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All Facts and Reasonable Inferences	Viewed In Light Most Favorable to	Nonmoving Party
Till I dets and Reasonable inferences	viewed in Eight Wost i avoidble to	1 tommoving 1 arry

All Facts and Reasonable Inferences Viewed In Light Most Favorable to Nonmoving Party						
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	2	ОСАНО	352	1991
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	United States v. Psychosomatic Fitness LLC	14	ОСАНО	1387a	2021
	United States v. Safe-Air of Illinois, Inc.	12	ОСАНО	1270	2016
	United States v. Solutions Group International, LLC	12	ОСАНО	1288	2016
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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

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

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ALJ May Consider Non-Statutory Factors As Appropriate in a Specific Case							
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ALJ May Not Assess Penalties Above Maximum Permitted by Department of Justice Regulations

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ALJ Not Bound by ICE's Method of Calculating Penalties

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Difference in Severit	y of Categories	or violations may b	be Reflected in the I mai I charty

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ranure to Present	. 1-9 гопп	S Due to Loss	is ouii a c	serious violation

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Principal Goal Is To Enhance Probability of Future Compliance

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

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Purpose is to Deter Repeat Violations and Encourage Others to Comply

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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

Deemed Filed on Date Actually Received by OCAHO

COMPLAINT	Salim J. Hajiani v. Ali Properties, LLC, Airport Shell	10	ОСАНО	1188	2013			
Document Fraud								
	United States v. Garcia-Guaneros	13	ОСАНО	1334	2020			
Documents Attached to Complaint Considered Part of Complaint								
	Alex J. Montalvo v. Kering Americas, Inc.	14	ОСАНО	1350	2020			
	Brent Leslie Reed v. Dupont Pioneer Hi-Bred International, Inc.	13	ОСАНО	1321	2019			
	Robert Heath v. Optnation and an Anonymous Employer	14	ОСАНО	1374a	2021			
Failure to State With Specificity Basis of Allegations in Complaint								
	United States v. Garcia-Guaneros	13	ОСАНО	1334	2020			

COMPLAINT

Generally

Hutchinson v. End Stage Renal Disease Network of Florida, Inc.	7	OCAHO 939	1997
Jixian Pan v. Christian Engineering Company d/b/a Jude Engineering	4	OCAHO 648	1994
United States v. Columbia Sportswear Manufacturers, Inc.	5	OCAHO 808	1995
United States v. Hyatt Regency Lake Tahoe	6	OCAHO 861	1996
United States v. Workrite Uniform Company, Inc.	5	OCAHO 736	1995

In Assessing Validity of Complaint, Only Reasonable Inferences Drawn in Complainant's Favor

Bienvenido Antonio Thompson v. Sanchez Auto Services, LLC	12	ОСАНО	1302	2017
Terri Ann Jablonski v. Kelly Legal Services, et al.	12	ОСАНО	1282	2016
Terri Ann Jablonski v. Robert Half legal a/k/a Robert Half International Stock Symbol RHI	12	ОСАНО	1272	2016
Symoot Idii	12	ОСАНО	1272	2016

In Assessing Validity, Legal Conclusions Couched as Factual Allegations Need Not Be Accepted

Terri Ann Jablonski v. Kelly Legal Services, et al.	12	ОСАНО	1282	2016
Terri Ann Jablonski v. Robert Half legal a/k/a Robert Half International Stock Symbol RHI	12	ОСАНО	1272	2016
5,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	12	ОСАНО	1272	2016

COMPLAINT

Jurisdiction

Brent Leslie Reed v. Dupont Pioneer Hi-Bred International, Inc.	13	ОСАНО	1321	2019
Earl Russel Horne v. Town of Hampstead	6	ОСАНО	906	1997
Jack N. Toussaint v. Tekwood Data Processing Consulting	6	ОСАНО	892	1996
Miguel A. Gallegos v. Magna-View, Inc.	4	ОСАНО	619	1994
Robert Heath v. Asta CRS, Inc.	14	ОСАНО	1385	2021
Robert Heath v. Vbeyond Corporation and an Anonymous Employer	14	ОСАНО	1368a	2020
Rosa Isela Olivares Aguirre v. KDI American Products, Inc.	6	ОСАНО	882	1996
Terrence McCaffrey v. LSI Logic Corporation	6	ОСАНО	867	1996
United States v. Workrite Uniform Company, Inc.	5	ОСАНО	736	1995

COMPLAINT

Leave To Amend

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc.	14	ОСАНО	1370	2020
Temitope Ogunrinu v. Law Resources	13	ОСАНО	1332b	2019
	13	ОСАНО	1332	2019
United States v. Garcia-Guaneros	13	ОСАНО	1334	2020
United States v. R & SL Inc., d/b/a Total Employment and Management (TEAM)	13	ОСАНО	1333	2020

Leave To Amend Complaint

Steven Brown, et al. v. Pilgrims Pride Corporation	14	ОСАНО	1379	2020
United States v. FRC Balance, LLC d/b/a True Food Kitchen	14	ОСАНО	1366	2020
United States v. Sal's Lounge	15	ОСАНО	1394a	2021

Leave to Amend Generally Granted in Absence of Undue Delay, Bad Faith, Prejudice, or Futility

Alvin J. Griffin, III v. All Desert Appliances d/b/a ADA Repair, Inc.	14	ОСАНО	1370	2020
Steven Brown, et al. v. Pilgrims Pride Corporation	14	ОСАНО	1379	2020
United States v. FRC Balance, LLC d/b/a True Food Kitchen	14	ОСАНО	1366	2020
United States v. R & SL Inc., d/b/a Total Employment and Management (TEAM)	13	ОСАНО	1333	2020
United States v. Sal's Lounge	15	ОСАНО	1394a	2021

COMPLAINT

Leave to Amend Granted When Notice of Intent to Fine Put Respondent on Notice of Allegations

United States v. Sal's Lounge 15 OCAHO 1394a 2021

Leave to Amend Granted When Original Complaint Put Respondent on Notice of Allegations

United States v. FRC Balance, LLC d/b/a True Food Kitchen 14 OCAHO 1366 2020

Leave To Amend Not Freely Granted Where Proposed Amendment Would Not Survive Motion to Dismiss

	Temitope Ogunrinu v. Law Resources	13	ОСАНО	1332	2019	
	Terri Ann Jablonski v. Kelly Legal Services, et al.	12	ОСАНО	1282	2016	
	Symbol RHI	ОСАНО	1272	2016		
S		ОСАНО	1272	2016		
Z.	United States v. Garcia-Guaneros	13	ОСАНО	1334	2020	
I	Vieri Verdesi v. Ark Rustic Inn, LLC	13	ОСАНО	1311	2018	
COMPLAINT						
Leave to Amend the Complaint May Be Denied If The	Amendment Would Be Futile					
A	Alvin J. Griffîn, III v. All Desert Appliances d/b/a ADA Repair, Inc.	14	ОСАНО	1370	2020	
OCAHO Does Not Demand the "Plausibility" Pleading Standard Required in Federal Courts						

13 OCAHO 1332g

2020

2020

Temitope Ogunrinu v. Law Resources & Arnold & Porter Kaye Scholer LLP

United States v. R & SL Inc., d/b/a Total Employment and Management (TEAM) 13 OCAHO 1333

