

United States v. Solutions Group International, LLC 12 OCAHO 1288 2016

United States v. Wave Green, Inc. d/b/a Golden Farm Market 11 OCAHO 1267 2016

PENALTIES

Absence of Bad Faith Does Not Necessarily Show Good Faith

United States v. Visiontron Corp. 13 OCAHO 1348 2020

Across-the-Board Enhancement for Presence of Only Some Unauthorized Workers Not Permitted

United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles 12 OCAHO 1281 2016

United States v. Jalisco's Bar and Grill, Inc. 11 OCAHO 1224 2014

United States v. Jula888, LLC d/b/a Para Tacos La Chilanga 12 OCAHO 1286 2016

United States v. Platinum Builders of Central Florida, Inc. 10 OCAHO 1199 2013

United States v. PM Packaging, Inc., and PM Corporate Group, Inc., d/b/a PM Packaging 11 OCAHO 1253 2015

Additional Factors That May Be Considered Are Party's Financials and Leniency to Small Businesses

United States v. Cawoods Produce, Inc. 12 OCAHO 1280 2016

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 2016

PENALTIES

Aggravation

United States v. Seven Elephants Distributing Corp. 10 OCAHO 1173 2013

ALJ Can Consider Public Policy of Leniency to Small Entities

United States v. 3679 Commerce Place, Inc. 12 OCAHO 1296 2017

United States v. Cawoods Produce, Inc. 12 OCAHO 1280 2016

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 2016

United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167) 11 OCAHO 1258 2015

United States v. Homestead Metal Recycling Corp. 11 OCAHO 1251 2015

United States v. Ideal Transportation Co., Inc. 12 OCAHO 1290 2016

United States v. Integrity Concrete, Inc. and American Concrete, Inc. 13 OCAHO 1307 2017

United States v. Keegan Varitey, LLC	11 OCAHO	1238	2014
United States v. Muniz Concrete & Contracting, Inc.	12 OCAHO	1278	2016
United States v. Niche, Inc.	11 OCAHO	1250	2015
United States v. Pegasus Family Restaurant, Inc.	12 OCAHO	1293	2016
United States v. Solutions Group International, LLC	12 OCAHO	1288	2016
United States v. Speedy Gonzalez Construction, Inc.	11 OCAHO	1243	2015
United States v. St. Croix Personnel Services, Inc.	12 OCAHO	1289	2016

PENALTIES

ALJ Can Consider Small Business Act's Policy of Leniency for Businesses Supporting War Effort

United States v. Niche, Inc.	11 OCAHO	1250	2015

ALJ Considers Five Statutory Factors Set Out in 8 U.S.C. Section 1324a(e)(5) In Assessing the Penalty

United States v. 3679 Commerce Place, Inc.	12 OCAHO	1296	2017
United States v. Cawoods Produce, Inc.	12 OCAHO	1280	2016

United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12	OCAHO	1281	2016
United States v. Eriksmoen Cottages, Ltd.	14	OCAHO	1355a	2020
United States v. Executive Cleaning Services of Long Island, Ltd.	13	OCAHO	1314	2018
United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill	13	OCAHO	1338	2020
United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12	OCAHO	1276	2016
United States v. Golden Employment Group, Inc.	12	OCAHO	1277	2016
United States v. Hair U Wear, LLC	11	OCAHO	1268	2016
United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167)	11	OCAHO	1258	2015
United States v. Ideal Transportation Co., Inc.	12	OCAHO	1290	2016
United States v. Imacuclean Cleaning Services, LLC	13	OCAHO	1327	2019
United States v. Integrity Concrete, Inc. and American Concrete, Inc.	13	OCAHO	1307	2017
United States v. Intelli Transport Services, Inc.	13	OCAHO	1319	2019
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12	OCAHO	1286	2016
United States v. Keegan Varitey, LLC	11	OCAHO	1238	2014
United States v. Metropolitan Enterprises, Inc.	12	OCAHO	1297	2017
United States v. Muniz Concrete & Contracting, Inc.	12	OCAHO	1278	2016
United States v. Pegasus Family Restaurant, Inc.	12	OCAHO	1293	2016

United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021
United States v. Safe-Air of Illinois, Inc.	12	OCAHO	1270	2016
United States v. Solutions Group International, LLC	12	OCAHO	1288	2016
United States v. St. Croix Personnel Services, Inc.	12	OCAHO	1289	2016
United States v. Visiontron Corp.	13	OCAHO	1348	2020
United States v. Wave Green, Inc. d/b/a Golden Farm Market	11	OCAHO	1267	2016

PENALTIES

ALJ Erred in Reducing Fine to Minimum Bases on Erroneous Assumption of Government Overreach

Employment of Unauthorized Alien(s)

United States v. Crescent City Meat Company, Inc.	11	OCAHO	1217	2014
	11	OCAHO	1217	2014

ALJ has Discretion to Adopt ICE's Proposed Penalty Where it is Proportionate and Suitable

United States v. Durable, Inc.	11	OCAHO	1231	2014

ALJ In 1324b Case Looks At Nature and Circumstances of Violation and Respondent's Conduct During Case

United States v. Jerry Estopy and Manuel Bortoni, d/b/a Estopy Farms 11 OCAHO 1256 2015

PENALTIES

ALJ Is Not Bound by ICE's Method of Calculating Penalties

United States v. Psychosomatic Fitness LLC 14 OCAHO 1387a 2021

ALJ May Consider Non-Statutory Factors As Appropriate in a Specific Case

United States v. Psychosomatic Fitness LLC 14 OCAHO 1387a 2021

United States v. Visiontron Corp. 13 OCAHO 1348 2020

ALJ May Not Assess Penalties Above Maximum Permitted by Department of Justice Regulations

United States of America v. Danielle Messineo 14 OCAHO 1367 2020

United States v. Leticia Velarde 14 OCAHO 1384 2020

PENALTIES

ALJ Not Bound by ICE's Method of Calculating Penalties

United States v. Durable, Inc. 11 OCAHO 1231 2014

United States v. Eriksmoen Cottages, Ltd. 14 OCAHO 1355a 2020

United States v. Intelli Transport Services, Inc. 13 OCAHO 1319 2019

United States v. Metropolitan Enterprises, Inc. 12 OCAHO 1297 2017

United States v. Visiontron Corp. 13 OCAHO 1348 2020

Applicable Penalty Range Depends on Date of Violations and Date of Assessment of Penalty

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP 13 OCAHO 1332j 2021

United States of America v. Danielle Messineo 14 OCAHO 1367 2020

United States v. Alma Delia Rubio-Reyes 14 OCAHO 1349a 2020

United States v. Eriksmoen Cottages, Ltd. 14 OCAHO 1355a 2020

United States v. Executive Cleaning Services of Long Island, Ltd.	13	OCAHO	1314	2018
United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill	13	OCAHO	1338	2020
United States v. Intelli Transport Services, Inc.	13	OCAHO	1319	2019
United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021
United States v. Sanchita Bhattacharya	14	OCAHO	1380a	2021
United States v. Visiontron Corp.	13	OCAHO	1348	2020

PENALTIES

Bad Faith Found Where Employer Appeared to Intentionally Subvert Purposes of Section 1324a(b)

United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12	OCAHO	1286	2016

Bad Faith Requires a Showing of Culpable Conduct Beyond Respondent's Verification Failures

Margarita Garcia Ocana v. El Dorado Stone, LLC	11	OCAHO	1244	2015
United States v. Dr. Robert Schaus, D.D.S.	11	OCAHO	1239	2014
United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill	13	OCAHO	1338	2020

United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167)	11	OCAHO	1258	2015
United States v. Horno MSJ, Ltd., Company	11	OCAHO	1247	2015
	11	OCAHO	1247	2015
United States v. Imacuclean Cleaning Services, LLC	13	OCAHO	1327	2019
United States v. Integrity Concrete, Inc. and American Concrete, Inc.	13	OCAHO	1307	2017
United States v. Liberty Packaging, Inc.	11	OCAHO	1245	2015
United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021
United States v. Visiontron Corp.	13	OCAHO	1348	2020

PENALTIES

Certain Statutory Factors May Be More Compelling Than Others in the Context of a Specific Case

United States v. Durable, Inc.	11	OCAHO	1231	2014
United States v. Romans Racing Stables, Inc.	11	OCAHO	1232	2014

Challenge to ICE Formula Inapposite Where Final Penalty Arrived at Independently by ALJ

United States v. M & D Masonry 10 OCAHO 1215 2014

PENALTIES

Civil Penalty Assessment for 1324b Cases Looks to the Totality of the Circumstances

United States v. Jerry Estopy and Manuel Bortoni, d/b/a Estopy Farms 11 OCAHO 1256 2015

Company Tax Losses Do Not Necessarily Establish Poor Financial Condition or Inability To Pay

United States v. Mott Thoroughbred Stables, Inc. 11 OCAHO 1233 2014

Culpable Conduct Can Be Shown by Evidence that Employer Tried to Mislead Government

Margarita Garcia Ocana v. El Dorado Stone, LLC 11 OCAHO 1244 2015

United States v. Liberty Packaging, Inc. 11 OCAHO 1245 2015

Date of Penalty Assessment for Section 1324b Case is Date of Court Order Imposing Civil Penalties

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021

PENALTIES

Date of Penalty Assessment Is The Date ICE Serves the Notice of Intent to Fine

United States v. Eriksmoen Cottages, Ltd.	14	OCAHO	1355a	2020
United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill	13	OCAHO	1338	2020
United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021
United States v. Sanchita Bhattacharya	14	OCAHO	1380a	2021
United States v. Visiontron Corp.	13	OCAHO	1348	2020

Difference in Seriousness of Violations May Be Reflected in the Final Penalty

United States v. Cawoods Produce, Inc.	12	OCAHO	1280	2016
United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12	OCAHO	1281	2016
United States v. Eriksmoen Cottages, Ltd.	14	OCAHO	1355a	2020

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12	OCAHO	1276	2016
United States v. Hair U Wear, LLC	11	OCAHO	1268	2016
United States v. Muniz Concrete & Contracting, Inc.	12	OCAHO	1278	2016
United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021
United States v. St. Croix Personnel Services, Inc.	12	OCAHO	1289	2016
United States v. Wave Green, Inc. d/b/a Golden Farm Market	11	OCAHO	1267	2016

PENALTIES

Difference In Severity of Categories of Violations May Be Reflected in the Final Penalty

United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167)	11	OCAHO	1258	2015

Document Fraud

United States v. Leticia Velarde	14	OCAHO	1384	2020
United States v. Sanchita Bhattacharya	14	OCAHO	1380a	2021

Double Jeopardy

United States v. Alberto Noriega-Perez 6 OCAHO 859 1996

PENALTIES

Draining Funds From Business Before Civil Penalty Undercuts Ability to Pay

United States v. Psychosomatic Fitness LLC 14 OCAHO 1387a 2021

Employer's Failure to Check a Box in Section 1 Attesting to Status Is A Serious Violations

United States v. Visiontron Corp. 13 OCAHO 1348 2020

Employer's Failure to Ensure Employee Properly Completes Form I-9 Section 1 is Serious Violation

United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill 13 OCAHO 1338 2020

Employer's Failure to Reverify Employee's Expired Employment Authorization Is Serious Violation

United States v. Visiontron Corp. 13 OCAHO 1348 2020

PENALTIES

Employer's Failure to Sign Form I-9 Section 2 Is A Very Serious Violation

United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill 13 OCAHO 1338 2020

United States v. Visiontron Corp. 13 OCAHO 1348 2020

Employer's Previous Receipt of a Warning Notice Does Not Constitute History of Previous Violations

United States v. SKZ Harvesting, Inc. 11 OCAHO 1266 2016

Employment of Unauthorized Aliens

United States v. Forsch Polymer Corporation 10 OCAHO 1156 2012

United States v. Nebeker, Inc. 10 OCAHO 1165 2013

PENALTIES

Enhancement Factor Based on Whether Specific Individual was Unauthorized

Margarita Garcia Ocana v. El Dorado Stone, LLC 11 OCAHO 1244 2015

United States v. Imacuclean Cleaning Services, LLC 13 OCAHO 1327 2019

United States v. Jalisco's Bar and Grill, Inc. 11 OCAHO 1224 2014

United States v. Liberty Packaging, Inc. 11 OCAHO 1245 2015

United States v. Romans Racing Stables, Inc. 11 OCAHO 1230 2014

Evidence of Backdating Does Not Alone Warrant a Finding of Bad Faith

United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167) 11 OCAHO 1258 2015

United States v. Imacuclean Cleaning Services, LLC 13 OCAHO 1327 2019

United States v. Integrity Concrete, Inc. and American Concrete, Inc. 13 OCAHO 1307 2017

United States v. Speedy Gonzalez Construction, Inc. 11 OCAHO 1243 2015

United States v. Visiontron Corp. 13 OCAHO 1348 2020

PENALTIES

Excessive Fines Clause of Eighth Amendment Applies to Fines That Are Punitive

United States v. Employer Solutions Staffing Group II, LLC 11 OCAHO 1242 2015

Excessive Money Penalties

United States v. Clean Sweep Janitor Service 11 OCAHO 1226 2014

Factors

United States v. DJ Drywall, Inc. 10 OCAHO 1136 2010

United States v. Keegan Varitey, LLC 11 OCAHO 1238 2014

United States v. Kobe Sapporo Japanese, Inc. 10 OCAHO 1204 2013

United States v. New Star at Niagara Fall, Inc., d/b/a New Star Buffet 10 OCAHO 1192 2013

United States v. Platinum Builders of Central Florida, Inc. 10 OCAHO 1199 2013

United States v. Red Bowl of Cary, LLC, Inc. d/b/a Red Bowl Asian Bistro 10 OCAHO 1206 2013

United States v. Two For Seven, LLC d/b/a Black & Blue Restaurant 10 OCAHO 1208 2014

PENALTIES

Failure to Complete I-9 Within Three Business Days is Serious Violation

United States v. Imacuclean Cleaning Services, LLC 13 OCAHO 1327 2019

United States v. Intelli Transport Services, Inc. 13 OCAHO 1319 2019

United States v. Visiontron Corp. 13 OCAHO 1348 2020

Failure to Conform Practices to Law After Previous Violations May Constitute Lack of Good Faith

United States v. Durable, Inc. 11 OCAHO 1231 2014

Failure to Cooperate With ICE's Investigation Can Constitute Culpable Conduct

Margarita Garcia Ocana v. El Dorado Stone, LLC 11 OCAHO 1244 2015

United States v. Liberty Packaging, Inc. 11 OCAHO 1245 2015

PENALTIES

Failure to Ensure Employee Signs Form I-9 Section 1 Is A Serious Violation

United States v. Visiontron Corp. 13 OCAHO 1348 2020

Failure to Prepare Form I-9 Among Most Serious Paperwork Violations

United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles 12 OCAHO 1281 2016

United States v. Golden Employment Group, Inc. 12 OCAHO 1277 2016

United States v. Hair U Wear, LLC 11 OCAHO 1268 2016

United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167) 11 OCAHO 1258 2015

United States v. Ideal Transportation Co., Inc. 12 OCAHO 1290 2016

United States v. Imacuclean Cleaning Services, LLC 13 OCAHO 1327 2019

United States v. Jula888, LLC d/b/a Para Tacos La Chilanga 12 OCAHO 1286 2016

United States v. Pegasus Family Restaurant, Inc.	12	OCAHO	1293	2016
United States v. Safe-Air of Illinois, Inc.	12	OCAHO	1270	2016
United States v. Solutions Group International, LLC	12	OCAHO	1288	2016
United States v. St. Croix Personnel Services, Inc.	12	OCAHO	1289	2016
United States v. Visiontron Corp.	13	OCAHO	1348	2020
United States v. Wave Green, Inc. d/b/a Golden Farm Market	11	OCAHO	1267	2016

PENALTIES

Failure to Prepare Form I-9 Generally Warrants Higher Penalty Than Do Errors or Omissions on Form

United States v. Golden Employment Group, Inc.	12	OCAHO	1277	2016
United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021

Failure to Prepare I-9 Among Most Serious Paperwork Violations

United States v. Cawoods Produce, Inc.	12	OCAHO	1280	2016
United States v. Mott Thoroughbred Stables, Inc.	11	OCAHO	1233	2014

United States v. PM Packaging, Inc., and PM Corporate Group, Inc., d/b/a PM Packaging	11	OCAHO	1253	2015
United States v. Romans Racing Stables, Inc.	11	OCAHO	1230	2014
United States v. Speedy Gonzalez Construction, Inc.	11	OCAHO	1243	2015

PENALTIES

Failure to Prepare I-9 More Serious Than Paperwork Violations

United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021

Failure to Properly Complete I-9 Less Serious Than Failure to Prepare or Present I-9

United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021
United States v. Speedy Gonzalez Construction, Inc.	11	OCAHO	1243	2015

Failure to Show That Certain Individuals Were Unauthorized Does Not Require Mitigation

United States v. Eriksmoen Cottages, Ltd.	14	OCAHO	1355a	2020

United States v. Romans Racing Stables, Inc. 11 OCAHO 1232 2014

PENALTIES

Failure to Timely Prepare Form I-9 Is A Serious Violation

United States v. St. Croix Personnel Services, Inc. 12 OCAHO 1289 2016

United States v. Visiontron Corp. 13 OCAHO 1348 2020

Failure to Use E-Verify System as Mandated by State Law Does Not Warrant Finding of Bad Faith

United States v. Psychosomatic Fitness LLC 14 OCAHO 1387a 2021

Forms I-9 May Be So Deficient That Violations Are Tantamount to Total Failure to Prepare an I-9