COMPLAINT

OCAHO Does Not Req	uire Complainants to	Present Evidence at t	the Pleading Stage

United States v. R & SL Inc., d/b/a Total Employment and Management (TEAM)	13	OCAHO	1333	2020
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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

Party May Amend Complaint Once As A Matter of Course Within 21 Days of When Answer is Filed

Party/Parties

Hernandez v. Farley Candy Company 5 OCAHO 810 1995

	Robert Heath v. F18 Consulting and an Anonymous Employer	14	ОСАНО	1365	2020
	Robert Heath v. VBeyond Corporation and an Anonymous Employer	14	ОСАНО	1368	2020
	United States v. Auburn University	4	ОСАНО	646	1994
	United States v. Capital Fireproof Door	14	ОСАНО	1372	2020
	United States v. Workrite Uniform Company, Inc.	5	ОСАНО	736	1995
	United States v. Zabala Vineyards	6	ОСАНО	830	1995
COMPLAINT					
Party/Parties To A Complaint Under Section 1324b					
	Temitope Ogunrinu v. Law Resources	13	ОСАНО	1332b	2019
		13	ОСАНО	1332	2019
Pleading Standard in OCAHO Cases					
	Alex J. Montalvo v. Kering Americas, Inc.	14	ОСАНО	1350	2020
	Robert Heath v. Asta CRS, Inc.	14	ОСАНО	1385	2021

	United States v. Facebook, Inc.	14	ОСАНО	1386b	2021
	United States v. R & SL Inc., d/b/a Total Employment and Management (TEAM)	13	ОСАНО	1333	2020
	United States v. Samuel Tominiyi Fasakin	14	ОСАНО	1375	2020
COMPLAINT					
Prehearing Statement Is Not an Opportunity to Assert	New Claims				
	A.S. v. Amazon WebServices, Inc.	14	ОСАНО	1381e	2021
Prehearing Statement May Not Be Used to Amend a	Complaint				
	A.S. v. Amazon WebServices, Inc.	14	ОСАНО	1381e	2021
Pro Se Complaints May Be Construed Liberally					
	Alex J. Montalvo v. Kering Americas, Inc.	14	ОСАНО	1350	2020

COMPLAINT

Section 1324b Complaint Must Contain Factual Allegations That Give Rise to Inference of Discrimination

Alex J. Montalvo v. Kering Americas, Inc.	14	ОСАНО	1350	2020
Bienvenido Antonio Thompson v. Sanchez Auto Services, LLC	12	ОСАНО	1302	2017
Steven Brown, et al. v. Pilgrims Pride Corporation	14	ОСАНО	1379	2020
Terri Ann Jablonski v. Kelly Legal Services, et al.	12	ОСАНО	1282	2016
Terri Ann Jablonski v. Robert Half legal a/k/a Robert Half International Stock Symbol RHI	12	ОСАНО	1272	2016
Symbol IIII	12	ОСАНО	1272	2016
United States v. Facebook, Inc.	14	ОСАНО	1386b	2021

Section 1324b Complaints Do Not Need to Specifiy the Legal Theory for Which Relief is Being Sought

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

Service

	Porfirio Sperandio	15	ОСАНО	1400	2021		
COMPLAINT							
Unnamed or Fictitiously-named Respondent							
	Robert Heath v. F18 Consulting and an Anonymous Employer	14	ОСАНО	1365	2020		
	Robert Heath v. VBeyond Corporation and an Anonymous Employer	14	ОСАНО	1368	2020		
		14	ОСАНО	1368a	2020		
	United States v. Capital Fireproof Door	14	ОСАНО	1372	2020		
Unsupported Factual Allegations Made Only in the Complaint are Not Evidence							
	Martine Mbitaze v. City of Greenbelt	13	ОСАНО	1345a	2020		

Untimely Filing

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Jack N. Toussaint v. Tekwood Data Processing Consulting	6	ОСАНО	892	1996
Joseph E. Sabol v. Northern Michigan University	9	ОСАНО	1107	2004
United States v. Naim Ojeil & Samoeil Ishk	7	ОСАНО	984	1998
COMPLAINT				
When Considering Motion to Dismiss, Court Limits Analysis to the Four Corners of the Complaint				
Steven Brown, et al. v. Pilgrims Pride Corporation	14	ОСАНО	1379	2020
CONSTITUTIONAL LAW				
Affirmative Defense(s)				
United States v. David Jenkins	4	ОСАНО	649	1994
Attorney Fees				
Ramnik M. Trivedi v. Northrop Corporation and Department of Defense	4	ОСАНО	600	1994

CONSTITUTIONAL LAW

Attorney-Client Privilege					
	Krzysztof Zarazinski v. Anglo Fabrics, Company	4	ОСАНО	643	1994
Civil Penalties					
	United States v. Randall Kurzon, Individually and Alonza Restaurant Ventures, inc.	4	ОСАНО	637	1994
Discovery					
	Terrence McCaffrey v. LSI Logic Corporation	6	ОСАНО	883	1996
Disparate Treatment					
	Krzysztof Zarazinski v. Anglo Fabrics, Company	4	ОСАНО	638	1994

	Mr. Doron Tal v. M. L. Energia, Inc.	4	OCAHO 7	705	1994
	Wartan Bozoghlanian v. Raytheon Company, Electromagnetic Systems Division	4	ОСАНО (660	1994
CONSTITUTIONAL LAW					
Double Jeopardy					
	United States v. Alberto Noriega-Perez	6	OCAHO 8	859	1996
	United States v. Pedro Dominguez	6	OCAHO 8	876	1996
		6	OCAHO 8	876	1996
		6	OCAHO 8	876	1996
		6	OCAHO 8	876	1996
Due Process					
	Ahmad S. Elhajomar v. City and County of Honolulu	1	OCAHO 2	246	1990
	Irma Leticia Sosa v. United States Postal Service	1	OCAHO 1	115	1989
	Olimpia Tovar v. United States Postal Service	1	OCAHO 2	269	1990

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. 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. Italy Department Store, Inc.	6	OCAHO 847	1996
United States v. Johnny Ng Lim and Christina Lim Go d/b/a The New Orient	3	OCAHO 499	1993
United States v. Oscar Eduardo Villatoro-Guzman	3	OCAHO 540	1993
United States v. Samuel J. Wasem, General Partner d/b/a Educated Car Wash	1	OCAHO 98	1989
United States v. YES Industries d/b/a Soft Touch Carwash	1	OCAHO 198	1990

CONSTITUTIONAL LAW

Eighth Amendment

United States v. Pedro Dominguez	6	ОСАНО	878	1996
United States v. Randall Kurzon, Individually and Alonza Restaurant Ventures, inc.	4	ОСАНО	637	1994