United States v. Cawoods Produce, Inc. 12 OCAHO 1280 2016

United States v. Wave Green, Inc. d/b/a Golden Farm Market 11 OCAHO 1267 2016

PENALTIES

Generally

United States v. Adolfo Martinez, Jr., Individually d/b/a AAAA Roofing	3	OCAHO	494	1993
United States v. Armando Alvarez-Suarez	4	OCAHO	655	1994
United States v. Business Teleconsultants, Ltd.	3	OCAHO	565	1993
United States v. Cristina Galeas	5	OCAHO	790	1995
United States v. David Day d/b/a David Day Masonry	3	OCAHO	575	1993
United States v. DJ Drywall, Inc.	10	OCAHO	1136	2010
United States v. Exim, Inc. and Jaime Monardes, Individually	3	OCAHO	591	1993
United States v. Giannini Landscaping, Inc.	3	OCAHO	573	1993
United States v. Gloria Fashions, Inc.	6	OCAHO	887	1996
United States v. Hardeep Singh	3	OCAHO	520	1993
United States v. Ice Castles Daycare Too, Inc.	10	OCAHO	1142	2011
United States v. Johnny Ng Lim and Christina Lim Go d/b/a The New Orient	3	OCAHO	499	1993
United States v. Kangaroo Express of Pueblo	3	OCAHO	581	1993
United States v. Ketchikan Drywall Services, Inc.	10	OCAHO	1139	2011

United States v. Kim Dong Hui t/a Chestnut Gourmet Restaurant	3	OCAHO	479	1992
United States v. La Casona d/b/a La Casona Mexican Restaurant	4	OCAHO	712	1994
United States v. Landscapes By Susanna	3	OCAHO	556	1993
	3	OCAHO	556	1993
United States v. Local Building & Remodeling of International Falls	3	OCAHO	567	1993
United States v. Mark Steven Carter d/b/a Dixie Industrial Service Company	7	OCAHO	931	1997
United States v. Minaco Fashions, Inc.	3	OCAHO	587	1993
United States v. Monroe Novelty Co., Inc. d/b/a Monroe Novelties Corporation	7	OCAHO	986	1998
United States v. New China Buffet Restaurant	10	OCAHO	1133	2010
United States v. Nicolas Tinoco-Medina	6	OCAHO	890	1996
United States v. Orlando Diaz-Rosas	4	OCAHO	702	1994
United States v. Oscar Chacon, Sr.	3	OCAHO	578	1993
United States v. Oscar Eduardo Villatoro-Guzman	4	OCAHO	652	1994
United States v. Pedro Dominguez	7	OCAHO	972	1997
	7	OCAHO	972	1997
United States v. Penrod National Enterprises, Inc. d/b/a Floral Bionomics Landscape Management	3	OCAHO	559	1993
	3	OCAHO	559	1993

United States v. Riverboat Delta King, Inc.	5	OCAHO	738	1995
United States v. Rupson of Hyde Park, Inc. d/b/a Super 8 Motel, Hyde Park	7	OCAHO	958	1997
United States v. Silver Cloud Investments, Inc. d/b/a Silver Clouds Restaurant	3	OCAHO	509	1993
United States v. Task Force Security, Inc. d/b/a Task Force Security and Investigations	4	OCAHO	625	1994
United States v. Wood 'N Stuff	3	OCAHO	574	1993

PENALTIES

Good Faith Assessment Looks Primarily at Steps Employer Took Before Notice of Inspection

United States v. 3679 Commerce Place, Inc.	12	OCAHO	1296	2017
United States v. Eriksmoen Cottages, Ltd.	14	OCAHO	1355a	2020
United States v. Executive Cleaning Services of Long Island, Ltd.	13	OCAHO	1314	2018
United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill	13	OCAHO	1338	2020
United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12	OCAHO	1276	2016
United States v. Hartmann Studios, Inc.	11	OCAHO	1255	2015
United States v. Imacuclean Cleaning Services, LLC	13	OCAHO	1327	2019
United States v. Integrity Concrete, Inc. and American Concrete, Inc.	13	OCAHO	1307	2017
United States v. Intelli Transport Services, Inc.	13	OCAHO	1319	2019

United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12	OCAHO	1286	2016
United States v. Pegasus Family Restaurant, Inc.	12	OCAHO	1293	2016
United States v. SKZ Harvesting, Inc.	11	OCAHO	1266	2016
United States v. Solutions Group International, LLC	12	OCAHO	1288	2016
United States v. Visiontron Corp.	13	OCAHO	1348	2020

PENALTIES

Good Faith Defense

United States v. DJ Drywall, Inc.	10	OCAHO	1136	2010
United States v. LFW Dairy Corporation	10	OCAHO	1129	2009
United States v. Morgan's Mexican & Lebanese Foods, Inc.	8	OCAHO	1013	1998

Good Faith Factor Focuses on Compliance With Section 1324a Obligations

United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021

Government Bears Burden of Proving Penalty and Aggravating Factors by Preponderance of Evidence

United States v. Cawoods Produce, Inc.	12	OCAHO	1280	2016
United States v. Eriksmoen Cottages, Ltd.	14	OCAHO	1355a	2020
United States v. Executive Cleaning Services of Long Island, Ltd.	13	OCAHO	1314	2018
United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill	13	OCAHO	1338	2020
United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167)	11	OCAHO	1258	2015
United States v. Homestead Metal Recycling Corp.	11	OCAHO	1251	2015
United States v. Imacuclean Cleaning Services, LLC	13	OCAHO	1327	2019
United States v. Keegan Varitey, LLC	11	OCAHO	1238	2014
United States v. Kenneth McPeek Racing Stables, Inc.	11	OCAHO	1249	2015
United States v. Niche, Inc.	11	OCAHO	1250	2015
United States v. Safe-Air of Illinois, Inc.	12	OCAHO	1270	2016
United States v. Visiontron Corp.	13	OCAHO	1348	2020

PENALTIES

Government Bears the Burden of Proof on Penalty and Aggravating Factors

Margarita Garcia Ocana v. El Dorado Stone, LLC	11	OCAHO	1244	2015
United States v. 3679 Commerce Place, Inc.	12	OCAHO	1296	2017
United States v. Clean Sweep Janitor Service	11	OCAHO	1226	2014
United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12	OCAHO	1281	2016
United States v. Employer Solutions Staffing Group II, LLC	11	OCAHO	1242	2015
United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12	OCAHO	1276	2016
United States v. Golden Employment Group, Inc.	12	OCAHO	1277	2016
United States v. Hair U Wear, LLC	11	OCAHO	1268	2016
United States v. Intelli Transport Services, Inc.	13	OCAHO	1319	2019
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12	OCAHO	1286	2016
United States v. Liberty Packaging, Inc.	11	OCAHO	1245	2015
United States v. Metropolitan Enterprises, Inc.	12	OCAHO	1297	2017
United States v. Muniz Concrete & Contracting, Inc.	12	OCAHO	1278	2016
United States v. Pegasus Family Restaurant, Inc.	12	OCAHO	1293	2016
United States v. PM Packaging, Inc., and PM Corporate Group, Inc., d/b/a PM Packaging	11	OCAHO	1253	2015
United States v. SKZ Harvesting, Inc.	11	OCAHO	1266	2016
United States v. Solutions Group International, LLC	12	OCAHO	1288	2016

United States v. Speedy Gonzalez Construction, Inc. 11 OCAHO 1243 2015

United States v. St. Croix Personnel Services, Inc. 12 OCAHO 1289 2016

United States v. Wave Green, Inc. d/b/a Golden Farm Market 11 OCAHO 1267 2016

PENALTIES

Government Must Prove Aggravating Factor by Preponderance of Evidence

Margarita Garcia Ocana v. El Dorado Stone, LLC 11 OCAHO 1244 2015

United States v. Clean Sweep Janitor Service 11 OCAHO 1226 2014

United States v. Dr. Robert Schaus, D.D.S. 11 OCAHO 1239 2014

United States v. Employer Solutions Staffing Group II, LLC 11 OCAHO 1242 2015

United States v. Ideal Transportation Co., Inc. 12 OCAHO 1290 2016

United States v. Liberty Packaging, Inc. 11 OCAHO 1245 2015

United States v. Speedy Gonzalez Construction, Inc. 11 OCAHO 1243 2015

Government Must Prove Existence of Aggravating Factor by Preponderance of Evidence

United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12	OCAHO	1281	2016
United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12	OCAHO	1276	2016

PENALTIES

High Compliance Rate May Be Evidence of Good Faith

United States v. Eriksmoen Cottages, Ltd.	14	OCAHO	1355a	2020

High Noncompliance Rate Insufficient to Justify Higher Penalty for Similar Situations

United States v. Integrity Concrete, Inc. and American Concrete, Inc.	13	OCAHO	1307	2017

ICE Fine Guidelines Have No Binding Effect on OCAHO

United States v. 3679 Commerce Place, Inc.	12	OCAHO	1296	2017
United States v. Golden Employment Group, Inc.	12	OCAHO	1277	2016
United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167)	11	OCAHO	1258	2015

United States v. Ideal Transportation Co., Inc.	12	OCAHO	1290	2016
United States v. Integrity Concrete, Inc. and American Concrete, Inc.	13	OCAHO	1307	2017
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12	OCAHO	1286	2016
United States v. Keegan Varitey, LLC	11	OCAHO	1238	2014
United States v. Niche, Inc.	11	OCAHO	1250	2015
United States v. Pegasus Family Restaurant, Inc.	12	OCAHO	1293	2016
United States v. Solutions Group International, LLC	12	OCAHO	1288	2016
United States v. Speedy Gonzalez Construction, Inc.	11	OCAHO	1243	2015

PENALTIES

In Section 1324c Cases, ALJ May Use a Judgmental Approach to Determine the Penalty Amount

United States v. Leticia Velarde	14	OCAHO	1384	2020

Knowing Hire

United States v. Jonel, Inc.	8	OCAHO	1008	1998

United States v. Occupational Resource Management, Inc. 10 OCAHO 1166 2013

PENALTIES

Knowing Hire Violations Are Far More Serious Than Any Paperwork Violations

United States v. Foothill Packing, Inc. 11 OCAHO 1240 2015

United States v. Jalisco's Bar and Grill, Inc. 11 OCAHO 1224 2014

Lack of History of Previous Violations Does Not Require the ALJ to Mitigate Civil Penalty

United States v. 3679 Commerce Place, Inc. 12 OCAHO 1296 2017

United States v. Cawoods Produce, Inc. 12 OCAHO 1280 2016

United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles 12 OCAHO 1281 2016

United States v. Eriksmoen Cottages, Ltd. 14 OCAHO 1355a 2020

United States v. Executive Cleaning Services of Long Island, Ltd. 13 OCAHO 1314 2018

United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill 13 OCAHO 1338 2020

United States v. Integrity Concrete, Inc. and American Concrete, Inc. 13 OCAHO 1307 2017

United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12	OCAHO	1286	2016
United States v. Pegasus Family Restaurant, Inc.	12	OCAHO	1293	2016
United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021
United States v. Romans Racing Stables, Inc.	11	OCAHO	1232	2014
United States v. Solutions Group International, LLC	12	OCAHO	1288	2016
United States v. St. Croix Personnel Services, Inc.	12	OCAHO	1289	2016
United States v. The Red Coach Restaurant, Inc.	10	OCAHO	1200	2013
United States v. Visiontron Corp.	13	OCAHO	1348	2020

PENALTIES

Leniency Toward Small Entities

United States v. Clean Sweep Janitor Service	11	OCAHO	1226	2014
United States v. Kenneth McPeek Racing Stables, Inc.	11	OCAHO	1249	2015

Mitigation

United States v. Anchor Seafood Distributors, Inc. d/b/a Anchor Fish Company	5	OCAHO	758	1995
United States v. Central Nebraska Packing, Inc.	4	OCAHO	714	1994
United States v. Chef Rayko, Inc. d/b/a Chef Rayko's Cucina Italiana	5	OCAHO	803	1995
United States v. David Jenkins	5	OCAHO	743	1995
United States v. Draper-King Cole, Inc.	7	OCAHO	933	1997
	7	OCAHO	933	1997
United States v. Enrique Reyes d/b/a King's Produce	4	OCAHO	592	1994
United States v. Exim, Inc. and Jaime Monardes, Individually	4	OCAHO	604	1994
United States v. Hugh Jeffrey Fox d/b/a Frank & Stein	5	OCAHO	756	1995
United States v. Kerry J. Vicker d/b/a SNB Cleaning	5	OCAHO	819	1995
United States v. Morgan's Mexican & Lebanese Foods, Inc.	8	OCAHO	1013	1998
United States v. Orlando Diaz-Rosas	4	OCAHO	702	1994
United States v. Oscar Eduardo Villatoro-Guzman	4	OCAHO	652	1994
United States v. Randall Kurzon, Individually and Alonza Restaurant Ventures, inc.	4	OCAHO	637	1994
United States v. Taco Plus, Inc. d/b/a Taco Loco	5	OCAHO	775	1995
United States v. Task Force Security, Inc. d/b/a Task Force Security and Investigations	4	OCAHO	625	1994
United States v. Tri-Component Product Corporation	6	OCAHO	853	1996

United States v. Williams Produce, Inc.	5	OCAHO	730	1995

PENALTIES

Non-Statutory Factor Considered As Matter of Equity

United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021

Notice of Suspect Documents Does Not Alone Establish That Employee is Unauthorized

Margarita Garcia Ocana v. El Dorado Stone, LLC	11	OCAHO	1244	2015
United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12	OCAHO	1281	2016
United States v. Liberty Packaging, Inc.	11	OCAHO	1245	2015
United States v. Muniz Concrete & Contracting, Inc.	12	OCAHO	1278	2016
United States v. PM Packaging, Inc., and PM Corporate Group, Inc., d/b/a PM Packaging	11	OCAHO	1253	2015
United States v. SKZ Harvesting, Inc.	11	OCAHO	1266	2016

Notices of Discrepancies or Suspect Documents Do Not Alone Prove Employee Is Unauthorized

United States v. Imacuclean Cleaning Services, LLC	13	OCAHO	1327	2019
United States v. Integrity Concrete, Inc. and American Concrete, Inc.	13	OCAHO	1307	2017
United States v. Romans Racing Stables, Inc.	11	OCAHO	1230	2014

PENALTIES

OCAHO ALJs May Review Penalty Assessments De Novo

United States v. 3679 Commerce Place, Inc.	12	OCAHO	1296	2017
United States v. Cawoods Produce, Inc.	12	OCAHO	1280	2016
United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12	OCAHO	1281	2016
United States v. Eriksmoen Cottages, Ltd.	14	OCAHO	1355a	2020
United States v. Executive Cleaning Services of Long Island, Ltd.	13	OCAHO	1314	2018
United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill	13	OCAHO	1338	2020
United States v. Hair U Wear, LLC	11	OCAHO	1268	2016
United States v. Ideal Transportation Co., Inc.	12	OCAHO	1290	2016
United States v. Imacuclean Cleaning Services, LLC	13	OCAHO	1327	2019
United States v. Integrity Concrete, Inc. and American Concrete, Inc.	13	OCAHO	1307	2017

United States v. Intelli Transport Services, Inc.	13	OCAHO	1319	2019
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12	OCAHO	1286	2016
United States v. Keegan Varitey, LLC	11	OCAHO	1238	2014
United States v. Metropolitan Enterprises, Inc.	12	OCAHO	1297	2017
United States v. Muniz Concrete & Contracting, Inc.	12	OCAHO	1278	2016
United States v. Pegasus Family Restaurant, Inc.	12	OCAHO	1293	2016
United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021
United States v. Solutions Group International, LLC	12	OCAHO	1288	2016
United States v. St. Croix Personnel Services, Inc.	12	OCAHO	1289	2016
United States v. Visiontron Corp.	13	OCAHO	1348	2020
United States v. Wave Green, Inc. d/b/a Golden Farm Market	11	OCAHO	1267	2016

PENALTIES

OCAHO Generally Considers a Business With Fewer Than 100 Employees to be a Small Business

United States v. Visiontron Corp.	13	OCAHO	1348	2020

OCAHO May Examine ICE Fine de novo

United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021

PENALTIES

Order Imposing Civil Penalty in Section 1324b Case

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021

Paperwork Requirement(s)/Violation(s)

United States v. Alberta Sosa, Inc.	6	OCAHO	831	1996
United States v. De Luca's Market	8	OCAHO	1039	1999
United States v. DJ Drywall, Inc.	10	OCAHO	1136	2010
United States v. El Paso Hospitality, Inc.	5	OCAHO	737	1995
United States v. Exim, Inc. and Jaime Monardes, Individually	4	OCAHO	604	1994
United States v. Giamblis Enterprises	5	OCAHO	817	1995
United States v. Great Bend Packing Company	6	OCAHO	835	1996

United States v. Jonel, Inc.	8	OCAHO	1008	1998
United States v. LFW Dairy Corporation	10	OCAHO	1129	2009
United States v. Mark Steven Carter d/b/a Dixie Industrial Service Company	7	OCAHO	931	1997
United States v. Mark Steven Carter d/b/a Dixie Industrial Service Company	7	OCAHO	931	1997
United States v. Mark Steven Carter d/b/a Dixie Industrial Service Company	7	OCAHO	931	1997
United States v. Mark Steven Carter d/b/a Dixie Industrial Service Company	7	OCAHO	931	1997
United States v. Mark Steven Carter d/b/a Dixie Industrial Service Company	7	OCAHO	931	1997
United States v. Monroe Novelty Co., Inc. d/b/a Monroe Novelties Corporation	7	OCAHO	986	1998
United States v. Monroe Novelty Co., Inc. d/b/a Monroe Novelties Corporation	7	OCAHO	986	1998
United States v. Monroe Novelty Co., Inc. d/b/a Monroe Novelties Corporation	7	OCAHO	986	1998
United States v. Monroe Novelty Co., Inc. d/b/a Monroe Novelties Corporation	7	OCAHO	986	1998
United States v. New China Buffet Restaurant	10	OCAHO	1133	2010
United States v. Onion River Sports, Inc.	4	OCAHO	673	1994
United States v. Platinum Builders of Central Florida, Inc.	10	OCAHO	1199	2013
United States v. Ricardo Calderon, Inc.	6	OCAHO	832	1996
	6	OCAHO	832	1996
United States v. Sunshine Building Maintenance, Inc.	7	OCAHO	997	1998

PENALTIES

Paperwork Violation Penalties Are Prophylactic and Corrective, Not Punitive

United States v. Employer Solutions Staffing Group II, LLC 11 OCAHO 1242 2015

Party Moving for Summary Decision Must Show There Is No Genuine Issue of Material Fact