Eleventh Amendment

Chiaha Ugochi v. North Dakota Department of Human Services	12	ОСАНО	1304	2017
Howard Eugene McNier v. San Francisco State University College of Business	8	ОСАНО	1030	1999
Jamal Y. Elhaj-Chehade v. University of Texas Southwestern Medical School	8	ОСАНО	1022	1999
Massala Prince Reffell v. Prairie View A&M University	9	ОСАНО	1057	2000
MD Shakhawat Hossain v. Job Service North Dakota	14	ОСАНО	1352	2020
Michael C. Smiley v. City of Philadelphia Department of Licenses & Inspection	7	ОСАНО	925	1997
	7	ОСАНО	925	1997
Paul C. Iwuchukwu v. City of Grand Prairie	6	ОСАНО	915	1997
	6	ОСАНО	915	1997
	6	ОСАНО	869	1996

CONSTITUTIONAL LAW

Exclusionary Rule

United States v. David Jenkins 5 OCAHO 743 1995

Fifth Amendment				
	United States v. David Jenkins	4	OCAHO 649	1994
	United States v. Mark Steven Carter d/b/a Dixie industrial Service Company	6	OCAHO 897	1996
	United States v. Pedro Dominguez	6	OCAHO 910	1997
	United States v. Roberto C. Davila	6	OCAHO 903	1996
CONSTITUTIONAL LAW				
Fourth Amendment				
	United States v. C&K Metals, Inc. a/k/a Leach Cast & Steel, Inc.	6	OCAHO 845	1996
	United States v. Israel Velasquez-Tabir	6	OCAHO 872	1996
	United States v. Julio Carpio-Lingan	6	OCAHO 871	1996
Generally				
	James D. Westendorf v. Brown & Root, Inc.	3	OCAHO 477	1992
	United States v. Alberto Noriega-Perez	6	OCAHO 859	1996

United States v. Ana Maria Villegas-Valenzuela	5	OCAHO 784	1995
United States v. Big Bear Market	1	OCAHO 48	1989
United States v. Interdynamics, Inc.	3	OCAHO 433	1992
United States v. Land Coast Insulation, Inc.	2	OCAHO 379	1991
United States v. Law Offices of Manulkin, Glaser & Bennett	1	OCAHO 100	1989
United States v. Mr. Z Enterprise	1	OCAHO 288	1991
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.	2	OCAHO 396	1991
United States v. Oscar Eduardo Villatoro-Guzman	3	OCAHO 540	1993
United States v. Rudy Rodriguez d/b/a Rock Pest Control	1	OCAHO 158	1990
United States v. Samuel J. Wasem, General Partner d/b/a Educated Car Wash	1	OCAHO 98	1989
United States v. Southwest Marine Corporation, a California Corporation	3	OCAHO 429	1992
United States v. Spring & Soon Fashion, Inc.	7	OCAHO 982	1997

CONSTITUTIONAL LAW

Jury Trial

	A.S. v. Amazon Web Services, Inc. United States v. Rosario Strano and Vito Strano d/b/a Strano Farms	14 4	OCAHO 1381c OCAHO 623	2021 1994
CONSTITUTIONAL LAW				
Miranda-type Warnings				
	United States v. Cristina Galeas	5	ОСАНО 790	1995
	United States v. Martin Palominos-Talavera	6	OCAHO 896	1996
Notification				
	United States v. Gus and Candy Kirk d/b/a Kirk Enterprises	1	OCAHO 72	1989
	United States v. Italy Department Store, Inc.	6	OCAHO 847	1996
	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. Shirley Fuimoto, Hawaii Government Employees Association 7 OCAHO 937

1997

	IUPICAL INDEA			11/10/20	JZ 1
Penalties CONSTITUTIONAL LAW	United States v. Alberto Noriega-Perez	6	ОСАНО 8	859	1996
Privacy					
	Terrence McCaffrey v. LSI Logic Corporation	6	OCAHO 8	883	1996
Respondent Could Not Show It Was Similarly Situat	ed to Other Business to Sustain Equal Protection				
	United States v. M & D Masonry	10	OCAHO 1	1215	2014
Right to Counsel					
	Frederick John Harris v. Mr. Bob Marbut, Chairman & CEO, Argyle Television Operations, Inc.	7	OCAHO 9	943	1997

14 OCAHO 1381c

2021

CONSTITUTIONAL LAW

Search and Seizure				
	United States v. David Jenkins	5	OCAHO 743	1995
		4	OCAHO 649	1994
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	United States v. Nevada Lifestyles, Inc. d/b/a Commercial Drapery Cleaners	3	OCAHO 463	1992
Seventh Amendment				
Seventii Amendment				
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Seventh Amendment Inapplicable to OCAHO Proce	edings			

A.S. v. Amazon Web Services, Inc.

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	United States v. Israel Velasquez-Tabir	6	ОСАНО	872	1996
	United States v. Julio Carpio-Lingan	6	ОСАНО	871	1996
CONSTRUCTIVE KNOWLEDGE					
Degree of Culpability for Constructive Knowledge Requires More Than Mere Negligence					
	United States v. SKZ Harvesting, Inc.	11	ОСАНО	1266	2016
Employer Chargeable With Such Knowledge As Reasonable Inquiry Would Have Revealed					
	United States v. Foothill Packing, Inc.	11	ОСАНО	1240	2015

Employer Must Take Adequate Steps to Verify Eligibility Where Specific Information Casts Doubt						
	United States v. Foothill Packing, Inc.	11 OCAHO 1240 2	2015			
CONSTRUCTIVE KNOWLEDGE						
Employer Not Entitled to Cultivate Deliberate I	gnorance or Avoid Acquiring Knowledge					
	United States v. Foothill Packing, Inc.	11 OCAHO 1240 2	2015			
	United States v. Muniz Concrete & Contracting, Inc.	12 OCAHO 1278 2	2016			
	United States v. SKZ Harvesting, Inc.	11 OCAHO 1266 2	2016			
Expired Authorization Document Sufficient To	Put Employer on Notice of Unauthorized Status					
	United States v. Foothill Packing, Inc.	11 OCAHO 1240 2	2015			
	United States v. Muniz Concrete & Contracting, Inc.	12 OCAHO 1278 2	2016			

Failure to Prepare I-9 Form Alone Insufficient to Find Constructive Knowledge

CONTINUING EMPLOYMENT	United States v. Jalisco's Bar and Grill, Inc.	11 OCAHO 12	224 2014			
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Interruptions and Absences						
	United States v. Anodizing Industries, Inc.	10 OCAHO 11	184 2013			
Reasonable Expectation						
Reasonable Expectation						
	United States v. Anodizing Industries, Inc.	10 OCAHO 11	184 2013			
CONTINUING VIOLATIONS(S)						
Continued Employment of Known Unauthorized Individuals is a Continuing Violation						
	United States v. Split Rail Fence Company, Inc.	11 OCAHO 12	216 2015			
		11 OCAHO 12	216 2014			

Continuing Violation for Knowing Hire Exists For As Long as the Individual Remains Employed						
	United States v. Split Rail Fence Company, Inc.	11	ОСАНО	1216	2015	
		11	ОСАНО	1216	2014	
CONTINUING VIOLATIONS(S)						
Generally						
				10.00	•	
	United States v. Fairfield Jersey, Inc.	9	ОСАНО	1069	2001	
Most Paperwork Violations are Continuous Violations Until Cured or Until Retention Period Expires						
				10.55	•	
	United States v. Eriksmoen Cottages, Ltd.	14	ОСАНО	1355a	2020	
	United States v. Visiontron Corp.	13	OCAHO	1348	2020	