United States v. Imacuclean Cleaning Services, LLC 13 OCAHO 1327 2019

Party Seeking Consideration of Equitable Factor Bears Burden of Presenting Supporting Evidence

United States v. Solutions Group International, LLC 12 OCAHO 1288 2016

Party Seeking Consideration of Non-Statutory Factor Bears Burden of Proof

United States v. 3679 Commerce Place, Inc. 12 OCAHO 1296 2017

United States v. Executive Cleaning Services of Long Island, Ltd.	13	OCAHO	1314	2018
United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill	13	OCAHO	1338	2020
United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12	OCAHO	1276	2016
United States v. Hair U Wear, LLC	11	OCAHO	1268	2016
United States v. Hartmann Studios, Inc.	11	OCAHO	1255	2015
United States v. Imacuclean Cleaning Services, LLC	13	OCAHO	1327	2019
United States v. Integrity Concrete, Inc. and American Concrete, Inc.	13	OCAHO	1307	2017
United States v. Keegan Varitey, LLC	11	OCAHO	1238	2014
United States v. Metropolitan Enterprises, Inc.	12	OCAHO	1297	2017
United States v. Niche, Inc.	11	OCAHO	1250	2015
United States v. Pegasus Family Restaurant, Inc.	12	OCAHO	1293	2016
United States v. Wave Green, Inc. d/b/a Golden Farm Market	11	OCAHO	1267	2016

PENALTIES

Party Seeking Consideration of Non-Statutory Factor Bears Burden of Proof On That Factor

United States v. Eriksmoen Cottages, Ltd.	14	OCAHO	1355a	2020
United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021

PENALTIES

Penalties Near Maximum Should Be Reserved for Most Egregious Violations

United States v. Cawoods Produce, Inc.	12	OCAHO	1280	2016
United States v. Clean Sweep Janitor Service	11	OCAHO	1226	2014
United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12	OCAHO	1281	2016
United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill	13	OCAHO	1338	2020
United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12	OCAHO	1276	2016
United States v. Golf International d/b/a Desert Canyon Golf	11	OCAHO	1222	2014
United States v. Hartmann Studios, Inc.	11	OCAHO	1255	2015
United States v. Homestead Metal Recycling Corp.	11	OCAHO	1251	2015
United States v. Horno MSJ, Ltd., Company	11	OCAHO	1247	2015
	11	OCAHO	1247	2015
United States v. Ideal Transportation Co., Inc.	12	OCAHO	1290	2016
United States v. Integrity Concrete, Inc. and American Concrete, Inc.	13	OCAHO	1307	2017
United States v. Intelli Transport Services, Inc.	13	OCAHO	1319	2019
United States v. Jalisco's Bar and Grill, Inc.	11	OCAHO	1224	2014

United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12	OCAHO	1286	2016
United States v. Kobe Sakura Japanese, Inc.	10	OCAHO	1205	2013
United States v. Kobe Sapporo Japanese, Inc.	10	OCAHO	1204	2013
United States v. M & D Masonry, Inc.	10	OCAHO	1211	2014
United States v. Mott Thoroughbred Stables, Inc.	11	OCAHO	1233	2014
United States v. Niche, Inc.	11	OCAHO	1250	2015
United States v. Pegasus Family Restaurant, Inc.	12	OCAHO	1293	2016
United States v. Platinum Builders of Central Florida, Inc.	10	OCAHO	1199	2013
United States v. PM Packaging, Inc., and PM Corporate Group, Inc., d/b/a PM Packaging	11	OCAHO	1253	2015
United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021
United States v. Red Bowl of Cary, LLC, Inc. d/b/a Red Bowl Asian Bistro	10	OCAHO	1206	2013
United States v. Romans Racing Stables, Inc.	11	OCAHO	1230	2014
United States v. Safe-Air of Illinois, Inc.	12	OCAHO	1270	2016
United States v. SKZ Harvesting, Inc.	11	OCAHO	1266	2016
United States v. Solutions Group International, LLC	12	OCAHO	1288	2016
United States v. Speedy Gonzalez Construction, Inc.	11	OCAHO	1243	2015
United States v. St. Croix Personnel Services, Inc.	12	OCAHO	1289	2016

United States v. Two For Seven, LLC d/b/a Black & Blue Restaurant	10	OCAHO	1208	2014
United States v. Visiontron Corp.	13	OCAHO	1348	2020

PENALTIES

Penalties Not Meant to Force Employers Out of Business or Result in Loss of Employment for Workers

United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021

Penalties Should Deter Future Violations Without Being Unduly Punitive

United States v. Clean Sweep Janitor Service	11	OCAHO	1226	2014
United States v. Golf International d/b/a Desert Canyon Golf	11	OCAHO	1222	2014
United States v. Homestead Metal Recycling Corp.	11	OCAHO	1251	2015
United States v. Horno MSJ, Ltd., Company	11	OCAHO	1247	2015
	11	OCAHO	1247	2015
United States v. Ideal Transportation Co., Inc.	12	OCAHO	1290	2016
United States v. Intelli Transport Services, Inc.	13	OCAHO	1319	2019

United States v. Kenneth McPeek Racing Stables, Inc.	11	OCAHO	1249	2015
United States v. Niche, Inc.	11	OCAHO	1250	2015
United States v. Safe-Air of Illinois, Inc.	12	OCAHO	1270	2016
United States v. Solutions Group International, LLC	12	OCAHO	1288	2016
United States v. Speedy Gonzalez Construction, Inc.	11	OCAHO	1243	2015

PENALTIES

Penalties Should Have a Deterrent Effect and Not Be Merely a Cost of Doing Business

United States v. Hartmann Studios, Inc.	11	OCAHO	1255	2015

Penalties Should Promote Future Compliance Without Being Unduly Punitive

United States v. 3679 Commerce Place, Inc.	12	OCAHO	1296	2017
United States v. Eriksmoen Cottages, Ltd.	14	OCAHO	1355a	2020
United States v. Executive Cleaning Services of Long Island, Ltd.	13	OCAHO	1314	2018
United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill	13	OCAHO	1338	2020

United States v. Integrity Concrete, Inc. and American Concrete, Inc.	13	OCAHO	1307	2017
United States v. Pegasus Family Restaurant, Inc.	12	OCAHO	1293	2016
United States v. Visiontron Corp.	13	OCAHO	1348	2020

PENALTIES

Penalty Within Statutory Range Presumed Valid Under Eighth Amendment Excessive Fines Clause

United States v. Employer Solutions Staffing Group II, LLC	11	OCAHO	1242	2015

Poor Rate of Compliance Without Showing Culpable Conduct Insufficient to Prove Lack of Good Faith

United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12	OCAHO	1281	2016
United States v. Executive Cleaning Services of Long Island, Ltd.	13	OCAHO	1314	2018
United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill	13	OCAHO	1338	2020
United States v. Pegasus Family Restaurant, Inc.	12	OCAHO	1293	2016
United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021
United States v. Solutions Group International, LLC	12	OCAHO	1288	2016

United States v. St. Croix Personnel Services, Inc. 12 OCAHO 1289 2016

PENALTIES

Presenting Forms I-9 Late Is Not As Serious as Complete Failure to Prepare of Present Forms I-9

United States v. Eriksmoen Cottages, Ltd. 14 OCAHO 1355a 2020

Prophylactic Purpose Best Served When Penalty Is Significant Enough to Prompt Change of Behavior

United States v. Employer Solutions Staffing Group II, LLC 11 OCAHO 1242 2015

Proportionality is Critical in Setting Penalties

United States v. Niche, Inc. 11 OCAHO 1250 2015

United States v. Safe-Air of Illinois, Inc. 12 OCAHO 1270 2016

Proportionality of Fine Judged Relative to Gravity of Violations and Size of Business

United States v. Jalisco's Bar and Grill, Inc. 11 OCAHO 1224 2014

PENALTIES

Purpose is to Deter Repeat Violations and Encourage Others to Comply

United States v. Employer Solutions Staffing Group II, LLC 11 OCAHO 1242 2015

Purposes of Fines Are To Deter Future Violations & Encourage Compliance w/Verification Procesures

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 2016

Rate of Violations Is Not An Enumerated Factor But Can Be Considered In Assessing the Penalty

United States v. Psychosomatic Fitness LLC 14 OCAHO 1387a 2021

United States v. Visiontron Corp. 13 OCAHO 1348 2020

PENALTIES

Reasonableness Based On Record As Whole and Statutory Factors in Particular

United States v. Dr. Robert Schaus, D.D.S. 11 OCAHO 1239 2014

Referring to Discrepancies or Suspect Documents Does Not Alone Prove Employee is Unauthorized

Mere Reference to Information Discrepancies or Suspect Documents Insufficient to Prove

United States v. Platinum Builders of Central Florida, Inc. 10 OCAHO 1199 2013

Respondent Must Present Evidence in Support of Potential Mitigtion Factors in Section 1324c Cases

United States v. Leticia Velarde 14 OCAHO 1384 2020

Sale of Fraudulent Documents Is A Serious Violation

United States v. Leticia Velarde 14 OCAHO 1384 2020

PENALTIES

Seriousness of Violation Depends on Degree of Deviation From Verification Requirements

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 2016

United States v. Muniz Concrete & Contracting, Inc. 12 OCAHO 1278 2016

Seriousness of Violation Evaluated on Continuum Because Not All Violations Are Equally Serious

United States v. Cawoods Produce, Inc. 12 OCAHO 1280 2016

United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles 12 OCAHO 1281 2016

United States v. Eriksmoen Cottages, Ltd. 14 OCAHO 1355a 2020

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 2016

United States v. Golden Employment Group, Inc. 12 OCAHO 1277 2016

United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167) 11 OCAHO 1258 2015

United States v. Horno MSJ, Ltd., Company 11 OCAHO 1247 2015

United States v. Horno MSJ, Ltd., Company	11	OCAHO	1247	2015
United States v. Ideal Transportation Co., Inc.	12	OCAHO	1290	2016
United States v. Imacuclean Cleaning Services, LLC	13	OCAHO	1327	2019
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12	OCAHO	1286	2016
United States v. Mott Thoroughbred Stables, Inc.	11	OCAHO	1233	2014
United States v. Muniz Concrete & Contracting, Inc.	12	OCAHO	1278	2016
United States v. Niche, Inc.	11	OCAHO	1250	2015
United States v. PM Packaging, Inc., and PM Corporate Group, Inc., d/b/a PM Packaging	11	OCAHO	1253	2015
United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021
United States v. Romans Racing Stables, Inc.	11	OCAHO	1230	2014
United States v. Safe-Air of Illinois, Inc.	12	OCAHO	1270	2016
United States v. SKZ Harvesting, Inc.	11	OCAHO	1266	2016
United States v. Solutions Group International, LLC	12	OCAHO	1288	2016
United States v. Speedy Gonzalez Construction, Inc.	11	OCAHO	1243	2015
United States v. Visiontron Corp.	13	OCAHO	1348	2020

PENALTIES

Seriousness of Violation(s)

Siam Thai Sushi Restaurant, d/b/a Four Siamese Company, Inc.	10	OCAHO	1174	2013
United States v. DJ Drywall, Inc.	10	OCAHO	1136	2010
United States v. Intelli Transport Services, Inc.	13	OCAHO	1319	2019
United States v. Jonel, Inc.	8	OCAHO	1008	1998
United States v. Monadnock Mountain Spring Water, Inc.	10	OCAHO	1193	2013
United States v. Morgan's Mexican & Lebanese Foods, Inc.	8	OCAHO	1013	1998
United States v. Platinum Builders of Central Florida, Inc.	10	OCAHO	1199	2013
United States v. Taste of China	10	OCAHO	1164	2013

PENALTIES

Size of Business

United States v. DJ Drywall, Inc.	10	OCAHO	1136	2010
United States v. Imacuclean Cleaning Services, LLC	13	OCAHO	1327	2019
United States v. Intelli Transport Services, Inc.	13	OCAHO	1319	2019
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12	OCAHO	1286	2016

United States v. MEMF, LLC d/b/a Black & Blue Steak & Crab - Buffalo	10	OCAHO	1170	2013
United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021
United States v. Siwan & Brothers, Inc. d/b/a Subway #37616	10	OCAHO	1178	2013
United States v. Siwan & Sons, Inc. d/b/a Subway #35029 and Subway #23095	10	OCAHO	1179	2013

PENALTIES

Size of Business Did Not Necessitate Further Mitigation of Civil Penalty

United States v. M & D Masonry	10	OCAHO	1215	2014
United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021

Size of Business Is A Factor in Assessment of the Penalty

United States v. Visiontron Corp.	13	OCAHO	1348	2020

Small Size of Business Only Considered as a Statutory Factor, Not as a Non-Statutory Factor

United States v. Psychosomatic Fitness LLC 14 OCAHO 1387a 2021

PENALTIES

Social Security Mismatch Does Not Establish That a Particular Individual is Unauthorized for Employment

United States v. SKZ Harvesting, Inc. 11 OCAHO 1266 2016

Statute Does Not Prohibit Consideration of Unenumerated Factors

United States v. Clean Sweep Janitor Service 11 OCAHO 1226 2014

Statute Does Not Require That a Factor Found Not to Be Aggravating Must Be Found to Be Mitigating

United States v. Integrity Concrete, Inc. and American Concrete, Inc. 13 OCAHO 1307 2017

United States v. Metropolitan Enterprises, Inc. 12 OCAHO 1297 2017

United States v. Psychosomatic Fitness LLC 14 OCAHO 1387a 2021

PENALTIES

Statute Does Not Require That Equal Weight Be Given Each of the Five Statutory Factors

United States v. Dr. Robert Schaus, D.D.S.	11	OCAHO	1239	2014
United States v. Durable, Inc.	11	OCAHO	1231	2014
United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167)	11	OCAHO	1258	2015
United States v. Homestead Metal Recycling Corp.	11	OCAHO	1251	2015
United States v. Intelli Transport Services, Inc.	13	OCAHO	1319	2019
United States v. Liberty Packaging, Inc.	11	OCAHO	1245	2015
United States v. Mott Thoroughbred Stables, Inc.	11	OCAHO	1233	2014
United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021
United States v. Romans Racing Stables, Inc.	11	OCAHO	1230	2014

Statute Does Not Require That Equal Weight Be Given Enumerated Factors Nor Rule Out Other Factors

United States v. 3679 Commerce Place, Inc.	12	OCAHO	1296	2017

United States v. Cawoods Produce, Inc.	12	OCAHO	1280	2016
United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12	OCAHO	1281	2016
United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12	OCAHO	1276	2016
United States v. Golden Employment Group, Inc.	12	OCAHO	1277	2016
United States v. Hair U Wear, LLC	11	OCAHO	1268	2016
United States v. Ideal Transportation Co., Inc.	12	OCAHO	1290	2016
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12	OCAHO	1286	2016
United States v. Kenneth McPeek Racing Stables, Inc.	11	OCAHO	1249	2015
United States v. Metropolitan Enterprises, Inc.	12	OCAHO	1297	2017
United States v. Muniz Concrete & Contracting, Inc.	12	OCAHO	1278	2016
United States v. Pegasus Family Restaurant, Inc.	12	OCAHO	1293	2016
United States v. PM Packaging, Inc., and PM Corporate Group, Inc., d/b/a PM Packaging	11	OCAHO	1253	2015
United States v. Safe-Air of Illinois, Inc.	12	OCAHO	1270	2016
United States v. SKZ Harvesting, Inc.	11	OCAHO	1266	2016
United States v. Solutions Group International, LLC	12	OCAHO	1288	2016
United States v. Wave Green, Inc. d/b/a Golden Farm Market	11	OCAHO	1267	2016

PENALTIES

Statute Does Not Require That Equal Weight Be Given to Each Required Penalty Factor

Margarita Garcia Ocana v. El Dorado Stone, LLC	11	OCAHO	1244	2015
United States v. Clean Sweep Janitor Service	11	OCAHO	1226	2014
United States v. Romans Racing Stables, Inc.	11	OCAHO	1230	2014
United States v. Speedy Gonzalez Construction, Inc.	11	OCAHO	1243	2015

Statute Does Not Rule Out Consideration of Unenumerated Factors

Margarita Garcia Ocana v. El Dorado Stone, LLC	11	OCAHO	1244	2015
United States v. Homestead Metal Recycling Corp.	11	OCAHO	1251	2015
United States v. Liberty Packaging, Inc.	11	OCAHO	1245	2015
United States v. Mott Thoroughbred Stables, Inc.	11	OCAHO	1233	2014
United States v. Speedy Gonzalez Construction, Inc.	11	OCAHO	1243	2015

Statute Does Not Specify Factors ALJ Must Consider in Setting Penalty for Knowing Hire Violation

United States v. Muniz Concrete & Contracting, Inc. 12 OCAHO 1278 2016

PENALTIES

Statutory Fine Factors Only for Paperwork Violations Not Knowing Hire or Continuing to Employ

United States v. Foothill Packing, Inc. 11 OCAHO 1240 2015

United States v. Jalisco's Bar and Grill, Inc. 11 OCAHO 1224 2014

Suspicion Alone is Insufficient to Aggravate Paperwork Penalty Based On Unauthorized Workers

United States v. 3679 Commerce Place, Inc. 12 OCAHO 1296 2017

United States v. Pegasus Family Restaurant, Inc. 12 OCAHO 1293 2016

Termination of Employees Does Not Sufficiently Establish the Presence of Unauthorized Aliens

United States v. Integrity Concrete, Inc. and American Concrete, Inc. 13 OCAHO 1307 2017

PENALTIES

There Is No Sole Permissible Method for Calculating Penalties

United States v. 3679 Commerce Place, Inc. 12 OCAHO 1296 2017

United States v. Eriksmoen Cottages, Ltd. 14 OCAHO 1355a 2020

United States v. Metropolitan Enterprises, Inc. 12 OCAHO 1297 2017

United States v. Pegasus Family Restaurant, Inc. 12 OCAHO 1293 2016

United States v. Speedy Gonzalez Construction, Inc. 11 OCAHO 1243 2015

There Must Be Rational Relationship Between Magnitude of Offense and Penalty

United States v. Safe-Air of Illinois, Inc. 12 OCAHO 1270 2016

Under Section 1324, ALJ Must Impose Penalty for Each Document for Which a Violation is Found