CORPORATE VEIL

Generally

CORPORATE VEIL	United States v. Continental Sports Corporation United States v. Randall Kurzon, Individually and Alonza Restaurant Ventures, inc.	5	ОСАНО ОСАНО		1995 1993	
Inability To Collect From Insolvent Party Alone Not	Sufficient to Pierce Corporate Veil					
	United States v. PM Packaging, Inc., and PM Corporate Group, Inc., d/b/a PM Packaging	11	ОСАНО	1253	2015	
Liability						
	Mr. Doron Tal v. M. L. Energia, Inc.	4	ОСАНО	639	1994	
Piercing Corporate Veil Decision Must Consider Fraud, Injustice, and Evasion of Legal Obligation						
	United States v. Durable, Inc.	11	ОСАНО	1221	2014	
	United States v. PM Packaging, Inc., and PM Corporate Group, Inc., d/b/a PM Packaging	11	ОСАНО	1253	2015	

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CORPORATE VEIL

Piercing Corporate Veil Is A Tool Used Only in Extre	eme Circumstances				
	United States v. Durable, Inc.	11	ОСАНО	1221	2014
	United States v. PM Packaging, Inc., and PM Corporate Group, Inc., d/b/a PM Packaging	11	ОСАНО	1253	2015
Piercing Corporate Veil Unjustified in Absence of De	emonstrated Misuse of Corporate Form				
	United States v. Durable, Inc.	11	ОСАНО	1221	2014
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Generally					
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United States v. Great Earth Companies, Inc.

DAMAGES

Back Pay

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

Compensatory Damages Are Not Available in Section 1324b Cases

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	OCAHO	1332j	2021
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Duty to Mitigate Damages Under Section 1324b

Evidence of Other Employment Is Relevant to Back Pay Determination

DAMAGES

Front Pay					
	Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	ОСАНО	1332j	2021
Front Pay Denied Where Complainant's Work Was To	oo Speculative to Determine Damages				
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	United States v. Mojave, Inc. d/b/a Casa Jose Café, a Texas Corporation	3	ОСАНО	486	1993
	United States v. Rosario Strano and Vito Strano d/b/a Strano Farms	5	ОСАНО	748	1995
	United States v. Zabala Vineyards	6	ОСАНО	844	1996
		6	ОСАНО	844	1996

DAMAGES

Mathematical Certainty	Not Required for Moneta	ry Damages, But Reasona	ble Basis is Required
Triadilelination Cortains	1 tot recognited for intolleta		

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13 OCAHO 1332	2j 2021
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Monetary Damages Under Section 1324b Limited to Back Pay, Front Pay, and Attorney's Fees

Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13 OCAHO 1332j 2	2021
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Party Seeking Damages Under Section 1324b Must Provide a Computation or Quantification of Damages

Temitone Og	minrinu v. Law	Resources and	Arnold & Porter	Kave Scholer	IIP 13	OCAHO	1332e	2020

DEFAULT

ALJ Can Apply Relevant Circuit Court Test to Determine Good Cause for Setting Aside Default

Porfirio Sperandio 15 O	OCAHO I	1400 2	2021
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DEFAULT

ALJ May Not Issue a Default Judgment If the Court Lacks Subject Matter Jurisdiction Over Claims

Jayaben Patel v. USCIS Boston	14	ОСАНО	1353a	2020
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Robert Heath v. VBeyond Corporation and an Anonymous Employer	14	ОСАНО	1368	2020
	14	ОСАНО	1368a	2020

ALJ May Set Aside An Entry of Default For Good Cause

Porfirio Sperandio	15	ОСАНО	1400	2021
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Sutatip Uthai Woods v. Philips North America, LLC	14	ОСАНО	1371	2020
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United States v. AMA Repiping, LLC	15	ОСАНО	1391	2021
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United States v. Treescapes, Inc.	15	ОСАНО	1389	2021

Answer

DEFAULT

United States v. Lazy Days South, Inc. 13 OCAHO 1322 2019

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, 11 OCAHO 1265 LLC 2015

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

DEFAULT	United States v. Quickstuff, LLC, Its Member Maria Castillo, and A&C Staffing, LLC	11	ОСАНО	1265	2015
Burden Is On The Defaulting Party to Show That Rel					
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	1	ОСАНО	260	1990
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United States v. Ketchikan Drywall Services, Inc.	10	ОСАНО	1139	2011
United States v. Local Building & Remodeling of International Falls	3	ОСАНО	567	1993
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Notice of Deposition

Temitope ()gunrinu v. 1	Law Res	sources an	d Arno	ld & 1	Porter 1	Kaye Scholer	$\cdot LLP$	13	OCAHO	1332e	2020
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Notice of Deposition Must Be Served At Least Ten Days Prior to the Deposition

Temitope Ogunrinu v. Law Resources and Arno	d & Porter Kaye Scholer LLP	² 13 OCAHO 1332e 20)20
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Notice of Deposition Must Be Submitted at a Reasonable Time Within the Discovery Period

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	United States v. Primera Enterprises, Inc. d/b/a J.B.'s Lounge	3	ОСАНО	560	1993
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DISCOVERY

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

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ALJ Has Authority to Impose Duty to Supplement D	iscovery Responses				
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ALJ Has Authority to Make Changes to Subpoena					
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That Information Sought Is Equally Available to Propounding Party Is An Insufficient Objection

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	United States v. Life Generations Healthcare, LLC d/b/a Generations Healthcare	11	ОСАНО	1227	2014
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	Ahadu Tadesse v. United States Postal Service	7	ОСАНО	979	1997

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Dolores Garcia Contreras v. Cascade Fruit Company	9	ОСАНО	1090	2003
Gloria Ondina-Mendez v. Sugar Creek Packing Company	9	ОСАНО	1085	2002
Iron Workers Local 455 v. Lake Construction & Development Corporation	7	ОСАНО	964	1997
Jimmy Jack Jackai v. Dallas County Data Services	3	ОСАНО	569	1993
Jorge Mario Ipina v. Michigan Jobs Commission	8	ОСАНО	1036	1999
Jose Carlos De Araujo v. Joan Smith Enterprises, Inc., aka California Pools and Spas and or California Pools and Landscape	10	ОСАНО	1187	2013
Jose Pablo Martinez v. Superior Linen	10	ОСАНО	1180	2013
Juan Manuel Alamprese v. MNSH, Inc.	9	ОСАНО	1094	2003
Raul A. Gonzalez v. Tri-Component Products, Inc.	9	ОСАНО	1118	2005
United States v. Diversified Technology and Services of Virginia, Inc.	9	ОСАНО	1095	2003
United States v. Lasa Marketing Firms, a California Partnership	1	ОСАНО	141	1990
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Aurelio Galindo v. Smithfield Foods & Yuma County	14	ОСАНО	1369	2020
Cecilia Araceli Basua v. Walmart #1554	3	ОСАНО	535	1993
Christopher Winkler v. West Capital Financial Services	7	ОСАНО	928	1997
Cormia v. Home Care Giver Services	10	ОСАНО	1160	2012
Corneliu Curuta v. United States Water Conservation Laboratory	3	ОСАНО	459	1992
Daniel D. Tiplea v. Reynolds Electrical & Engineering Company, Inc.	3	ОСАНО	548	1993
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Esther Din Brooks v. KNK Textile	3	ОСАНО	528	1993
Frank Thomas Brown v. Baltimore City Public Schools	3	ОСАНО	480	1992
Frederick John Harris v. Mr. Bob Marbut, Chairman & CEO, Argyle Television Operations, Inc.	7	ОСАНО	943	1997

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Ghaffar Sepahpour v. Unisys, Inc.

Gloria Ondina-Mendez v. Sugar Creek Packing Company	9	ОСАНО	1085	2002
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Howard Eugene McNier v. San Francisco State University College of Business	7	ОСАНО	947	1997
	7	ОСАНО	947	1997
	8	ОСАНО	1030	1999
Hutchinson v. GTE Data Services	7	ОСАНО	954	1997
In re Investigation of University of South Florida, Subpoena	8	ОСАНО	1056	2000
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Jay S. Manning v. The City of Jacksonville	7	ОСАНО	956	1997
Jesus Morales v. Cromwell's Tavern Restaurant	3	ОСАНО	524	1993
Jose N. Hernandez v. City of Santa Ana	4	ОСАНО	663	1994
Margarita Yefremov v. New York City Department of Transportation	3	ОСАНО	466	1992
Maria Fuentes v. Grace Culinary Systems	6	ОСАНО	873	1996
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Robert Heath v. Vbeyond Corporation and an Anonymous Employer	14	ОСАНО	1368a	2020
Sellaro v. Elektra Records	3	ОСАНО	495	1993
Steven Brown, et al. v. Pilgrims Pride Corporation	14	ОСАНО	1379	2020
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Daniel Joseph Bendig v. Conoco, Inc.	9	ОСАНО	1077	2001
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Jose Pablo Martinez v. Superior Linen	10	ОСАНО	1180	2013
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Loleitha Atheria Wilson v. Waste Connections, Inc.	13	ОСАНО	1315	2019
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	Manikandan Sivasankar v. Strategic Staffing Solutions	14	ОСАНО	1354	2020		
	Martine Mbitaze v. City of Greenbelt	13	ОСАНО	1345a	2020		
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	Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	ОСАНО	1332j	2021	

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	United States v. Jerry Estopy and Manuel Bortoni, d/b/a Estopy Farms	11	ОСАНО	1252	2015				
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	Linda S. Walker v. United Airlines, Inc.	4	ОСАНО	686	1994				
	United States v. Diversified Technology and Services of Virginia, Inc.	9	ОСАНО	1095	2003				
	United States v. Fairfield Jersey, Inc.	9	ОСАНО	1069	2001				
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	Dolores Garcia Contreras v. Cascade Fruit Company	9	ОСАНО	1090	2003
	Jenlih John Hsieh v. PMC - Sierra, Inc.	9	ОСАНО	1093	2003
	Jose Carlos De Araujo v. Joan Smith Enterprises, Inc., aka California Pools and Spas and or California Pools and Landscape	10	ОСАНО	1187	2013

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	6	ОСАНО	844	1996
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13 OC	AHO 1315	2019
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Michael C. Smiley v. City of Philadelphia Department of Licenses & Inspection	7	OCAHO 925	1997
	7	OCAHO 925	1997
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Dismissal Without Prejudice Leaves the Parties As If No Action Had Been Brought At All

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DISMISSAL

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No Evidence That Employer Requested Documents for a Discriminatory Reason								
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	United States v. Solutions Group International, LLC	12	OCAHO 1288	2016
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	United States v. Homestead Metal Recycling Corp.	11	OCAHO 1251	2015
	United States v. Horno MSJ, Ltd., Company	11	OCAHO 1247	2015

	United States v. Horno MSJ, Ltd., Company	11	ОСАНО	1247	2015
	United States v. Ideal Transportation Co., Inc.	12	ОСАНО	1290	2016
	United States v. Intelli Transport Services, Inc.	13	ОСАНО	1319	2019
	United States v. Kenneth McPeek Racing Stables, Inc.	11	ОСАНО	1249	2015
	United States v. Niche, Inc.	11	ОСАНО	1250	2015
	United States v. Safe-Air of Illinois, Inc.	12	ОСАНО	1270	2016
	United States v. Solutions Group International, LLC	12	ОСАНО	1288	2016
	United States v. Speedy Gonzalez Construction, Inc.	11	ОСАНО	1243	2015
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Penalties Should Have a Deterrent Effect and Not Be	Merely a Cost of Doing Business				
	United States v. Hartmann Studios, Inc.	11	ОСАНО	1255	2015

Penalties Should Not Be Disproportionate to Employer's Revenue

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

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Penalties Should Promote Future Compliance Without Being Unduly Punitive

United States v. 3679 Commerce Place, Inc.	12	ОСАНО	1296	2017
United States v. Eriksmoen Cottages, Ltd.	14	ОСАНО	1355a	2020
United States v. Executive Cleaning Services of Long Island, Ltd.	13	ОСАНО	1314	2018
United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill	13	ОСАНО	1338	2020
	13	ОСАНО	1338	2020
United States v. Integrity Concrete, Inc. and American Concrete, Inc.	13	ОСАНО	1307	2017
United States v. Pegasus Family Restaurant, Inc.	12	ОСАНО	1293	2016
United States v. Visiontron Corp.	13	ОСАНО	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

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 20	016
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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
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Principal Goal Is To Enhance Probability of Future Compliance

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

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Prophylactic Purpose Best Served When Penalty Is Significant Enough to Prompt Change of Behavior						
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Proportionality is Critical in Setting Penalties						
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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

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Purpose is to Deter Repeat Violations and Encourage Others to Comply

United States v. Employer Solutions Staffing Group II, LLC	11 OCAHO 1242	2015
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Purposes of Fines Are To Deter Future Violations & Encourage Compliance w/Verification Procesures

United States v. Frio County Par	ners, Inc. d/b/a Jack's Produce Co.	12 OCAHO	1276 2016
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Rate of Violations Is Not An Enumerated Factor But Can Be Considered In Assessing the Penalty

United States v. Psychosomatic Fitness LLC	14	ОСАНО	1387a	2021
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Reasonableness Based On Record As Whole and Statutory Factors in Particular

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Seriousness of Violation Depends on Degree of Dev	viation From Verification Requirements					
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	United States v. Muniz Concrete & Contracting, Inc.	12	ОСАНО	1278	2016	