United States v. Alma Delia Rubio-Reyes 14 OCAHO 1349a 2020

PENALTIES

Under Section 1324c, Government's Requested Penalty May Be Adopted If It Is Reasonable

United States v. Alma Delia Rubio-Reyes 14 OCAHO 1349a 2020

Variety of Violations May Be Sufficiently Egregious to Merit Penalties Near Statutory Maximum

United States v. Durable, Inc. 11 OCAHO 1231 2014

Weight of Each Statutory Factor Depends on Facts of Each Case

United States v. 3679 Commerce Place, Inc. 12 OCAHO 1296 2017

United States v. Eriksmoen Cottages, Ltd. 14 OCAHO 1355a 2020

United States v. Executive Cleaning Services of Long Island, Ltd. 13 OCAHO 1314 2018

United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill 13 OCAHO 1338 2020

United States v. Metropolitan Enterprises, Inc.	12	OCAHO	1297	2017
United States v. Pegasus Family Restaurant, Inc.	12	OCAHO	1293	2016
United States v. Visiontron Corp.	13	OCAHO	1348	2020

PENALTIES

Where A Paperwork Violation is Found, The Act Does Not Provide for Waiver of Penalty

United States v. Cawoods Produce, Inc.	12	OCAHO	1280	2016
United States v. Hair U Wear, LLC	11	OCAHO	1268	2016
United States v. Ideal Transportation Co., Inc.	12	OCAHO	1290	2016
United States v. Keegan Varitey, LLC	11	OCAHO	1238	2014
United States v. Muniz Concrete & Contracting, Inc.	12	OCAHO	1278	2016
United States v. Wave Green, Inc. d/b/a Golden Farm Market	11	OCAHO	1267	2016

PERSONS PROTECTED

5/10 Year Rule

Alan Rusk v. Northrop Corporation and Department of Defense	4	OCAHO	607	1994

Leonid Naginsky v. Department of Defense and EG&G Dynatrend	5	OCAHO	726	1995
Wartan Bozoghlanian v. Hughes Radar Systems Group	5	OCAHO	741	1995
Wartan Bozoghlanian v. Lockheed-Advanced Development Corporation	4	OCAHO	711	1994
Wartan Bozoghlanian v. Magnavox Advanced Products and Systems Company	4	OCAHO	653	1994

PERSONS PROTECTED

Alien(s)

Generally

Cecilia Araceli Basua v. Walmart #1554	3	OCAHO	549	1993
Esther Din Brooks v. KNK Textile	3	OCAHO	545	1993
	3	OCAHO	528	1993
Mr. Doron Tal v. M. L. Energia, Inc.	3	OCAHO	519	1993
Nripendra S. Dhillon v. Regents of the University of California	3	OCAHO	497	1993
Olatunji Moshood Fakunmoju v. Claims Administration Corporation	4	OCAHO	624	1994
United States v. Mesa Airlines	1	OCAHO	74	1989
	1	OCAHO	74	1989
United States v. Mesa Airlines	1	OCAHO	74	1989
	1	OCAHO	74	1989

PERSONS PROTECTED

Asylees

Zelleka Getahun v. Dupont Merck Pharmaceutical Company	6	OCAHO	880	1996

Citizen(s)

Daniel Bendig v. Conoco, Inc.	9	OCAHO	1065	2001
Daniel D. Tiplea v. Reynolds Electrical & Engineering Company, Inc.	3	OCAHO	548	1993
Eden Harrison Adatsi v. Citizens & Southern National Bank of Georgia	1	OCAHO	203	1990
Esther Din Brooks v. KNK Textile	3	OCAHO	545	1993
Ironsi C. Ndusorouwa v. Prepared Foods, Inc.	1	OCAHO	192	1990
Jesse Charles Jones v. DeWitt Nursing Home	1	OCAHO	189	1990
Kenneth Wade Parker, Jr. v. Wild Goose Storage, Inc.	9	OCAHO	1081	2002
Marian Ryba v. Temple Steel Company	1	OCAHO	289	1991
Sargon Bethishou v. Ohmite Manufacturing Company	1	OCAHO	77	1989

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021
United States v. Harris Ranch Beef Company	2	OCAHO	335	1991
United States v. Marcel Watch Corporation	1	OCAHO	143	1990
United States v. Mesa Airlines	1	OCAHO	74	1989
	1	OCAHO	74	1989
United States v. Southwest Marine Corporation, a California Corporation	2	OCAHO	400	1989

PERSONS PROTECTED

Complainant Must Be Protected Individual at Time of Alleged Citizenship Status Discrimination

Li Zu v. Avalon Valley Rehabilitation Center	14	OCAHO	1376	2020

Derivative Citizen

Martine Mbitaze v. City of Greenbelt	13	OCAHO	1345a	2020

Document Abuse Claim Based on Citizenship Status May Be Raised Only By Protected Individuals

Benjamin Stephen Mackinnon v. The Financial Times	13	OCAHO	1316	2019
Doris Rainwater v. Doctor's Hospice of Georgia, Inc.	12	OCAHO	1300	2017

PERSONS PROTECTED

Generally

Arnulfo Medina v. Bend-Pack, Inc.	5	OCAHO	791	1995
Barbara Eva Labombarbe v. United States Air Force d/b/a Child Development Center	3	OCAHO	515	1993
Boris Gerardo Salazar-Castro v. Cincinnati Public Schools	3	OCAHO	406	1992
Cecilia Araceli Basua v. Walmart #1554	3	OCAHO	547	1993
	3	OCAHO	549	1993
Dalila Kamal-Griffin v. Cahill Gordon & Reindel	3	OCAHO	568	1993
Esther Din Brooks v. KNK Textile	3	OCAHO	545	1993
Gloria Ondina-Mendez v. Sugar Creek Packing Company	9	OCAHO	1085	2002
Grzegirz Pioterek v. Anderson Cleaning Systems, Inc.	3	OCAHO	484	1993
Haddon Speakman v. The Rehabilitation Hospital of South Texas	3	OCAHO	469	1992
Jenlih John Hsieh v. PMC - Sierra, Inc.	9	OCAHO	1093	2003

Jesse Charles Jones v. DeWitt Nursing Home	1	OCAHO	189	1990
Juan Antonio Cardona Godinez v. Armguard Security Patrol	3	OCAHO	490	1993
Maria Lourdes Castillo v. Hotel Casa Marina (Marriott)	3	OCAHO	508	1993
Maria Ofelia Prado-Rosales v. Montgomery Donuts, Inc.	3	OCAHO	438	1992
Miguel A. Gallegos v. Magna-View, Inc.	4	OCAHO	619	1994
Mr. Doron Tal v. M. L. Energia, Inc.	3	OCAHO	519	1993
Nripendra S. Dhillon v. Regents of the University of California	3	OCAHO	497	1993
Patricia Eunice Parkin-Forrest v. Veterans Administration Hospital	3	OCAHO	516	1993
United States v. Auburn University	3	OCAHO	564	1993
United States v. Guardsmark	3	OCAHO	572	1993
United States v. Hyatt Regency Lake Tahoe	6	OCAHO	861	1996
United States v. Rosario Strano and Vito Strano d/b/a Strano Farms	5	OCAHO	748	1995
United States v. Southwest Marine Corporation, a California Corporation	3	OCAHO	429	1992

PERSONS PROTECTED

H-1B Visa Holders

Jenlih John Hsieh v. PMC - Sierra, Inc.	9	OCAHO	1093	2003

PERSONS PROTECTED

Individual Not Protected If He/She Fails to Apply for Naturalization w/in 6 Months of Eligibility

Norberto Sagal Torres v. Pacific Continental Textiles, Inc.	10	OCAHO	1203	2013
Vieri Verdesi v. Ark Rustic Inn, LLC	13	OCAHO	1311	2018

Naturalization Applicant, Declaration not Completed

U.S. Born Citizen

United States v. Mesa Airlines	1	OCAHO	74	1989
	1	OCAHO	74	1989

Naturalized

Krzysztof Zarazinski v. Anglo Fabrics, Company	4	OCAHO	638	1994
United States v. Marcel Watch Corporation	1	OCAHO	143	1990

PERSONS PROTECTED

OCAHO Has No Jurisdiction Over National Origin Claims Against Employers With 15 or More Employees

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Joan A. Lardy v. United Airlines, Inc.	4	OCAHO	595	1994
Jose Danilo Cruz v. Able Service Contractors, Inc.	6	OCAHO	837	1996
Jose N. Hernandez v. City of Santa Ana	4	OCAHO	674	1994
	4	OCAHO	663	1994
Krzysztof Zarazinski v. Anglo Fabrics, Company	4	OCAHO	661	1994
Lonnie W. Hogenmiller v. Lincare, Inc.	7	OCAHO	953	1997
Martin John Shortt v. Dick Clark's American Bandstand Grill	10	OCAHO	1130	2009
Robert Y. Chu v. Fujitsu Network Transmission System, Inc.	5	OCAHO	778	1995
United States v. Great Earth Companies, Inc.	9	OCAHO	1070	2001

RETALIATION

Jurisdiction

Benjamin A. K. Yohan v. Central State Hospital	4	OCAHO	593	1994
Brenda Bent v. Brotman Medical Center Pulse Health Services	5	OCAHO	764	1995
Drahomira Adame v. Dunkin Donuts	5	OCAHO	722	1995
	4	OCAHO	691	1994
Howard Eugene McNier v. Arthur Wallace in his capacity as Dean, College of Business, San Francisco State University, et al	9	OCAHO	1074	2001
Howard Eugene McNier v. San Francisco State University College of Business	7	OCAHO	947	1997
	7	OCAHO	947	1997
Jayaben Patel v. USCIS Boston	14	OCAHO	1353	2020
	14	OCAHO	1353a	2020
Jose Danilo Cruz v. Able Service Contractors, Inc.	6	OCAHO	837	1996
Krzysztof Zarazinski v. Anglo Fabrics, Company	4	OCAHO	626	1994
Marlene Singh Palacio v. Seaside Custom Harvesting/Zinn Packing Company	4	OCAHO	675	1994
United States v. Hotel Martha Washington Corporation	5	OCAHO	786	1995
United States v. Zabala Vineyards	6	OCAHO	844	1996

United States v. Zabala Vineyards	6	OCAHO	844	1996

RETALIATION

Legitimate, Nondiscriminatory Reason for Employment Decision

Manikandan Sivasankar v. Strategic Staffing Solutions	14	OCAHO	1354	2020

Legitimate, Non-Retaliatory Reason

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021

Must Show Adverse Employment Action Would Not Have Occurred But For Employee's Protected Activity

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc.	14	OCAHO	1370b	2021
Doris Rainwater v. Doctor's Hospice of Georgia, Inc.	12	OCAHO	1300	2017
Linda Chellouf v. Inter American University of Puerto Rico	12	OCAHO	1269	2016
R.O. v. Crossmark, Inc.	11	OCAHO	1236	2014

Zaji Obatala Zajradhara 14 OCAHO 1363c 2021

RETALIATION

Opposition Activity

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP 13 OCAHO 1332j 2021

Pretext May Be Shown by Proof That An Employer's Explanation is Unworthy of Credence

Linda Chellouf v. Inter American University of Puerto Rico 12 OCAHO 1269 2016

Prima Facie Case

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc. 14 OCAHO 1370b 2021

Armando Huberth Crespo v. FAMSA, Inc. 13 OCAHO 1337 2019

13 OCAHO 1337 2019

Dinko Sefic v. Marconi Wireless 9 OCAHO 1123 2007

Doris Rainwater v. Doctor's Hospice of Georgia, Inc.	12	OCAHO	1300	2017
Frederick John Harris v. State of Hawaii, Department of Education	6	OCAHO	922	1997
Gurpreet Sodhi v. Maricopa County Special Health Care District	9	OCAHO	1124	2007
Jorge Mario Ipina v. Michigan Jobs Commission	8	OCAHO	1036	1999
Linda Chellouf v. Inter American University of Puerto Rico	12	OCAHO	1269	2016
Manikandan Sivasankar v. Strategic Staffing Solutions	14	OCAHO	1354	2020
Martin John Shortt v. Dick Clark's American Bandstand Grill	10	OCAHO	1130	2009
R.O. v. Crossmark, Inc.	11	OCAHO	1236	2014
Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021
United States v. Shirley Fuimoto, Hawaii Government Employees Association	7	OCAHO	937	1997
Zaji Obatala Zajradhara	14	OCAHO	1363c	2021

RETALIATION

Prima Facie Case May Be Established by Direct or Circumstantial Evidence

John A. Breda v. Kindred Braintree Hospital, LLC	10	OCAHO	1202	2013
Linda Chellouf v. Inter American University of Puerto Rico	12	OCAHO	1269	2016
Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021

RETALIATION

Protected Activity

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc.	14	OCAHO	1370b	2021
Aurelio Galindo v. Smithfield Foods & Yuma County	14	OCAHO	1369	2020
Jose Carlos De Araujo v. Joan Smith Enterprises, Inc., aka California Pools and Spas and or California Pools and Landscape	10	OCAHO	1187	2013
Jose Pablo Martinez v. Superior Linen	10	OCAHO	1180	2013
Linda Chellouf v. Inter American University of Puerto Rico	12	OCAHO	1269	2016
R.O. v. Crossmark, Inc.	11	OCAHO	1236	2014
Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021
Zaji Obatala Zajradhara	14	OCAHO	1363c	2021

Protected Activity Includes Opposition Activity

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021

Retaliation Claim Must Be Based on Conduct that is Protected Under Section 1324b

Armando Huberth Crespo v. FAMSA, Inc.	13	OCAHO	1337	2019
	13	OCAHO	1337	2019
Jayaben Patel v. USCIS Boston	14	OCAHO	1353	2020
	14	OCAHO	1353a	2020
Linda Chellouf v. Inter American University of Puerto Rico	12	OCAHO	1269	2016
Salim J. Hajiani v. ESHA USA, Inc. and Sameer Ramjee	10	OCAHO	1212	2014
Zaji Obatala Zajradhara	14	OCAHO	1363c	2021

RETALIATION

Retaliation May Consist of Actions Not Directly Related to an Individual's Employment

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc.	14	OCAHO	1370b	2021
John A. Breda v. Kindred Braintree Hospital, LLC	10	OCAHO	1202	2013

Retaliation Provision of Section 1324b Applies to any Individual, Not Just Protected Individuals

Manikandan Sivasankar v. Strategic Staffing Solutions	14	OCAHO	1354	2020
R.O. v. Crossmark, Inc.	11	OCAHO	1236	2014

RETALIATION

To Qualify as Protected Activity, Conduct Must Implicate Some Right Secured Under Section 1324b

Armando Huberth Crespo v. FAMSA, Inc.	13	OCAHO	1337	2019
	13	OCAHO	1337	2019
Aurelio Galindo v. Smithfield Foods & Yuma County	14	OCAHO	1369	2020
Jayaben Patel v. USCIS Boston	14	OCAHO	1353a	2020
Julio Ricardo Sanchez Molina v. Securitas Security Services USA, Inc.	11	OCAHO	1261	2015
Linda Chellouf v. Inter American University of Puerto Rico	12	OCAHO	1269	2016
Nicasio Angulo v. Securitas Security Services USA, Inc.	11	OCAHO	1259	2015
Terri Ann Jablonski v. Kelly Legal Services, et al.	12	OCAHO	1282	2016
Walter Oswaldo Paz-Martinez v. Securitas Security Services USA, Inc.	11	OCAHO	1260	2015

To Rebut Prima Facie Case, Employer Must State Non-Discriminatory Reason for Employment Decision

Linda Chellouf v. Inter American University of Puerto Rico 12 OCAHO 1269 2016

RETALIATION

To Rebut Prima Facie Case, Employer Must State Non-Retaliatory Reason for Employment Action

R.O. v. Crossmark, Inc. 11 OCAHO 1236 2014

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP 13 OCAHO 1332j 2021

REVERIFICATION

Employer's Duty

United States v. 4431, Inc. t/a Candlelight Inn 4 OCAHO 611 1994

United States v. China Wok Restaurant, Inc., a Nebraska Corporation 4 OCAHO 608 1994

Generally

Zelleka Getahun v. DuPont Merck Pharmaceutical Company 8 OCAHO 1029 1999

REVIEW

Generally

United States v. American Terrazzo Corporation d/b/a John Delallo Foods	6	OCAHO	829	1995
United States v. Ebrahim Banafsheha	3	OCAHO	525	1993
	3	OCAHO	525	1993
United States v. Eduardo Gutierrez, Individually and d/b/a Diamond Tires and Wheels	3	OCAHO	554	1993
	3	OCAHO	554	1993
United States v. Hosung Cleaning Corporation d/b/a Sun Cleaner	4	OCAHO	696	1994
United States v. Kaday Musu Thoronka	5	OCAHO	772	1995
	5	OCAHO	772	1995
United States v. Landscapes By Susanna	3	OCAHO	556	1993
	3	OCAHO	556	1993
United States v. Oscar Eduardo Villatoro-Guzman	4	OCAHO	652	1994
United States v. Penrod National Enterprises, Inc. d/b/a Floral Bionomics Landscape Management	3	OCAHO	559	1993
	3	OCAHO	559	1993

REVIEW

Issues Not Properly Raised Below Cannot Be Raised for the First Time on Review

United States v. Frimmel Management, LLC	12	OCAHO	1271	2017
United States v. Frimmel Management, LLC d/b/a Uncle Sam's	13	OCAHO	1271	2019
	12	OCAHO	1271	2016
	12	OCAHO	1271	2016
	12	OCAHO	1271	2016
United States v. Frimmel Management, LLS	12	OCAHO	1271	2016
United States v. M & D Masonry	10	OCAHO	1215	2014

Review Limited to Issues Contained in the Request for Review

United States v. M & D Masonry	10	OCAHO	1215	2014

SANCTIONS

Abandonment

United States v. Mushtaq Ahmed Chaudhry 4 OCAHO 666 1994

SANCTIONS

Admission(s)