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

United States v. Cawoods Produce, Inc.	12	ОСАНО	1280	2016
United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12	ОСАНО	1281	2016
United States v. Eriksmoen Cottages, Ltd.	14	ОСАНО	1355a	2020
United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12	ОСАНО	1276	2016
United States v. Golden Employment Group, Inc.	12	ОСАНО	1277	2016
United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167)	11	ОСАНО	1258	2015
United States v. Horno MSJ, Ltd., Company	11	ОСАНО	1247	2015
	11	ОСАНО	1247	2015
United States v. Ideal Transportation Co., Inc.	12	ОСАНО	1290	2016
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12	ОСАНО	1286	2016
United States v. Mott Thoroughbred Stables, Inc.	11	ОСАНО	1233	2014
United States v. Muniz Concrete & Contracting, Inc.	12	ОСАНО	1278	2016
United States v. Niche, Inc.	11	ОСАНО	1250	2015
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United States v. Psychosomatic Fitness LLC	14	ОСАНО	1387a	2021
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	United States v. Solutions Group International, LLC	12	ОСАНО	1288	2016		
	United States v. Speedy Gonzalez Construction, Inc.	11	ОСАНО	1243	2015		
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U	Inited States v. Intelli Transport Services, Inc.	.3	ОСАНО	1319	2019		
U	Inited States v. Jula888, LLC d/b/a Para Tacos La Chilanga	.2	ОСАНО	1286	2016		
U	Inited States v. Psychosomatic Fitness LLC	.4	ОСАНО	1387a	2021		
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Size of Business Did Not Necessitate Further Mitigation of Civil Penalty							
U	Inited States v. M & D Masonry	0	ОСАНО	1215	2014		
U	Inited States v. Psychosomatic Fitness LLC	4	ОСАНО	1387a	2021		
Size of Business Is A Factor in Assessment of the Penalty							
U	Inited States v. Visiontron Corp. 1	13	ОСАНО	1348	2020		

Small Size of Business Only Considered as a Statutory Factor, Not as a Non-Statutory Factor

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Statute Does Not Prohibit Consideration of Unenu	merated Factors						
	United States v. Clean Sweep Janitor Service	11	ОСАНО	1226	2014		
	United States v. Crescent City Meat Company, Inc.	11	ОСАНО	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	ОСАНО	1307	2017		
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Statute Does Not Require That Equal Weight Be Given Each of the Five Statutory Factors

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

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United States v. Cawoods Produce, Inc.	12	ОСАНО	1280	2016
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United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12	ОСАНО	1276	2016
United States v. Golden Employment Group, Inc.	12	ОСАНО	1277	2016
United States v. Hair U Wear, LLC	11	ОСАНО	1268	2016
United States v. Ideal Transportation Co., Inc.	12	ОСАНО	1290	2016
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12	ОСАНО	1286	2016
United States v. Kenneth McPeek Racing Stables, Inc.	11	ОСАНО	1249	2015
United States v. Metropolitan Enterprises, Inc.	12	ОСАНО	1297	2017
United States v. Muniz Concrete & Contracting, Inc.	12	ОСАНО	1278	2016
United States v. Pegasus Family Restaurant, Inc.	12	ОСАНО	1293	2016
United States v. PM Packaging, Inc., and PM Corporate Group, Inc., d/b/a PM Packaging	11	ОСАНО	1253	2015
United States v. Safe-Air of Illinois, Inc.	12	ОСАНО	1270	2016
United States v. SKZ Harvesting, Inc.	11	ОСАНО	1266	2016
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Statute Does Not Require That Equal Weight Be Given to Each Required Penalty Factor

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United States v. Crescent City Meat Company, Inc.	11 OCAHO	1223	2014
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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	ОСАНО	1244	2015
United States v. Homestead Metal Recycling Corp.	11	ОСАНО	1251	2015
United States v. Liberty Packaging, Inc.	11	ОСАНО	1245	2015
United States v. Mott Thoroughbred Stables, Inc.	11	ОСАНО	1233	2014
United States v. Speedy Gonzalez Construction, Inc.	11	ОСАНО	1243	2015

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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				
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Suspicion Alone is Insufficient to Aggravate Papers	work Penalty Based On Unauthorized Workers						
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United States v. Pegasus Family Restaurant, Inc.

Termination of Employees Does Not Sufficiently Establish the Presence of Unauthorized Aliens
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Termination of Employees Does Not Sufficiently Esta	ablish the Presence of Unauthorized Aliens				
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	United States v. Eriksmoen Cottages, Ltd.	14	ОСАНО	1355a	2020
	United States v. Metropolitan Enterprises, Inc.	12	ОСАНО	1297	2017
	United States v. Pegasus Family Restaurant, Inc.	12	ОСАНО	1293	2016
	United States v. Senox Corporation	11	ОСАНО	1219	2014
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There Must Be Rational Relationship Between Magni	itude of Offense and Penalty				
	United States v. Safe-Air of Illinois, Inc.	12	ОСАНО	1270	2016

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Under Section 1324c, ALJ Must Impose a Penalty for Each	ch Document for Which a Violation is Found				
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Under Section 1324c, Government's Requested Penalty M	May Be Adopted If It Is Reasonable				
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Weight of Each Statutory Factor Depends on Facts of Each Case

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Where A Paperwork Violation is Found, The Act Does Not Provide for Waiver of Penalty

United States v. Cawoods Produce, Inc.	12	ОСАНО	1280	2016
United States v. Hair U Wear, LLC	11	ОСАНО	1268	2016
United States v. Ideal Transportation Co., Inc.	12	ОСАНО	1290	2016
United States v. Muniz Concrete & Contracting, Inc.	12	ОСАНО	1278	2016
United States v. Wave Green, Inc. d/b/a Golden Farm Market	11	ОСАНО	1267	2016

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		6	ОСАНО	862	1996
	United States v. Hardeep Singh	3	ОСАНО	520	1993
	United States v. Maria Sourovova	8	ОСАНО	1020	1998
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A Birth Certificate is Not a Valid List B Document	That Establishes Identity				
	United States v. Monadnock Mountain Spring Water, Inc.	10	ОСАНО	1193	2013
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	United States v. Ideal Transportation Co., Inc.	12	ОСАНО	1290	2016

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United States v. R&M Fashion, Inc. 6 OCAHO 826 1995

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Gloria Ondina-Mendez v. Sugar Creek Packing Company	9	ОСАНО	1085	2002
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Document Abuse

Document Fraud

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Employee's Documents Are To Be Independently Verified By the Employer, Not By the Employee

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	12	ОСАНО	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	ОСАНО	1255	2015
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United States v. Monadnock Mountain Spring Water, Inc.	10	ОСАНО	1193	2013
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Employee's Failure to Check Box Attesting to Status or Sign Section 1 is a Substantive Violation

	United States v. Durable, Inc.	11	ОСАНО	1229	2014
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	United States v. Imacuclean Cleaning Services, LLC	13	ОСАНО	1327	2019
	United States v. Quickstuff, LLC, Its Member Maria Castillo, and A&C Staffing, LLC	11	ОСАНО	1265	2015
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Employer Must Complete Form I-9 Section 2 Within 3 Business Days of Employee's First Day of Work
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Employer Must Ensure Employee Completes and Signs Form I-9 Section 1 On Date of Hire

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United States v. Visiontron Corp.	13	ОСАНО	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, 11 OCAHO 1265 LLC 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	ОСАНО	1314	2018			
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United States v. Senox Corporation	11 (ОСАНО	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 (ОСАНО	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 (ОСАНО	1258	2015
United States v. Imacuclean Cleaning Services, LLC	13 (ОСАНО	1327	2019
United States v. Intelli Transport Services, Inc.	13 (ОСАНО	1319	2019
United States v. Visiontron Corp.	13 (ОСАНО	1348	2020