United States v. Alberto Noriega-Perez 5 OCAHO 811 1995

United States v. Primera Enterprises, Inc. d/b/a J.B.'s Lounge 4 OCAHO 615 1994

Admonishment of a Party for Misconduct

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc. 14 OCAHO 1370b 2021

ALJ May Exclude Parties From Proceedings for Unethical Conduct or Use of Dilatory Tactics

Temitope Ogunrinu v. Law Resources & Arnold and Porter Kaye Scholer LLP 13 OCAHO 1332c 2020

ALJ May Impose Sanctions For Failure to Comply With a Discovery Order

Mike De Leon v. Longoria Farms/Martin Longoria	13	OCAHO	1320a	2019
Mike De Leon, et al. v. Longoria Farms, et al.	13	OCAHO	1320	2019
United States v. Technical Marine Maintenance and Gulf Coast Workforce	13	OCAHO	1312a	2018
United States v. Technical Marine Maintenance Texas, LLC and Gulf Coast Workforce, LLC	13	OCAHO	1312	2018
United States v. Technical Marine Maintenance Texas, LLC, and Gulf Coast Workforce, LLC	13	OCAHO	1312	2018
Zaji Obatala Zajradhara v. GIG Partners	14	OCAHO	1363	2020

SANCTIONS

Attorney Fees

Daniel Ojeda-Ojeda v. Booth Farms, L.P.	9	OCAHO	1121	2006
Jack N. Toussaint v. Tekwood Data Processing Consulting	6	OCAHO	892	1996
Jenlih John Hsieh v. PMC - Sierra, Inc.	9	OCAHO	1091	2003
Michael K. Lee v. Airtouch Communications	7	OCAHO	926	1997
Ramnik M. Trivedi v. Northrop Corporation and Department of Defense	4	OCAHO	600	1994
Temitope Ogunrinu v. Law Resources & Arnold and Porter Kaye Scholer LLP	13	OCAHO	1332c	2020

SANCTIONS

Attorney Fees Not Permited as Sanction for Frivolous Filing

Temitope Ogunrinu v. Law Resources & Arnold and Porter Kaye Scholer LLP	13	OCAHO	1332c	2020

Attorney Fees Not Permitted As Sanction for Failure to Comply With Discovery Order

Mike De Leon v. Longoria Farms/Martin Longoria	13	OCAHO	1320a	2019
Mike De Leon, et al. v. Longoria Farms, et al.	13	OCAHO	1320	2019
Victor B. Palma v. Alufase USA, LLC	10	OCAHO	1213	2014

Civil Money Penalty

United States v. New China Buffet Restaurant	10	OCAHO	1133	2010
United States v. The Beverly Center	5	OCAHO	762	1995

SANCTIONS

Denial of Request for Sanctions

Temitope Ogunrinu v. Law Resources and Arnold & Porter Kaye Scholer LLP	13	OCAHO	1332d	2020
Zaji Obatala Zajradhara v. Gig Partners	14	OCAHO	1363a	2020

Discovery Sanctions May Include Adverse Inferences or Rulings Against the Non-Complying Party

Mike De Leon v. Longoria Farms/Martin Longoria	13	OCAHO	1320a	2019
Mike De Leon, et al. v. Longoria Farms, et al.	13	OCAHO	1320	2019
United States v. Technical Marine Maintenance and Gulf Coast Workforce	13	OCAHO	1312a	2018
United States v. Technical Marine Maintenance Texas, LLC and Gulf Coast Workforce, LLC	13	OCAHO	1312	2018
United States v. Technical Marine Maintenance Texas, LLC, and Gulf Coast Workforce, LLC	13	OCAHO	1312	2018

Discovery Sanctions Usually Imposed Only After Order Compelling Discovered is Issued

R.O. v. Crossmark, Inc.	11	OCAHO	1236	2014

SANCTIONS

Discovery Violation(s)

Iron Workers Local 455 v. Lake Construction & Development Corporation	7	OCAHO	964	1997
Jenlih John Hsieh v. PMC - Sierra, Inc.	9	OCAHO	1091	2003
Jose Proto Alcaraz v. General Motors Corporation	7	OCAHO	962	1997
United States v. Rosario Strano and Vito Strano d/b/a Strano Farms	4	OCAHO	636	1994
United States v. Technical Marine Maintenance and Gulf Coast Workforce	13	OCAHO	1312a	2018
United States v. Technical Marine Maintenance Texas, LLC and Gulf Coast Workforce, LLC	13	OCAHO	1312	2018
United States v. Technical Marine Maintenance Texas, LLC, and Gulf Coast Workforce, LLC	13	OCAHO	1312	2018
United States v. Westin Galleria & Westin Oaks Hotel	4	OCAHO	701	1994

Dismissal of Claims as a Discovery Sanction

Mike De Leon v. Longoria Farms/Martin Longoria	13	OCAHO	1320a	2019

Mike De Leon, et al. v. Longoria Farms, et al. 13 OCAHO 1320 2019

SANCTIONS

Dismissal of Complaint Is Extreme Discovery Sanction

A.S. v. Amazon Web Services, Inc. 14 OCAHO 1381f 1

Ex Parte Communication(s)

Ana Maria Ravines de Schur v. Easter Seals-Goodwill Northern Rocky Mountain, Inc. 15 OCAHO 1388 2021

Chand Wije v. Barton Springs/Edwards Aquifier C.D. 4 OCAHO 645 1994

Exclusion of Representative

Alberto Izquierdo v. Victoria Nursing & Rehabilitation Center 10 OCAHO 1131 2009

Lee v. AT&T 7 OCAHO 924 1997

SANCTIONS

Generally

Aranka M. Palancz v. Cedars Medical Center	3	OCAHO	443	1992
Jacob Roginsky v. Department of Defense, Center for Naval Analyses, EPL Analysis	2	OCAHO	341	1991
Jenlih John Hsieh v. PMC - Sierra, Inc.	9	OCAHO	1091	2003
Joan A. Lardy v. United Airlines, Inc.	3	OCAHO	493	1993
Omar Egal v. Sears Roebuck & Company	3	OCAHO	442	1992
United States v. Alberto Noriega-Perez	5	OCAHO	811	1995
	5	OCAHO	798	1995
United States v. Armando Alvarez-Suarez	4	OCAHO	699	1994
United States v. Buckingham Limited Partnership d/b/a Mr. Wash	1	OCAHO	151	1990
United States v. David Day d/b/a David Day Masonry	3	OCAHO	553	1993
United States v. Diamond Construction, Inc.	3	OCAHO	451	1992
United States v. Ebrahim Banafsheha	3	OCAHO	525	1993
	3	OCAHO	525	1993
United States v. Enrique Martinez and Herlinda Martinez d/b/a Enrique's Restaurant	2	OCAHO	360	1991

United States v. James Arnold, Individually and d/b/a Fiesta/Bonanza Motors	1	OCAHO	119	1989
United States v. Kim Dong Hui t/a Chestnut Gourmet Restaurant	3	OCAHO	479	1992
United States v. Manca Imports, Inc.	1	OCAHO	268	1990
United States v. McDonnell Douglas Corporation	2	OCAHO	351	1991
United States v. Mushtaq Ahmed Chaudhry	4	OCAHO	666	1994
United States v. Nu Look Cleaners of Pembroke Pines, Inc.	1	OCAHO	274	1990
	2	OCAHO	303	1991
	1	OCAHO	274	1990
	1	OCAHO	202	1990
	2	OCAHO	303	1991
United States v. Primera Enterprises, Inc. d/b/a J.B.'s Lounge	3	OCAHO	560	1993
United States v. Roberto C. Davila	6	OCAHO	895	1996
United States v. Scandia Interiors, Inc.	1	OCAHO	290	1991
United States v. Ulysses, Inc. and Ulysses Restaurant Group, Inc.	3	OCAHO	409	1992
	2	OCAHO	390	1991
United States v. Weldco, Inc. and Weldco Components, Inc. d/b/a Weldco Products	3	OCAHO	483	1993
United States v. YES Industries d/b/a Soft Touch Carwash	1	OCAHO	35	1988

SANCTIONS

Monetary Sanction Not Permitted for Failure to Comply With Discovery Order

Mike De Leon v. Longoria Farms/Martin Longoria	13	OCAHO	1320a	2019
Mike De Leon, et al. v. Longoria Farms, et al.	13	OCAHO	1320	2019

Monetary Sanctions Not Among Available Sanctions for Failure to Comply With Discovery Orders

Zaji Obatala Zajradhara v. GIG Partners	14	OCAHO	1363	2020
	14	OCAHO	1363a	2020

OCAHO ALJs May Not Impose Monetary Sanctions Like Those in the Federal Rules of Civil Procedure

Temitope Ogunrinu v. Law Resources & Arnold and Porter Kaye Scholer LLP	13	OCAHO	1332c	2020

OCAHO Rules Provide for Sanctions In a Number of Specific Circumstances

Temitope Ogunrinu v. Law Resources & Arnold and Porter Kaye Scholer LLP 13 OCAHO 1332c 2020

SANCTIONS

Party Misconduct May Warrant Adverse Credibility Finding

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc. 14 OCAHO 1370b 2021

Penalties

United States v. Enrique Reyes d/b/a King's Produce 4 OCAHO 592 1994

United States v. New China Buffet Restaurant 10 OCAHO 1133 2010

Sanction of Liability Appropriate For Bad Faith Refusal to Comply With Discovery Obligations

United States v. Technical Marine Maintenance and Gulf Coast Workforce 13 OCAHO 1312a 2018

United States v. Technical Marine Maintenance Texas, LLC and Gulf Coast Workforce, LLC	13	OCAHO	1312	2018
United States v. Technical Marine Maintenance Texas, LLC, and Gulf Coast Workforce, LLC	13	OCAHO	1312	2018

SANCTIONS

Sanctions Are Not Available Based on Conduct That Occurred During Mediation

Temitope Ogunrinu v. Law Resources and Arnold & Porter Kaye Scholer LLP	13	OCAHO	1332d	2020

SEARCH AND SEIZURE

Affirmative Defense(s)

United States v. David Jenkins	5	OCAHO	743	1995
	4	OCAHO	649	1994
United States v. Israel Velasquez-Tabir	6	OCAHO	872	1996
United States v. Julio Carpio-Lingan	6	OCAHO	871	1996

Consent

United States v. David Jenkins 5 OCAHO 743 1995

SEARCH AND SEIZURE

Generally

United States v. Charo's Corporation d/b/a Charo's Restaurant 3 OCAHO 467 1992

United States v. Israel Velasquez-Tabir 6 OCAHO 872 1996

United States v. Julio Carpio-Lingan 6 OCAHO 871 1996

United States v. Kuo Liu 1 OCAHO 235 1990

SELECTIVE PROSECUTION

Enforcement Priorities Are Within DHS Discretion Unless Prosecution is Based on Improper Grounds

United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill 13 OCAHO 1338 2020

Generally

United States v. Martin Palominos-Talavera 6 OCAHO 896 1996

SELECTIVE PROSECUTION

Party Must Make Prima Facie Showing Before It Is Entitled to a Hearing on Selective Prosecution

United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill 13 OCAHO 1338 2020

Selective Prosecution/Enforcement Under 8 U.S.C. Section 1324a

United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill 13 OCAHO 1338 2020

SERVICE OF PROCESS

Abandonment

United States v. Erlina Fashions, Inc. d/b/a Song Designs, Inc. 4 OCAHO 656 1994

ALJ May Dismiss Complaint Without Prejudice When Service of Complaint Cannot Be Effectuated

Robert Heath v. Vbeyond Corporation and an Anonymous Employer 14 OCAHO 1368a 2020

United States v. Emiliano Rios-Villatoro 14 OCAHO 1364 2020

SERVICE OF PROCESS

All Documents Filed Must Be Accompanied By a Certificate of Service

Ana Maria Ravines de Schur v. Easter Seals-Goodwill Northern Rocky Mountain, Inc. 15 OCAHO 1388 2021

15 OCAHO 1388a 2021

United States v. Quickstuff, LLC, Its Member Maria Castillo, and A&C Staffing, LLC 11 OCAHO 1265 2015

Certificate of Service

United States v. Silverado Stages, Inc. 10 OCAHO 1185 2013

Dismissal

United States v. Mayfly Fashion, Inc. 6 OCAHO 894 1996

SERVICE OF PROCESS

Ex Parte Communication(s)

Chand Wije v. Barton Springs/Edwards Aquifier C.D.	4	OCAHO	645	1994
United States v. Hyatt Regency Lake Tahoe	6	OCAHO	854	1996
United States v. Red Lobster	4	OCAHO	631	1994

Generally

Esther Din Brooks v. Watts Window World	3	OCAHO	570	1993
Haddon Speakman v. The Rehabilitation Hospital of South Texas	3	OCAHO	469	1992
Jaime Banuelos v. Transportation Leasing Company	1	OCAHO	136	1990
	1	OCAHO	214	1990
Martin A. Holguin v. Dona Ana Fashions	4	OCAHO	605	1994
Sanford J. Strauss v. Rite Aid Corporation	4	OCAHO	721	1994
Sellaro v. Elektra Records	3	OCAHO	461	1992

Stephen A. Lewis v. Ogden Services	2	OCAHO	384	1991
United States v. Ambrocio Morales-Guzman	5	OCAHO	776	1995
United States v. Big Bear Market	1	OCAHO	48	1989
United States v. David Day d/b/a David Day Masonry	3	OCAHO	514	1993
United States v. Dennis M. Dolan d/b/a Old Ocean Beach Café	2	OCAHO	388	1991
United States v. Elena Finishing, Inc.	1	OCAHO	132	1990
United States v. Fancy That, Inc. and New Fancy That, Inc. d/b/a The Great Alaskan Bush Company	3	OCAHO	446	1992
United States v. Flat Knitting Mills Company, Inc.	2	OCAHO	317	1991
United States v. Gus and Candy Kirk d/b/a Kirk Enterprises	1	OCAHO	72	1989
United States v. Honorio Carmona-Anica	5	OCAHO	770	1995
United States v. Koamerican Trading Corporation	1	OCAHO	63	1989
	1	OCAHO	63	1989
United States v. Land Coast Insulation, Inc.	2	OCAHO	379	1991
United States v. Leo Yruegas d/b/a Chito's Mexican Restaurant	1	OCAHO	45	1989
United States v. Marcos Iniguez-Casillas	6	OCAHO	870	1996
United States v. Mario Saikhon, Inc.	1	OCAHO	279	1990
United States v. Nicolas Tinoco-Medina	5	OCAHO	806	1995

United States v. Prime Landscape Management, Inc.	1	OCAHO	204	1990
United States v. Sea Dart Trading Corporation	2	OCAHO	336	1991
United States v. Victor Hugo Baches-Corado	3	OCAHO	571	1993

SERVICE OF PROCESS

If OCAHO Encounters Difficulty Serving the Complaint, ALJ May Direct Party to Execute Service

United States v. Emiliano Rios-Villatoro	14	OCAHO	1364	2020

Manner of Service

Ana Maria Ravines de Schur v. Easter Seals-Goodwill Northern Rocky Mountain, Inc.	15	OCAHO	1388a	2021
United States v. Silverado Stages, Inc.	10	OCAHO	1185	2013

Pleadings

Chand Wije v. Barton Springs/Edwards Aquifier C.D.	4	OCAHO	645	1994

Sanford J. Strauss v. Rite Aid Corporation 4 OCAHO 721 1994

SERVICE OF PROCESS

Pro Se

Martin A. Holguin v. Dona Ana Fashions 4 OCAHO 605 1994

Request for Review

United States v. Mitchell Greif, President, Coast Poly, LLC 10 OCAHO 1183 2013

United States v. Silverado Stages, Inc. 10 OCAHO 1185 2013

United States v. Split Rail Fence Company, Inc. 10 OCAHO 1181 2013

Withdrawal

United States v. Esther Flores-Martinez 4 OCAHO 647 1994

United States v. Nancy Mubarki 5 OCAHO 816 1995

SETTLEMENT AGREEMENTS

A Settlement Agreement Is A Contract and Is Generally Evaluated Under Relevant State Contract Law

A.S. v. Discover Financial Services, LLC	12	OCAHO	1292	2016
A.S. v. Neiman Marcus Group	13	OCAHO	1323	2020

ALJ May Require Parties to File Copy of Settlement Agreement

United States v. La Parisienne Bakery, LLC	15	OCAHO	1390	2021

An Accrued Cause of Action Under 8 U.S.C. Section 1324b May Be Waived as Part of a Settlement Agreement

A.S. v. Discover Financial Services, LLC	12	OCAHO	1292	2016
A.S. v. Neiman Marcus Group	13	OCAHO	1323	2020

Authority and Jurisdiction to Review

Gurpreet Sodhi v. Maricopa Medical Center	10	OCAHO	1127	2008
United States v. Coastal Transportation, Inc.	1	OCAHO	26	1988
	1	OCAHO	27	1988
United States v. La Luna Azul	1	OCAHO	14	1988
United States v. Marcos Iniguez-Casillas	8	OCAHO	1001	1998
United States v. Old Town Mexican Café	1	OCAHO	15	1988
United States v. Rainbow Steel Company	1	OCAHO	17	1988
United States v. Torres Mexican Food, Inc.	4	OCAHO	596	1994

SETTLEMENT AGREEMENTS

Civil Money Penalty

United States v. Pancho's Mexican Buffet, Inc.	4	OCAHO	632	1994
United States v. Red Lobster	4	OCAHO	631	1994

Collateral Estoppel and Res Judicata Not Applicable to Settlement Agreements

United States v. Split Rail Fence Company, Inc.	11	OCAHO	1216	2015
	11	OCAHO	1216	2014

SETTLEMENT AGREEMENTS

Defense(s)

United States v. Cathy Hyeon Yi d/b/a Ace Manufacturing Company	8	OCAHO	1011	1998

Dismissal

A.S. v. Discover Financial Services, LLC	12	OCAHO	1292	2016
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Joseph E. Sabol v. Northern Michigan University	9	OCAHO	1107	2004
Julian Sahagun v. Bend-Pack, Inc.	5	OCAHO	809	1995
Margarita Yefremov v. New York City Department of Transportation	3	OCAHO	466	1992
Roman Udala v. New York State Department of Education	4	OCAHO	633	1994