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FORM I-9

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

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United States v. Hartmann Studios, Inc.	11	ОСАНО	1255	2015
United States v. Imacuclean Cleaning Services, LLC	13	ОСАНО	1327	2019
United States v. Pegasus Family Restaurant, Inc.	12	ОСАНО	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	ОСАНО	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	ОСАНО	1258	2015		
	United States v. Imacuclean Cleaning Services, LLC	13	ОСАНО	1327	2019		
	United States v. Muniz Concrete & Contracting, Inc.	12	ОСАНО	1278	2016		
	United States v. Visiontron Corp.	13	ОСАНО	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	ОСАНО	1258	2015		
	United States v. Integrity Concrete, Inc. and American Concrete, Inc.	13	ОСАНО	1307	2017		

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	United States v. Psychosomatic Fitness LLC	14	ОСАНО	1387a	2021
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Failure to Prepare I-9 More Serious Than Paperwork	Violations				
	United States v. Psychosomatic Fitness LLC	14	ОСАНО	1387a	2021
Failure to Present a Form I-9 Is A Substantive Viola	tion				
	United States v. Eriksmoen Cottages, Ltd.	14	ОСАНО	1355	2020
Failure to Present Forms I-9 Within Three Days of Government's Request					
	United States v. Eriksmoen Cottages, Ltd.	14	ОСАНО	1355	2020

Failure to Print Employer Representative's Name in Section 2 May Be Substantive Violation

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	United States v. Agri-Systems d/b/a ASI Industrial	12	ОСАНО	1301	2017
	United States v. Imacuclean Cleaning Services, LLC	13	ОСАНО	1327	2019
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Failure to Properly Complete Section 2 of the Form I					
	United States v. Durable, Inc.	11	ОСАНО	1229	2014
Failure to Reverify Employment Authorization Docu	ment Before Expiration Date Constitutes Violation				
	United States v. Eriksmoen Cottages, Ltd.	14	ОСАНО	1355	2020
	United States v. Hartmann Studios, Inc.	11	ОСАНО	1255	2015
	United States v. Niche, Inc.	11	ОСАНО	1250	2015
Failure to Timely Prepare Form I-9 Is A Serious Viol	ation				
	United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12	ОСАНО	1276	2016

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	United States v. Visiontron Corp.	13	ОСАНО	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	ОСАНО	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	ОСАНО	1280	2016
	United States v. Intelli Transport Services, Inc.	13	ОСАНО	1319	2019
	United States v. Muniz Concrete & Contracting, Inc.	12	ОСАНО	1278	2016
	United States v. Senox Corporation	11	ОСАНО	1219	2014
	United States v. Speedy Gonzalez Construction, Inc.	11	ОСАНО	1228	2014
	United States v. St. Croix Personnel Services, Inc.	12	ОСАНО	1289	2016

United States v. Alberta Sosa, Inc.	6	ОСАНО	831	1996
United States v. David Segura-Sataray	4	ОСАНО	703	1994
United States v. Davis Nursery, Inc.	4	ОСАНО	694	1994
United States v. GRS, Inc. d/b/a Gasket Engineering	4	ОСАНО	627	1994
United States v. H&H Saguaro Specialists	10	ОСАНО	1147	2012
	10	ОСАНО	1147	2012
United States v. Harran Transportation Company, Inc.	6	ОСАНО	857	1996
United States v. Leticia Cruz-Mandoza	5	ОСАНО	750	1995
United States v. LFW Dairy Corporation	10	ОСАНО	1129	2009
United States v. Maria Teresa De Jesus Morales-Martinez	5	ОСАНО	727	1995
	5	ОСАНО	727	1995
United States v. Northern Michigan Fruit Company	4	ОСАНО	667	1994
United States v. Ricardo Calderon, Inc.	6	ОСАНО	832	1996
	6	ОСАНО	832	1996
United States v. Simon Osagie Iyawe	5	ОСАНО	744	1995

I-9 Retention Required for 3	Years After Hire or 1 Year After	er Termination, Whichever Is Later

United States v. Intelli Transport Services, Inc.	13	OCAHO	1319	2019
United States v. Lazy Days South, Inc.	13	ОСАНО	1322	2020
United States v. Metropolitan Enterprises, Inc.	12	ОСАНО	1297	2017
United States v. Visiontron Corp.	13	ОСАНО	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

FORM I-9	United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167) United States v. Ideal Transportation Co., Inc.		ОСАНО		2015 2016
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	United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill	13	ОСАНО	1338	2020
Retention Requirement for Former Employees					
	United States v. March Construction, Inc.	10	ОСАНО	1158	2012
	United States v. Metropolitan Enterprises, Inc.	12	ОСАНО	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	ОСАНО	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 Pr	oduce Co. 12	ОСАНО	1276	2016
United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #	39167) 11	ОСАНО	1258	2015
United States v. Intelli Transport Services, Inc.	13	ОСАНО	1319	2019
United States v. Muniz Concrete & Contracting, Inc.	12	ОСАНО	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
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FOURTH AMENDMENT

Consent

United States v. David Jenkins	5	OCAHO 743	1995
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FOURTH AMENDMENT

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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
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Award of Front Pay Cannot Be Unduly Speculative				
	Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	ОСАНО 1332ј	2021

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Practical Considerations in Awarding Front Pay						
	Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	ОСАНО	1332j	2021	
Professional Relationship Between Parties Relevant	to Determining Reinstatement and Front Pay					
	Temitope Ogunrinu v. Law Resources & Arnold & Porter Scholer LLP	13	ОСАНО	1332j	2021	
GOOD CAUSE						
ALJ Can Apply Relevant Circuit Court Test to Determine Good Cause for Setting Aside Default						
	Porfirio Sperandio	15	ОСАНО	1400	2021	
	United States v. AMA Repiping, LLC	15	ОСАНО	1391	2021	
	United States v. Popo's Bar and Restaurant	15	ОСАНО	1398	2021	

GOOD CAUSE

ALJ May Issue Protective Order Upon Showing of Good Cause					
	Ana Maria Ravines de Schur v. Easter Seals-Goodwill Northern Rocky Mountain, Inc.	15	ОСАНО	1388c	2021
	United States v. Facebook, Inc.	14	ОСАНО	1386a	2021
		14	ОСАНО	1386d	2021
		14	ОСАНО	1386c	2021
Defective Service of Complaint May Be A Factor In	Good Cause Finding Porfirio Sperandio	15	ОСАНО	1400	2021
Definition					
	Dave O'Brian Tingling v. City of Richmond, VA United States v. AMA Repiping, LLC		ОСАНО ОСАНО		2021 2021

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1993

GOOD CAUSE

Generally

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Considered in Good Cause Analysis					
	A.S. v. Amazon Web Services, Inc.	14	ОСАНО	1381k	2021
	United States v. AMA Repiping, LLC	15	ОСАНО	1391	2021
v					
	Kevin Raffay v. Western Digital	10	ОСАНО	1159	2012
	United States v. David Ley Salido d/b/a David Ley Salido Rockwall Subcontractor	1	ОСАНО	81	1989
	United States v. Lee Moyle, Owner d/b/a Moyle Mink Farm	1	ОСАНО	187	1990
	United States v. Michael's Greek Village, Limited and Michael Lotsis, Jointly and Severally	1	ОСАНО	86	1989
	United States v. Nu Line Fashions, Inc.	1	ОСАНО	147	1990
	United States v. Shine Auto Service	1	ОСАНО	94	1989
	United States v. YES Industries d/b/a Soft Touch Carwash	1	ОСАНО	35	1988

United States v. Zeferino Castillo, Individually

14 OCAHO 1386a

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2021

2021

GOOD CAUSE

Party Seeking Protective Order Has Burden of Showing Good Cause

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	Porfirio Sperandio	15	ОСАНО	1400	2021
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	United States v. Treescapes, Inc.	15	ОСАНО	1389	2021
Party Moving for Extension of Time Has Burden of S	howing Good Cause				
	A.S. v. Amazon Web Services, Inc.	14	ОСАНО	1381f	1
	Dave O'Brian Tingling v. City of Richmond, VA	13	ОСАНО	1324c	2021

United States v. Facebook, Inc.