Rosa Isela Olivares Aguirre v. KDI American Products, Inc.	6	OCAHO	882	1996
United States v. Auburn University	4	OCAHO	617	1994
	4	OCAHO	602	1994
United States v. Frank's Meat Company, a Sole Proprietorship	3	OCAHO	513	1993
Wartan Bozoghlanian v. Magnavox Advanced Products and Systems Company	4	OCAHO	695	1994
	4	OCAHO	653	1994

STATUTE OF LIMITATIONS

Complaint is Timely If Filed Within Five Years of the Date a Violation First Accrues

United States v. Leed Construction, Megan Burkholder	11	OCAHO	1237	2014
United States v. St. Croix Personnel Services, Inc.	12	OCAHO	1289	2016
United States v. Visiontron Corp.	13	OCAHO	1348	2020

Complaint Under 8 U.S.C. 1324a Is Timely If Filed Within Five Years of Date Violation First Accrues

United States v. R2M2 Rebar & Stressing, Inc.	14	OCAHO	1357	2020

STATUTE OF LIMITATIONS

Each Discrete Retaliatory Action Starts a New Clock For Filing a Charge With IER

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc.	14	OCAHO	1370	2020

Employer Sanctions Cases

United States v. Curran Engineering Company, Inc.	7	OCAHO	975	1997
United States v. St. Croix Personnel Services, Inc.	12	OCAHO	1289	2016
United States v. Visiontron Corp.	13	OCAHO	1348	2020

Equitable Estoppel

Roman Udala v. New York State Department of Education	4	OCAHO	633	1994

Equitable Tolling

Bienvenido Antonio Thompson v. Prestige Towing Services	13	OCAHO	1309	2018
Ephrain Manuel Berlanga v. Butterball Company	4	OCAHO	669	1994
Galdino Casillas Garcia v. McCarron Electric Company	5	OCAHO	747	1995
Habukuk Ndzerre v. Washington Metropolitan Area Transit Authority	13	OCAHO	1306a	2018
	13	OCAHO	1306	2017
Jack N. Toussaint v. Tekwood Data Processing Consulting	6	OCAHO	892	1996
Jose N. Hernandez v. City of Santa Ana	4	OCAHO	674	1994
Joseph E. Sabol v. Northern Michigan University	9	OCAHO	1107	2004
M.S v. Dave S.B. Hoon - John Wayne Cancer Institute	12	OCAHO	1305	2017
M.S. v. Dave S.B. Hoon - John Wayne Cancer Institute	12	OCAHO	1305a	2018
	12	OCAHO	1305b	2018
Ramnik M. Trivedi v. Northrop Corporation and Department of Defense	4	OCAHO	600	1994
Ravi Narayana Kumar Dakarapu v. Arvy Tech, Inc.	13	OCAHO	1308	2018
Roman Udala v. New York State Department of Education	4	OCAHO	633	1994
United States v. Workrite Uniform Company, Inc.	5	OCAHO	736	1995

STATUTE OF LIMITATIONS

Failure to Prepare or Present Forms I-9 Is A Continuing Violation

United States v. R2M2 Rebar & Stressing, Inc. 14 OCAHO 1357 2020

Failure to Prepare or Present Violations Continue Until Corrected or Until Retention Period Ends

United States v. R2M2 Rebar & Stressing, Inc. 14 OCAHO 1357 2020

Failure to Timely Prepare Form I-9 Violation Accrues Once Deadline for I-9 Completion Elapses

United States v. St. Croix Personnel Services, Inc. 12 OCAHO 1289 2016

United States v. Visiontron Corp. 13 OCAHO 1348 2020

Filing Deadline Begins to Run When Delivery of Determination Letter is Effectuated

Salim J. Hajiani v. Ali Properties, LLC, Airport Shell 10 OCAHO 1188 2013

STATUTE OF LIMITATIONS

For Knowing Hire Violation, Limitations Period Begins to Run on Date That Employee is Terminated

United States v. Leed Construction, Megan Burkholder 11 OCAHO 1237 2014

General Statute of Limitations

United States v. Roberto C. Davila 7 OCAHO 936 1997

7 OCAHO 936 1997

United States v. Workrite Uniform Company, Inc. 5 OCAHO 755 1995

Generally

Jose R. Lima v. New York City Department of Education 10 OCAHO 1128 2009

10 OCAHO 1128 2009

United States v. Charo's Corporation d/b/a Charo's Restaurant	3	OCAHO	467	1992
United States v. Felipe De Leon-Valenzuela	8	OCAHO	1004	1998
United States v. Roberto C. Davila	7	OCAHO	936	1997
	7	OCAHO	936	1997

STATUTE OF LIMITATIONS

Last Possible Accrual Date for Knowing Hire Violations is Date That Employee is Terminated

United States v. Leed Construction, Megan Burkholder	11	OCAHO	1237	2014

Letter of Determination

Jose R. Lima v. New York City Department of Education	10	OCAHO	1128	2009
	10	OCAHO	1128	2009
Rosa Isela Olivares Aguirre v. KDI American Products, Inc.	6	OCAHO	882	1996
Salim J. Hajiani v. Ali Properties, LLC, Airport Shell	10	OCAHO	1188	2013
United States v. Butterfly Legwear, Inc. d/b/a Classic Hosiery, Inc.	6	OCAHO	900	1996

United States v. Hyatt Regency Lake Tahoe	6	OCAHO	861	1996
United States v. Workrite Uniform Company, Inc.	5	OCAHO	755	1995

STATUTE OF LIMITATIONS

Memorandum of Understanding (MOU)

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc.	14	OCAHO	1370	2020
Jack N. Toussaint v. Tekwood Data Processing Consulting	6	OCAHO	892	1996
United States v. Auburn University	4	OCAHO	617	1994

Paperwork Requirement(s)/Violation(s)

United States v. Naim Ojeil & Samoeil Ishk	7	OCAHO	984	1998

Paperwork Violations for Failure to Timely Prepare a Form I-9 Cannot Be Cured

United States v. St. Croix Personnel Services, Inc.	12	OCAHO	1289	2016

United States v. Visiontron Corp. 13 OCAHO 1348 2020

STATUTE OF LIMITATIONS

Statute of Limitations Is Not A Jurisdictional Bar to Consideration of a Section 1324b Claim

Habukuk Ndzerre v. Washington Metropolitan Area Transit Authority 13 OCAHO 1306a 2018

13 OCAHO 1306 2017

Substantive Paperwork Violation Continues Until Cured or Employer's Duty to Retain I-9 Expires

United States v. Leed Construction, Megan Burkholder 11 OCAHO 1237 2014

STAY OF ENFORCEMENT OF AGENCY ORDER

ALJ Considers Four Well-Established Factors in Evaluating Request for Stay of Agency's Own Order

United States v. Frimmel Management, LLC 12 OCAHO 1271 2017

United States v. Frimmel Management, LLC d/b/a Uncle Sam's 13 OCAHO 1271 2019

12 OCAHO 1271 2016

	United States v. Frimmel Management, LLC d/b/a Uncle Sam's	12	OCAHO	1271	2016
		12	OCAHO	1271	2016
	United States v. Frimmel Management, LLS	12	OCAHO	1271	2016

STAY OF ENFORCEMENT OF AGENCY ORDER

Generally

United States v. Frimmel Management, LLC	12	OCAHO	1271	2017
United States v. Frimmel Management, LLC d/b/a Uncle Sam's	13	OCAHO	1271	2019
	12	OCAHO	1271	2016
	12	OCAHO	1271	2016
	12	OCAHO	1271	2016
United States v. Frimmel Management, LLS	12	OCAHO	1271	2016

OCAHO Has Authority to Stay Enforcement of Agency's Own Order Pending Judicial Review

United States v. Frimmel Management, LLC	12	OCAHO	1271	2017

United States v. Frimmel Management, LLC d/b/a Uncle Sam's	13	OCAHO	1271	2019
	12	OCAHO	1271	2016
	12	OCAHO	1271	2016
	12	OCAHO	1271	2016
United States v. Frimmel Management, LLS	12	OCAHO	1271	2016

STAY OF PROCEEDINGS

Generally

Jacob Roginsky v. Department of Defense, Center for Naval Analyses, EPL Analysis	2	OCAHO	363	1991
Joan A. Lardy v. United Airlines, Inc.	3	OCAHO	450	1992
United States v. Broadcasters Unlimited, Inc. d/b/a KGRE AM Radio	4	OCAHO	719	1994
United States v. Covered Bridge Farm Market, Inc. d/b/a Covered Bridge Garden Center	1	OCAHO	135	1990
United States v. DAR Distributing, Inc. d/b/a DAR Cabinets	1	OCAHO	60	1989
United States v. Pedro Dominguez	7	OCAHO	973	1997
United States v. PPJV, Inc. d/b/a Publishers Press	2	OCAHO	373	1991
United States v. United Pottery Manufacturing & Accessories, Inc.	1	OCAHO	57	1989
	1	OCAHO	51	1989

SUBPOENAS

ALJ Has Authority to Make Changes to Subpoena

Robert Heath v. Asta CRS, Inc. 14 OCAHO 1385 2021

ALJ Will Not Issue Subpoena If It Is Not Clear Who or What the Party Seeks

Zaji Obatala Zajradhara v. GIG Partners 14 OCAHO 1363 2020

14 OCAHO 1363a 2020

Burden of Proof

In re Investigation of Modern Maintenance, Subpoena 2 OCAHO 359 1990

Compliance

In re Investigation of Conoco, Inc., Subpoena	8	OCAHO	1048	2000
	8	OCAHO	1048	2000
In re Investigation of Hyatt Regency Lake Tahoe, Subpoena	5	OCAHO	751	1995
In re Investigation of Norfolk Public Schools, Subpoena	4	OCAHO	621	1994
In re Investigation of University of South Florida, Subpoena	8	OCAHO	1056	2000
In re Investigation of Wal-Mart Stores, Subpoena	5	OCAHO	754	1995
Krzysztof Zarazinski v. Anglo Fabrics, Company	4	OCAHO	643	1994
United States v. Rosario Strano and Vito Strano d/b/a Strano Farms	5	OCAHO	748	1995

SUBPOENAS

Definiteness of Subpoena

In re Investigation of: Space Exploration, Technologies Corp. d/b/a Space X	14	OCAHO	1378	2020

District Court Authority to Order Compliance and Find Party in Contempt

In re Investigation of Creative Resource Personnel, Inc.	12	OCAHO	1299	2017

In Re Investigation of: NHS Human Services 10 OCAHO 1198 2013

SUBPOENAS

Evidence Obtained by Unauthorized Subpoenas Not Considered

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc. 14 OCAHO 1370b 2021

Form I-9

United States v. 4431, Inc. t/a Candlelight Inn 4 OCAHO 611 1994

United States v. International Packaging, Inc. 12 OCAHO 1275 2016

12 OCAHO 1275 2016

Generally

Elizabeth Klimas v. Department of Treasury 3 OCAHO 404 1992

In re Investigation of ABM Industries, Subpoena 5 OCAHO 763 1995

In re Investigation of Carolina Employers Association, Subpoena	3	OCAHO	455	1992
In re Investigation of Chan's Apparel, Subpoena	1	OCAHO	1	1988
In re Investigation of Conoco, Inc., Subpoena	8	OCAHO	1048	2000
	8	OCAHO	1048	2000
	8	OCAHO	1049	2000
In re Investigation of Florida Azalea Specialist, Subpoena	3	OCAHO	523	1993
In re Investigation of Florida Rural Legal Services, Subpoena	3	OCAHO	428	1992
In re Investigation of Hyatt Regency Lake Tahoe, Subpoena	5	OCAHO	751	1995
In re Investigation of Norfolk Public Schools, Subpoena	4	OCAHO	621	1994
In re Investigation of Seafarers International Union, Subpoena	3	OCAHO	498	1993
In re Investigation of South Florida Tomato & Vegetable Growers Association, Subpoena	1	OCAHO	237	1990
In re Investigation of Strano Farms, Subpoena	3	OCAHO	521	1993
In re Investigation of Taiwan Restaurant, Subpoena	3	OCAHO	431	1992
In re Investigation of Wal-Mart Stores, Subpoena	5	OCAHO	754	1995
In Re Investigation of: NHS Human Services	10	OCAHO	1198	2013
James D. Westendorf v. Brown & Root, Inc.	3	OCAHO	405	1992
Jenlih John Hsieh v. PMC - Sierra, Inc.	9	OCAHO	1087	2002

Jenlih John Hsieh v. PMC - Sierra, Inc.	9	OCAHO	1084	2002
Leonid Naginsky v. Department of Defense	5	OCAHO	813	1995
United States v. Armando Alvarez-Suarez	4	OCAHO	651	1994
United States v. Buckingham Limited Partnership d/b/a Mr. Wash	1	OCAHO	151	1990
United States v. Creation & Innovation	3	OCAHO	527	1993
United States v. Edith Fine	1	OCAHO	89	1989
United States v. Harris Ranch Beef Company	2	OCAHO	302	1991
United States v. Ideal Tortilla Factory, Inc.	2	OCAHO	366	1991
United States v. Lee Moyle, Owner d/b/a Moyle Mink Farm	1	OCAHO	212	1990
United States v. Nu Look Cleaners of Pembroke Pines, Inc.	1	OCAHO	274	1990
	2	OCAHO	303	1991
	1	OCAHO	274	1990
	2	OCAHO	303	1991
United States v. Rosario Strano and Vito Strano d/b/a Strano Farms	5	OCAHO	748	1995
United States v. Rosario Strano d/b/a Strano Farms	3	OCAHO	531	1993
United States v. Tom & Yu, Inc. t/a Peking Garden Restaurant	3	OCAHO	412	1993

SUBPOENAS

IER is Appropriate Counsel to Apply to District Court for Enforcement of Subpoena

In re Investigation of Creative Resource Personnel, Inc. 12 OCAHO 1299 2017

It Is Improper to Seek a Subpoena for Opposing Party to Obtain Discovery Responses

Zaji Obatala Zajradhara v. GIG Partners 14 OCAHO 1363 2020

Jurisdiction

In re Investigation of Miccosukee Resort 9 OCAHO 1114 2004

In re Investigation of University of South Florida, Subpoena 8 OCAHO 1055 2000

Motion(s) to Quash

In re Investigation of Conoco, Inc., Subpoena	8	OCAHO	1048	2000
	8	OCAHO	1048	2000
In re Investigation of Henson Aviation, Subpoena	3	OCAHO	488	1993
In re Investigation of Modern Maintenance, Subpoena	2	OCAHO	359	1990
In re Investigation of Tropicana Casino & Resort, Subpoena	9	OCAHO	1060	2000

SUBPOENAS

OCAHO ALJs May Issue Subpoenas Upon a Party's Request

Zaji Obatala Zajradhara v. Gig Partners	14	OCAHO	1363b	2020

OCAHO Rules Do Not Contain a Provision for Fees In Conjunction With Production of Documents

Zaji Obatala Zajradhara v. Gig Partners	14	OCAHO	1363b	2020

Office of Special Counsel/Immigrant and Employee Rights Section

Denial

In re Investigation of Swift & Co., Subpoena 9 OCAHO 1058 2000

SUBPOENAS

Party Seeking Subpoena For Testimony Should Indicate Willingness to Pay Fees for Witness Travel

Zaji Obatala Zajradhara v. Gig Partners 14 OCAHO 1363b 2020

Party Served With an OCAHO Subpoena Has 10 Days From Service to Petition to Revoke or Modify It

In re Investigation of: Space Exploration, Technologies Corp. d/b/a Space X 14 OCAHO 1378 2020

Petition to Revoke or Modify

In re Investigation of Miccosukee Resort 9 OCAHO 1114 2004

In re Investigation of University of South Florida, Subpoena 8 OCAHO 1055 2000

In Re Investigation of: NHS Human Services 10 OCAHO 1198 2013

Jenlih John Hsieh v. PMC - Sierra, Inc. 9 OCAHO 1087 2002

Jenlih John Hsieh v. PMC - Sierra, Inc.	9	OCAHO	1084	2002
Zaji Obatala Zajradhara v. Gig Partners	14	OCAHO	1363b	2020

SUBPOENAS

Petition to Revoke or Modify Subpoena

In re Investigation of: Space Exploration, Technologies Corp. d/b/a Space X	14	OCAHO	1378	2020

Petitioner Bears Burden of Proving that an Administrative Subpoena is Unduly Burdensome

In re Investigation of: Space Exploration, Technologies Corp. d/b/a Space X	14	OCAHO	1378	2020

Refusal to Comply

In re Investigation of Creative Resource Personnel, Inc.	12	OCAHO	1299	2017
In Re Investigation of: NHS Human Services	10	OCAHO	1198	2013

SUBPOENAS

Relevance

In re Investigation of University of South Florida, Subpoena	8	OCAHO	1055	2000
Robert Heath v. ConsultAdd and an Anonymous Employer	15	OCAHO	1395	2021

Relevance of Information Sought

In Re Investigation of: NHS Human Services	10	OCAHO	1198	2013
In re Investigation of: Space Exploration, Technologies Corp. d/b/a Space X	14	OCAHO	1378	2020
Robert Heath v. ConsultAdd and an Anonymous Employer	15	OCAHO	1395	2021

Required Criteria for Enforcement

In Re Investigation of: NHS Human Services	10	OCAHO	1198	2013
In re Investigation of: Space Exploration, Technologies Corp. d/b/a Space X	14	OCAHO	1378	2020

SUBPOENAS

Requirements for Enforcement of an Administrative Subpoena are Minimal

In re Investigation of: Space Exploration, Technologies Corp. d/b/a Space X 14 OCAHO 1378 2020

Scope of IER's Authority

In re Investigation of: Space Exploration, Technologies Corp. d/b/a Space X 14 OCAHO 1378 2020

Standards For Shifting a Non-Party's Costs of Complying With a Subpoena

Zaji Obatala Zajradhara v. Gig Partners 14 OCAHO 1363b 2020

Subpoena Is Appropriate Avenue for Obtaining Discovery From Non-Parties

Robert Heath v. IKON Systems and an Anonymous Employer 14 OCAHO 1377 2020

SUBPOENAS

Subpoena Requires ALJ's Signature

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc. 14 OCAHO 1370b 2021

Subpoena Unduly Burdensome If It Would Seriously Disrupt Normal Business Operations

In re Investigation of: Space Exploration, Technologies Corp. d/b/a Space X 14 OCAHO 1378 2020

Subpoenas Cannot Compel Responses to Interrogatories

Robert Heath v. ConsultAdd and an Anonymous Employer 15 OCAHO 1395 2021

Unauthorized Subpoena

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc. 14 OCAHO 1370b 2021

SUBSTANTIAL COMPLIANCE

Copying and Attaching Documents Without Properly Completing I-9 Isn't Substantial Compliance

United States v. Super 8 Motel & Villella Italian Restaurant	10	OCAHO	1191	2013

Creation of False Section 2 Attestations Is Substantive Violation

United States v. Employer Solutions Staffing Group II, LLC	11	OCAHO	1242	2015

Generally

United States v. Corporate Loss Prevention Associates, Ltd.	6	OCAHO	886	1996
United States v. El Paso Hospitality, Inc.	5	OCAHO	737	1995
United States v. Jonel, Inc.	7	OCAHO	967	1997
United States v. Ketchikan Drywall Services, Inc.	10	OCAHO	1139	2011
United States v. Mark Steven Carter d/b/a Dixie Industrial Service Company	7	OCAHO	931	1997

United States v. Mark Steven Carter d/b/a Dixie Industrial Service Company	6	OCAHO	865	1996
United States v. Minaco Fashions, Inc.	3	OCAHO	587	1993
United States v. Randall Kurzon, Individually and Alonza Restaurant Ventures, inc.	3	OCAHO	583	1993
United States v. Task Force Security, Inc. d/b/a Task Force Security and Investigations	3	OCAHO	533	1993
United States v. Tri-Component Product Corporation	5	OCAHO	821	1995

SUBSTANTIAL COMPLIANCE

Paperwork Requirement(s)/Violation(s)

United States v. BKR Restaurants, LLC d/b/a Burger King	10	OCAHO	1154	2012
United States v. Fortune East Fashion, Inc.	7	OCAHO	977	1997
United States v. Jonel, Inc.	7	OCAHO	967	1997
United States v. Mark Steven Carter d/b/a Dixie Industrial Service Company	7	OCAHO	931	1997
United States v. Ronning Landscaping, Inc.	10	OCAHO	1149	2012

**SUBSTANTIVE VS.
TECHNICAL/PROCEDURAL PAPERWORK
VIOLATIONS**

Creation of False Section 2 Attestations Is Substantive Violation

United States v. Employer Solutions Staffing Group II, LLC 11 OCAHO 1242 2015

SUBSTANTIVE VS. TECHNICAL/PROCEDURAL PAPERWORK VIOLATIONS

Failure to Complete or Sign Form I-9 Section 2 Employer Verification Constitutes Substantive Violation

United States v. Cawoods Produce, Inc. 12 OCAHO 1280 2016

United States v. Durable, Inc. 11 OCAHO 1229 2014

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 2016

United States v. Golf International d/b/a Desert Canyon Golf 10 OCAHO 1214 2014

Failure to Ensure Employee Checks Box Attesting to Immigration Status is Serious Violation

United States v. Cawoods Produce, Inc. 12 OCAHO 1280 2016

Failure to Ensure Employee Signs Section 1 of Form I-9 Is A Substantive Violation

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 2016

**SUBSTANTIVE VS.
TECHNICAL/PROCEDURAL PAPERWORK
VIOLATIONS**

Failure to Ensure That Employee Provides Alien or Admission Number Is Substantive Violation

United States v. Cawoods Produce, Inc. 12 OCAHO 1280 2016

Failure to Enter Printed Name of Individual Who Signs Section 2 Is Substantive Violation

United States v. PM Packaging, Inc., and PM Corporate Group, Inc., d/b/a PM Packaging 11 OCAHO 1253 2015

Failure to Print Employer Representative's Name in Section 2 May Be Substantive Violation

United States v. Agri-Systems d/b/a ASI Industrial 12 OCAHO 1301 2017

Failure to Provide Issuing Authority for Form I-9 List B Document Is Substantive Violation

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 2016

United States v. International Packaging, Inc.	12	OCAHO	1275	2016
	12	OCAHO	1275	2016
United States v. PM Packaging, Inc., and PM Corporate Group, Inc., d/b/a PM Packaging	11	OCAHO	1253	2015

SUBSTANTIVE VS. TECHNICAL/PROCEDURAL PAPERWORK VIOLATIONS

Failure to Timely Prepare I-9 is Substantive - Not Technical or Procedural - Violation

United States v. Dr. Robert Schaus, D.D.S.	11	OCAHO	1239	2014
United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12	OCAHO	1276	2016

Government Not Required to Provide Notice and Correction Period for Substantive Violations

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12	OCAHO	1276	2016

Notice and Correction Period Required for Technical/Procedural Failures Before Imposing Penalty

United States v. Cawoods Produce, Inc.	12	OCAHO	1280	2016

**SUBSTANTIVE VS.
TECHNICAL/PROCEDURAL PAPERWORK
VIOLATIONS**

Omitting Document Number/Expiration Date May Be Technical/Procedural If Document Copy Attached

United States v. Chen Wilmington, Inc. 11 OCAHO 1241 2015

SUMMARY DECISION

Armando Huberth Crespo v. FAMSA, Inc. 13 OCAHO 1337 2019

Abandonment

Florinda Kattan v. Union League Club of Chicago 4 OCAHO 599 1994

United States v. McDonnell Douglas Corporation 4 OCAHO 616 1994

United States v. Private Brands Company and Private Brand, Inc. 7 OCAHO 941 1997

Admission(s)

United States v. Anchor Seafood Distributors, Inc. d/b/a Anchor Fish Company	5	OCAHO	742	1995
	4	OCAHO	718	1994
United States v. DJ Drywall, Inc.	10	OCAHO	1136	2010
United States v. Karnival Fashion, Inc.	5	OCAHO	769	1995
United States v. Maria Sourovova	7	OCAHO	987	1998
United States v. Primera Enterprises, Inc. d/b/a J.B.'s Lounge	4	OCAHO	615	1994
United States v. Ricardo Calderon, Inc.	5	OCAHO	805	1995
United States v. Spring & Soon Fashion, Inc.	8	OCAHO	1003	1998
United States v. Tri-Component Product Corporation	5	OCAHO	821	1995

SUMMARY DECISION

Affidavit(s)

Celia Simon v. Ingram Micro, Inc.	9	OCAHO	1088	2003
Corneliu Curuta v. Tomball College	9	OCAHO	1099	2003
Dinko Sefic v. Marconi Wireless	9	OCAHO	1123	2007

Kenneth Wade Parker, Jr. v. Wild Goose Storage, Inc.	9	OCAHO	1081	2002
Martha Diaz v. Pacific Maritime Association	9	OCAHO	1108	2004
Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021
United States v. 1010 Morris Avenue Food Corporation	6	OCAHO	885	1996
United States v. IBP, Inc.	8	OCAHO	1021	1999
United States v. Jonel, Inc.	7	OCAHO	967	1997
United States v. Patrol & Guard Enterprises, Inc.	8	OCAHO	1040	2000
	8	OCAHO	1040	2000
Zaji Obatala Zajradhara	14	OCAHO	1363c	2021
	14	OCAHO	1363c	2021

SUMMARY DECISION

ALJ Construed Pro Se Motion Without Citations as Incorporating Attached Affidavit by Reference

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021

ALJ May Consider Admissions on File for the Basis of Summary Decision

United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021
United States v. St. Croix Personnel Services, Inc.	12	OCAHO	1289	2016

SUMMARY DECISION

ALJ May Defer Resolution of Motion for Summary Decision Pending Discovery

Robert Heath v. Asta CRS, Inc.	14	OCAHO	1385	2021

ALJ Must Accept As True Unrebutted Facts Established By Documentary Evidence or Affidavit

United States v. Century Hotels Corporation, d/b/a Scottsdale Thunderbird Suites	11	OCAHO	1218	2014
United States v. Chen Wilmington, Inc.	11	OCAHO	1241	2015

ALJ Must Draw Reasonable Inferences In Favor of Nonmoving Party

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021

United States v. Century Hotels Corporation, d/b/a Scottsdale Thunderbird Suites	11	OCAHO	1218	2014

SUMMARY DECISION

All Facts and Reasonable Inferences Viewed In Light Most Favorable to Nonmoving Party

Brent Leslie Reed v. DuPont Pioneer Hi-Bred International, Inc.	13	OCAHO	1321a	2019
Li Zu v. Avalon Valley Rehabilitation Center	14	OCAHO	1376	2020
Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021
United States v. Agri-Systems d/b/a ASI Industrial	12	OCAHO	1301	2017
United States v. Alma Delia Rubio-Reyes	14	OCAHO	1349	2020
United States v. Cawoods Produce, Inc.	12	OCAHO	1280	2016
United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12	OCAHO	1281	2016
United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12	OCAHO	1276	2016
United States v. Hair U Wear, LLC	11	OCAHO	1268	2016
United States v. Ideal Transportation Co., Inc.	12	OCAHO	1290	2016
United States v. Intelli Transport Services, Inc.	13	OCAHO	1319	2019
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12	OCAHO	1286	2016
United States v. Lazy Days South, Inc.	13	OCAHO	1322	2020

United States v. Maria Gregorio-Gomez, and Elsa Aguilar-Pablo	14	OCAHO	1359a	2021
United States v. Muniz Concrete & Contracting, Inc.	12	OCAHO	1278	2016
United States v. R2M2 Rebar & Stressing, Inc.	14	OCAHO	1357	2020
United States v. Senox Corporation	11	OCAHO	1219	2014
United States v. Solutions Group International, LLC	12	OCAHO	1288	2016
United States v. St. Croix Personnel Services, Inc.	12	OCAHO	1289	2016
United States v. Visiontron Corp.	13	OCAHO	1348	2020
United States v. Wave Green, Inc. d/b/a Golden Farm Market	11	OCAHO	1267	2016

SUMMARY DECISION

Appropriate Where Party is Entitled and Shows No Genuine Issue of Material Fact

United States v. Hair U Wear, LLC	11	OCAHO	1268	2016
United States v. Muniz Concrete & Contracting, Inc.	12	OCAHO	1278	2016
United States v. Wave Green, Inc. d/b/a Golden Farm Market	11	OCAHO	1267	2016

Asserting Fact At Summary Decision Requires Citations to Particular Material in the Record

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021

SUMMARY DECISION

Blanket Denial of Liability Not Sufficient to Show That Genuine Issues of Material Fact Exist

United States v. Cawoods Produce, Inc.	12	OCAHO	1280	2016
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12	OCAHO	1286	2016

Civil Money Penalty

United States v. Benjamin P. Raygoza d/b/a Cielito Lindo Restaurant	5	OCAHO	729	1995
United States v. DJ Drywall, Inc.	10	OCAHO	1136	2010
United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12	OCAHO	1281	2016
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12	OCAHO	1286	2016
United States v. New China Buffet Restaurant	10	OCAHO	1133	2010
United States v. Private Brands Company and Private Brand, Inc.	7	OCAHO	941	1997
United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021

United States v. Walden Station, Inc. 8 OCAHO 1053 2000

SUMMARY DECISION

Completion of False Certification on Form I-9 Does Not Constitute Substantial Compliance

United States v. Employer Solutions Staffing Group II, LLC 11 OCAHO 1242 2015

Conclusory and Unsupported Allegations Do Not Provide an Adequate Basis for Summary Decision

Julio Ricardo Sanchez Molina v. Securitas Security Services USA, Inc. 11 OCAHO 1261 2015

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP 13 OCAHO 1332j 2021

United States v. Alma Delia Rubio-Reyes 14 OCAHO 1349 2020

Consequences of Failing to Support or Rebut Fact at Summary Decision Stage

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP 13 OCAHO 1332j 2021

SUMMARY DECISION

Conversion from Motion to Dismiss

Benjamin Barone v. Superior Washer and Gasket Corp.	10	OCAHO	1176	2013
United States v. R2M2 Rebar & Stressing, Inc.	14	OCAHO	1357	2020
United States v. Spectrum Technical Staffing Services, Inc., and Personnel Plus, Inc.	12	OCAHO	1291	2016

Cross Motions for Summary Decision

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021

Damages

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021

Discovery

Chand Wije v. Barton Springs/Edwards Aquifier C.D.	4	OCAHO	635	1994
Krzysztof Zarazinski v. Anglo Fabrics, Company	4	OCAHO	638	1994
United States v. Butterfly Legwear, Inc. d/b/a Classic Hosiery, Inc.	6	OCAHO	900	1996

SUMMARY DECISION

Document Abuse

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021

Document Fraud

United States v. Alma Delia Rubio-Reyes	14	OCAHO	1349a	2020
United States v. Leticia Velarde	14	OCAHO	1384	2020
United States v. Sanchita Bhattacharya	14	OCAHO	1380a	2021

Documentary Evidence

Celia Simon v. Ingram Micro, Inc. 9 OCAHO 1088 2003

SUMMARY DECISION

Documentary Evidence Together With Proposed Stipulations May Be Sufficient to Establish Liability

United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167) 11 OCAHO 1258 2015

Evidence

Chand Wije v. Barton Springs/Edwards Aquifier C.D. 4 OCAHO 635 1994

Chao v. McDonnell Douglas Corporation 6 OCAHO 824 1995

Corneliu Curuta v. Tomball College 9 OCAHO 1099 2003

Dinko Sefic v. Marconi Wireless 9 OCAHO 1123 2007

Dolores Garcia Contreras v. Cascade Fruit Company 9 OCAHO 1090 2003

Dolores Garcia Contreras v. Cascade Fruit Company 9 OCAHO 1090 2003

Dr. Mahmoud M. Hammoudah v. Rush-Presbyterian St. Luke's Medical Center 8 OCAHO 1050 2000

Guy Santiglia v. Sun Microsystems, Inc.	9	OCAHO	1110	2004
Jenlih John Hsieh v. PMC - Sierra, Inc.	9	OCAHO	1093	2003
Kenneth Wade Parker, Jr. v. Wild Goose Storage, Inc.	9	OCAHO	1081	2002
Lydia Annella Anderson v. Newark Public Schools	8	OCAHO	1024	1999
Natasha Dionne Humphries v. PalmOne	9	OCAHO	1112	2004
Programmer's Guild, Inc. v. Value Consulting, Inc.	10	OCAHO	1135	2010
United States v. Diversified Technology and Services of Virginia, Inc.	9	OCAHO	1095	2003
United States v. H&H Saguaro Specialists	10	OCAHO	1144	2012
United States v. IBP, Inc.	8	OCAHO	1021	1999
United States v. Jonel, Inc.	7	OCAHO	967	1997
United States v. Maria Gregorio-Gomez, and Elsa Aguilar-Pablo	14	OCAHO	1359a	2021
United States v. McDonnell Douglas Corporation	4	OCAHO	676	1994
United States v. New China Buffet Restaurant	10	OCAHO	1133	2010
United States v. Samuel Tominiyi Fasakin	14	OCAHO	1375	2020
United States v. Sanchita Bhattacharya	14	OCAHO	1380	2020
United States v. Siwan & Brothers, Inc. d/b/a Subway #37616	10	OCAHO	1178	2013
United States v. Siwan & Sons, Inc. d/b/a Subway #35029 and Subway #23095	10	OCAHO	1179	2013

United States v. Stanford Sign and Awning, Inc.	10	OCAHO	1145	2012
United States v. Walden Station, Inc.	8	OCAHO	1053	2000

SUMMARY DECISION

Evidence Related to Summary Decision Must Be Presented by Means Designed to Ensure Reliability

Manikandan Sivasankar v. Strategic Staffing Solutions	14	OCAHO	1354	2020
United States v. Alma Delia Rubio-Reyes	14	OCAHO	1349	2020
United States v. Leticia Velarde	14	OCAHO	1384	2020
United States v. Sanchita Bhattacharya	14	OCAHO	1380	2020
	14	OCAHO	1380a	2021
Zaji Obatala Zajradhara	14	OCAHO	1363c	2021

Filing of Cross Motions Does Not Require Summary Decision Be Issued in Favor of Either Party

United States v. Foothill Packing, Inc.	11	OCAHO	1240	2015

Generally

Adnan Niaz Mir v. Federal Bureau of Prisons	3	OCAHO	577	1993
Albert Gimein v. Department of Defense & Grumman Aerospace Corporation	3	OCAHO	503	1993
Amadeo Gonzalez v. Phoenix Motor Company	3	OCAHO	410	1992
Ashwani Goel v. Indotronix Internation Corporation	9	OCAHO	1102	2003
Bassey J. Udofot v. 88 Vapor Technologies	3	OCAHO	506	1993
Carlos Aciar v. Rosen's Delicatessen	9	OCAHO	1086	2002
Celia Simon v. Ingram Micro, Inc.	9	OCAHO	1088	2003
Chao v. McDonnell Douglas Corporation	6	OCAHO	824	1995
Dinko Sefic v. Marconi Wireless	9	OCAHO	1123	2007
Dolores Garcia Contreras v. Cascade Fruit Company	9	OCAHO	1090	2003
Dr. Mahmoud M. Hammoudah v. Rush-Presbyterian St. Luke's Medical Center	8	OCAHO	1050	2000
Esther Din Brooks v. KNK Textile	3	OCAHO	528	1993
Esther Din Brooks v. Watts Window World	3	OCAHO	570	1993
Florinda Kattan v. Union League Club of Chicago	3	OCAHO	586	1993
Gabriel Niyi Adepitan v. United States Postal Service	3	OCAHO	416	1991

Ghaffar Sepahpour v. Unisys, Inc.	3	OCAHO	500	1993
Gurpreet Sodhi v. Maricopa Medical Center	10	OCAHO	1127	2008
Hector Cascante v. Kayak Club	1	OCAHO	199	1990
Jack Huang v. Queens Motel	2	OCAHO	364	1991
Jaime Banuelos v. Transportation Leasing Company	1	OCAHO	255	1990
Jenlih John Hsieh v. PMC - Sierra, Inc.	9	OCAHO	1093	2003
Jesus Morales v. Cromwell's Tavern Restaurant	3	OCAHO	524	1993
John C. Grodzki v. OOCL, Inc.	1	OCAHO	295	1991
John R. Alvarez v. Interstate Highway Construction	3	OCAHO	430	1992
Juan J. Salcido v. New-Way Pork Company	3	OCAHO	425	1992
Kenneth Wade Parker, Jr. v. Wild Goose Storage, Inc.	9	OCAHO	1081	2002
Linda S. Walker v. United Airlines, Inc.	4	OCAHO	686	1994
Margarita Yefremov v. New York City Department of Transportation	3	OCAHO	466	1992
Maria Ofelia Prado-Rosales v. Montgomery Donuts, Inc.	3	OCAHO	418	1992
Mid-Atlantic Regional Organizing Coalition v. Heritage Landscaping Services, LLC	10	OCAHO	1134	2010
Mr. Doron Tal v. M. L. Energia, Inc.	3	OCAHO	519	1993
Natasha Dionne Humphries v. PalmOne	9	OCAHO	1112	2004

Omar Egal v. Sears Roebuck & Company	3	OCAHO	442	1992
Programmer's Guild, Inc. v. Value Consulting, Inc.	10	OCAHO	1135	2010
Rosa Isela Olivares Aguirre v. KDI American Products, Inc.	6	OCAHO	882	1996
Rosa Maria Tovar v. Rick Misquez d/b/a A.P. Esteve Sales	3	OCAHO	458	1992
Sargon Bethishou v. Ohmite Manufacturing Company	1	OCAHO	77	1989
Stephen A. Lewis v. McDonald's Corporation	2	OCAHO	383	1991
United States v. 4431, Inc. t/a Candlelight Inn	4	OCAHO	611	1994
United States v. A & B Carpet Steam Cleaning & General Services, Corporation	1	OCAHO	219	1990
United States v. Aegis Fashion, Inc.	1	OCAHO	239	1990
United States v. Aid Maintenance Company, Inc.	6	OCAHO	893	1996
United States v. Alberta Sosa, Inc.	5	OCAHO	739	1995
United States v. Alberto Noriega-Perez	5	OCAHO	811	1995
United States v. Alvand, Inc. d/b/a 410 Diner	1	OCAHO	296	1991
United States v. American McNair, Inc.	1	OCAHO	167	1990
United States v. American Terrazzo Corporation d/b/a John Delallo Foods	6	OCAHO	828	1995
	6	OCAHO	828	1995
United States v. Ana Maria Villegas-Valenzuela	5	OCAHO	784	1995

United States v. Anchor Seafood Distributors, Inc. d/b/a Anchor Fish Company	4	OCAHO	718	1994
United States v. A-Plus Roofing, Inc.	1	OCAHO	209	1990
United States v. Armando Palacio d/b/a La Bahia Restaurant	1	OCAHO	230	1990
United States v. Basim Aziz Hanna d/b/a Ferris & Ferris Pizza	1	OCAHO	133	1990
United States v. Broadway Tire, Inc.	2	OCAHO	310	1991
United States v. Camidor Properties, Inc.	1	OCAHO	299	1991
United States v. Charo's Corporation d/b/a Charo's Restaurant	2	OCAHO	305	1991
United States v. Chesters Restaurants, Inc. d/b/a La Cabana Restaurant	1	OCAHO	113	1989
United States v. China Wok Restaurant, Inc., a Nebraska Corporation	4	OCAHO	608	1994
United States v. Citizen's Utilities Company, Inc., Telephone Division	1	OCAHO	109	1989
United States v. Continental Sports Corporation	5	OCAHO	799	1995
	5	OCAHO	799	1995
United States v. Covered Bridge Farm Market, Inc. d/b/a Covered Bridge Garden Center	1	OCAHO	135	1990
United States v. Cristina Galeas	5	OCAHO	790	1995
United States v. Culinary Artistry, Inc. d/b/a Footer's Catering	1	OCAHO	217	1990
United States v. Cyrus Kiani d/b/a Copies, Etc.	1	OCAHO	165	1990
United States v. De Luca's Market	8	OCAHO	1039	1999

United States v. DJ Drywall, Inc.	10	OCAHO	1136	2010
United States v. Doug Eier d/b/a Blue Mountain Recreation and Cyclery	1	OCAHO	256	1990
United States v. Eagles Groups, Inc. d/b/a Golden Eagle Services	2	OCAHO	342	1991
United States v. Ed Valencia & Sons, Inc. d/b/a Valladares	2	OCAHO	316	1992
United States v. El Dorado Furniture Manufacturing, Inc. d/b/a El Dorado Furniture Manufacturer, Inc.	3	OCAHO	417	1992
United States v. Elder Jerez d/b/a Green Scaping	3	OCAHO	420	1992
United States v. Elsinore Manufacturing, Inc.	1	OCAHO	13	1988
United States v. Enrique Martinez and Herlinda Martinez d/b/a Enrique's Restaurant	2	OCAHO	360	1991
United States v. Esther Flores-Martinez	5	OCAHO	733	1995
United States v. Exim, Inc. and Jaime Monardes, Individually	3	OCAHO	591	1993
United States v. Felipe De Leon-Valenzuela	7	OCAHO	993	1998
United States v. Giamblis Enterprises	5	OCAHO	817	1995
United States v. Goldenfield Corporation d/b/a Rodeway Inn	2	OCAHO	321	1991
United States v. Halshan, Inc. d/b/a California Pacific	1	OCAHO	278	1990
United States v. Harris Ranch Beef Company	2	OCAHO	335	1991
United States v. Hilario Rodriguez, Jr.	1	OCAHO	276	1990
United States v. James Q. Carlson d/b/a Jimmy On The Spot	1	OCAHO	298	1991

United States v. Jennifer Dittman d/b/a Ready Room Restaurant	1	OCAHO	195	1990
United States v. Jim Bailey and Charles Fristoe d/b/a B & F Golf Services, Inc.	6	OCAHO	851	1996
United States v. Jimmy Bai Huang d/b/a Great Wall Chinese Restaurant	1	OCAHO	287	1991
United States v. Johnny Ng Lim and Christina Lim Go d/b/a The New Orient	3	OCAHO	499	1993
United States v. Juan V. Acevedo	1	OCAHO	95	1989
United States v. Kangaroo Express of Pueblo	3	OCAHO	581	1993
United States v. Kumar	6	OCAHO	833	1996
	6	OCAHO	833	1996
United States v. L&M Tire Company, Inc.	1	OCAHO	134	1990
United States v. La Casona d/b/a La Casona Mexican Restaurant	4	OCAHO	712	1994
United States v. Lambok Sihombing	7	OCAHO	944	1997
United States v. Leonor Yolanda Ortiz	6	OCAHO	863	1996
United States v. Louis Padnos Iron & Metal Co., a Corporation	3	OCAHO	414	1992
United States v. M.C.S.M. Inc. d/b/a Tre Fratelly Restaurant	3	OCAHO	544	1993
United States v. Manca Imports, Inc.	1	OCAHO	267	1990
United States v. Manos & Associates, Inc. d/b/a The Bread Basket Restaurant	1	OCAHO	130	1989
United States v. Maria Esther Lemus d/b/a Rancho Lemus	3	OCAHO	421	1992

United States v. Maria Sourovova	7	OCAHO	987	1998
United States v. Mario Saikhon, Inc.	1	OCAHO	279	1990
United States v. Marisol Chavez-Ramirez	5	OCAHO	774	1995
United States v. Mark Steven Carter d/b/a Dixie industrial Service Company	6	OCAHO	865	1996
United States v. Martin Palominos-Talavera	6	OCAHO	896	1996
United States v. Martina Limon-Perez	5	OCAHO	796	1995
United States v. Neighbors of Hawaii d/b/a Tower of Power	1	OCAHO	262	1990
United States v. Nicolas Tinoco-Medina	6	OCAHO	890	1996
United States v. Noel Plastering & Stucco, Inc.	2	OCAHO	377	1991
United States v. Nu Look Cleaners of Pembroke Pines, Inc.	1	OCAHO	274	1990
	2	OCAHO	303	1991
	1	OCAHO	274	1990
	2	OCAHO	303	1991
United States v. Orlando Diaz-Rosas	4	OCAHO	702	1994
United States v. Patrol & Guard Enterprises, Inc.	8	OCAHO	1040	2000
	8	OCAHO	1040	2000
United States v. Paula Schwartz d/b/a Metroplex Maid and Placement Service	5	OCAHO	760	1995

United States v. Paula Schwartz d/b/a Metroplex Maid and Placement Service	5	OCAHO	760	1995
United States v. Penrod National Enterprises, Inc. d/b/a Floral Bionomics Landscape Management	3	OCAHO	541	1993
United States v. Power Operating Company	3	OCAHO	580	1993
United States v. PPJV, Inc. d/b/a Publishers Press	2	OCAHO	373	1991
	2	OCAHO	354	1991
	2	OCAHO	337	1991
United States v. Ricky Catalano d/b/a Papa Joe's Pizza	7	OCAHO	974	1997
United States v. Robert Marnul d/b/a Lamont Street Grill	3	OCAHO	441	1992
United States v. Roberto C. Davila	7	OCAHO	936	1997
	7	OCAHO	936	1997
United States v. Rosario Cuevas d/b/a El Pollo Real	1	OCAHO	273	1990
United States v. Sargetis d/b/a Castle Valley Sales, Inc., a Utah Corporation	1	OCAHO	232	1990
United States v. Sea Pine Inn, Inc. t/a Sea Pine Inn	1	OCAHO	87	1989
United States v. Sergio Alaniz d/b/a Sagunada	1	OCAHO	297	1991
	1	OCAHO	245	1990
United States v. The Beverly Center	5	OCAHO	762	1995
United States v. Tom & Yu, Inc. t/a Peking Garden Restaurant	3	OCAHO	412	1993

United States v. Tri-Component Product Corporation	5	OCAHO	821	1995
United States v. Ulysses, Inc. and Ulysses Restaurant Group, Inc.	3	OCAHO	409	1992
United States v. USA Café	1	OCAHO	42	1989
United States v. Valencia Bar & Liquors, Inc.	7	OCAHO	995	1998
United States v. Walia's, Inc. d/b/a Walia's Restaurant	1	OCAHO	122	1990
United States v. Weldco, Inc. and Weldco Components, Inc. d/b/a Weldco Products	3	OCAHO	483	1993
United States v. Weymoor Investments, Limited	1	OCAHO	56	1989
United States v. William and Maria Sievert	1	OCAHO	294	1991
United States v. Wood 'N Stuff	3	OCAHO	574	1993
United States v. Yin Tien Chen, Individually and Winning Orchards, LLC	9	OCAHO	1092	2003
Wisniewski v. Douglas County School System	1	OCAHO	29	1988
Zelleka Getahun v. DuPont Merck Pharmaceutical Company	8	OCAHO	1029	1999

SUMMARY DECISION

Hearsay Evidence

Celia Simon v. Ingram Micro, Inc.	9	OCAHO	1088	2003
United States v. China Wok Restaurant, Inc., a Nebraska Corporation	4	OCAHO	608	1994

United States v. Snack Attack Deli, Inc. 10 OCAHO 1137 2010

SUMMARY DECISION

Issue Is Material If It Might Affect the Outcome of the Case and Must Inevitably Be Decided

United States v. Agri-Systems d/b/a ASI Industrial 12 OCAHO 1301 2017

Issue of Fact Is Genuine Only If It Has A Real Basis in the Record

Brent Leslie Reed v. DuPont Pioneer Hi-Bred International, Inc. 13 OCAHO 1321a 2019

United States v. Agri-Systems d/b/a ASI Industrial 12 OCAHO 1301 2017

United States v. Employer Solutions Staffing Group II, LLC 11 OCAHO 1242 2015

United States v. Eriksmoen Cottages, Ltd. 14 OCAHO 1355 2020

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 2016

Jurisdiction

Leonor Garcia v. Tia Maria's Cantina & Mexican Restaurante	7	OCAHO	970	1997
Zaji Obatala Zajradhara v. Donghui Kengxindun Corporation d/b/a Kengxindun Apartment Rental	14	OCAHO	1382	2020

SUMMARY DECISION

Knowledge

Martin John Shortt v. Dick Clark's American Bandstand Grill	10	OCAHO	1130	2009
United States v. Felipe De Leon-Valenzuela	7	OCAHO	993	1998
United States v. Haim Co., Inc.	7	OCAHO	988	1998

Liability

United States v. American Terrazzo Corporation d/b/a John Delallo Foods	6	OCAHO	828	1995
	6	OCAHO	828	1995
United States v. Benjamin P. Raygoza d/b/a Cielito Lindo Restaurant	5	OCAHO	729	1995
United States v. Diversified Technology and Services of Virginia, Inc.	9	OCAHO	1095	2003
United States v. DJ Drywall, Inc.	10	OCAHO	1136	2010

United States v. Golden Employment Group, Inc.	12	OCAHO	1274	2016
United States v. Intelli Transport Services, Inc.	13	OCAHO	1319	2019
United States v. International Packaging, Inc.	12	OCAHO	1275	2016
	12	OCAHO	1275	2016
United States v. Jim Bailey and Charles Fristoe d/b/a B & F Golf Services, Inc.	6	OCAHO	851	1996

SUMMARY DECISION

Liability Conceded

United States v. Psychosomatic Fitness LLC	14	OCAHO	1387a	2021

Modification(s)

Sufficiency

United States v. Paula Schwartz d/b/a Metroplex Maid and Placement Service	5	OCAHO	760	1995
	5	OCAHO	760	1995

Motion for Summary Decision Treated As Motion to Dismiss

Donna Yvette Miller v. United States Postal Service, Greater South Carolina District Office 12 OCAHO 1284 2016

SUMMARY DECISION

Motion to Dismiss Treated As Motion for Summary Decision Where Evidence Outside Pleadings is Considered

Temitope Ogunrinu v. Law Resources & Arnold & Porter Kaye Scholer LLP 13 OCAHO 1332g 2020

United States v. Split Rail Fence Company, Inc. 11 OCAHO 1216 2015

11 OCAHO 1216 2014

Movant Bears Initial Burden to Demonstrate Absence of Genuine Issue of Material Fact

United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles 12 OCAHO 1281 2016

United States v. Golden Employment Group, Inc. 12 OCAHO 1274 2016

United States v. Hair U Wear, LLC 11 OCAHO 1268 2016

United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167) 11 OCAHO 1258 2015

United States v. Ideal Transportation Co., Inc. 12 OCAHO 1290 2016

United States v. Intelli Transport Services, Inc.	13	OCAHO	1319	2019
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12	OCAHO	1286	2016
United States v. Lazy Days South, Inc.	13	OCAHO	1322	2020
United States v. Maria Gregorio-Gomez, and Elsa Aguilar-Pablo	14	OCAHO	1359a	2021
United States v. Samuel Tominiyi Fasakin	14	OCAHO	1375	2020
United States v. Senox Corporation	11	OCAHO	1219	2014
United States v. Wave Green, Inc. d/b/a Golden Farm Market	11	OCAHO	1267	2016

SUMMARY DECISION

Moving Party Who Bears Burden of Proof At Trial Must Present Sufficient Evidence to Support

United States v. Saidabror Siddikov d/b/a Beyond Cleaning Services	11	OCAHO	1257	2015
Zaji Obatala Zajradhara	14	OCAHO	1363c	2021

Nonmoving Party Who Bears Burden of Proof at Trial Must Present Sufficient Evidence to Support Claim

Armando Huberth Crespo v. FAMSA, Inc.	13	OCAHO	1337	2019

Armando Huberth Crespo v. FAMSA, Inc.	13	OCAHO	1337	2019
Julio Ricardo Sanchez Molina v. Securitas Security Services USA, Inc.	11	OCAHO	1261	2015
Martine Mbitaze v. City of Greenbelt	13	OCAHO	1345a	2020
Nicasio Angulo v. Securitas Security Services USA, Inc.	11	OCAHO	1259	2015
Norberto Sagal Torres v. Pacific Continental Textiles, Inc.	10	OCAHO	1203	2013
Walter Oswaldo Paz-Martinez v. Securitas Security Services USA, Inc.	11	OCAHO	1260	2015

SUMMARY DECISION

Notice and Opportunity to Respond Prior to Granting Summary Decision in Favor of Nonmoving Party

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc.	14	OCAHO	1370b	2021

Notice of Conversion of Motion to Dismiss to Motion for Summary Decision

United States v. R2M2 Rebar & Stressing, Inc.	14	OCAHO	1357	2020

Notice to Pro Se Party

Carlos Aciar v. Rosen's Delicatessen 9 OCAHO 1086 2002

SUMMARY DECISION

Omitting Document Number/Expiration Date May Be Technical/Procedural If Document Copy Attached

Gloria Ondina-Mendez v. Sugar Creek Packing Company 9 OCAHO 1075 2001

Raul A. Gonzalez v. Tri-Component Products, Inc. 9 OCAHO 1118 2005

Seidou Diarrassouba v. Medallion Financial Corporation 9 OCAHO 1076 2001

Order Denying Motion for Summary Decision

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP 13 OCAHO 1332j 2021

United States v. Maria Gregorio-Gomez, and Elsa Aguilar-Pablo 14 OCAHO 1359a 2021

Order Granting Motion for Summary Decision

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP 13 OCAHO 1332j 2021

SUMMARY DECISION

Parties Generally Not Put to Burden or Expense of Hearing Absent Genuine, Material Factual Issue

United States v. Employer Solutions Staffing Group II, LLC 11 OCAHO 1242 2015

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 2016

United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167) 11 OCAHO 1258 2015

Party Moving for Summary Decision Must Show There Is No Genuine Issue of Material Fact

Armando Huberth Crespo v. FAMSA, Inc. 13 OCAHO 1337 2019

13 OCAHO 1337 2019

Brent Leslie Reed v. DuPont Pioneer Hi-Bred International, Inc. 13 OCAHO 1321a 2019

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP 13 OCAHO 1332j 2021

United States v. Agri-Systems d/b/a ASI Industrial 12 OCAHO 1301 2017

United States v. Alma Delia Rubio-Reyes 14 OCAHO 1349 2020

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