GOOD CAUSE

Party Seeking to File Su	oplemental Response Must	Demonstrate Good Cause

Party Seeking to File Supplemental Response Must D	Demonstrate Good Cause			
	Ravi Sharma v. Lattice Semiconductor	14 ОСАНО	1362	2021
Protective Order(s)				
	United States v. Facebook, Inc.	14 OCAHO	1386a	2021
		14 OCAHO	1386d	2021
Showing of Good Cause Generally Requires Showing	g 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

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	Ana Maria Ravines de Schur v. Easter Seals-Goodwill Northern Rocky Mountain, Inc.	15	ОСАНО	1388c	2021
	United States v. Facebook, Inc.	14	ОСАНО	1386a	2021
		14	ОСАНО	1386d	2021
GOOD CAUSE					
Showing of Good Cause Required for Extension of T	ime				
	A.S. v. Amazon Web Services, Inc.	14	ОСАНО	1381k	2021
		14	ОСАНО	1381f	1
	A.S. v. Amazon WebServices, Inc.	14	ОСАНО	1381i	2021
	Dave O'Brian Tingling v. City of Richmond, VA	13	ОСАНО	1324c	2021
Vague Justification Insufficient to Demonstrate Good	Cause for Protective Order				
	United States v. Facebook, Inc.	14	ОСАНО	1386c	2021

GOOD FAITH

Absence of Bad Faith Does Not Necessarily Show Good Faith

GOOD FAITH	United States v. Visiontron Corp.	13	ОСАНО 1	348	2020
Absence of Good Faith Shown Where Employer Ent	ters False Hire Dates on Multiple 1-9 Forms				
	United States v. Durable, Inc.	11	OCAHO 1	229	2014
Absence of Good Faith Where Employer Fails to As	scertain and Conform Conduct to Legal Obligations				
	United States v. Durable, Inc.	11	OCAHO 1	229	2014
Bad Faith Requires a Showing of Culpable Conduct Beyond Respondent's Verification Failures					
	United States v. Imacuclean Cleaning Services, LLC	13	OCAHO 1	327	2019
	United States v. Integrity Concrete, Inc. and American Concrete, Inc.	13	OCAHO 1	307	2017
	United States v. Visiontron Corp.	13	OCAHO 1	348	2020

GOOD FAITH

Certification(s) Production	United States v. Allen Holdings, Inc.	9 ОСАНО 1059	2000
Culpable Conduct Can Be Shown by Evid	dence that Employer Tried to Mislead Government		
	Margarita Garcia Ocana v. El Dorado Stone, LLC United States v. Liberty Packaging, Inc.	11 OCAHO 1244 11 OCAHO 1245	2015 2015
Deliberate Falsification of Information in	Section 2 of Form I-9 Does Not Indicate Good Faith		
	Margarita Garcia Ocana v. El Dorado Stone, LLC United States v. Liberty Packaging, Inc.	11 OCAHO 1244 11 OCAHO 1245	2015 2015

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

GOOD FAITH

United States v. Imacuclean Cleaning Services, LLC	13	ОСАНО	1327	2019
United States v. Integrity Concrete, Inc. and American Concrete, Inc.	13	ОСАНО	1307	2017
United States v. Visiontron Corp.	13	ОСАНО	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

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	ОСАНО	1387a	2021
GOOD FAITH					
Failure to Use Voluntary E-Verify System Creates N	No Inference of Good or Bad Faith				
	United States v. Integrity Concrete, Inc. and American Concrete, Inc.	13	ОСАНО	1307	2017
Generally					
	United States v. Alberta Sosa, Inc.	6	ОСАНО	831	1996
	United States v. Continental Sports Corporation	5	ОСАНО	799	1995
		5	ОСАНО	799	1995
	United States v. De Luca's Market	8	ОСАНО	1039	1999
	United States v. Fairfield Jersey, Inc.	9	ОСАНО	1072	2001
	United States v. Four Star Knitting, Inc.	6	ОСАНО	868	1996
	United States v. Great Bend Packing Company	6	ОСАНО	835	1996
	United States v. Hudson Delivery Service, Inc. d/b/a Home Delivery Service	7	ОСАНО	945	1997

United States v. Kerry J. Vicker d/b/a SNB Cleaning	5	ОСАНО	819	1995
United States v. LFW Dairy Corporation	10	ОСАНО	1129	2009
United States v. Mark Steven Carter d/b/a Dixie industrial Service Company	6	ОСАНО	865	1996
United States v. Mesabi Bituminous, Inc.	5	ОСАНО	801	1995
United States v. Monroe Novelty Co., Inc. d/b/a Monroe Novelties Corporation	7	ОСАНО	986	1998
United States v. Pegasus Restaurant, Inc.	10	ОСАНО	1143	2012
United States v. Ricardo Calderon, Inc.	6	ОСАНО	832	1996
	6	ОСАНО	832	1996
United States v. Skydive Academy of Hawaii Corporation d/b/a Skydive Hawaii	6	ОСАНО	848	1996
United States v. Sunshine Building Maintenance, Inc.	7	ОСАНО	997	1998
United States v. Tri-Component Product Corporation	6	ОСАНО	853	1996
GOOD FAITH				
Good Faith Affirmative Defense Only Available for Technical/Procedural Violations				
United States v. Employer Solutions Staffing Group II, LLC	11	ОСАНО	1242	2015

12 OCAHO 1275

12 OCAHO 1275

2016

2016

United States v. International Packaging, Inc.

GOOD FAITH

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

United States v. 3679 Commerce Place, Inc.	12	ОСАНО	1296	2017
United States v. Eriksmoen Cottages, Ltd.	14	ОСАНО	1355a	2020
United States v. Executive Cleaning Services of Long Island, Ltd.	13	ОСАНО	1314	2018
United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill	13	ОСАНО	1338	2020
United States v. Imacuclean Cleaning Services, LLC	13	ОСАНО	1327	2019
United States v. Integrity Concrete, Inc. and American Concrete, Inc.	13	ОСАНО	1307	2017
United States v. Intelli Transport Services, Inc.	13	ОСАНО	1319	2019
United States v. Pegasus Family Restaurant, Inc.	12	ОСАНО	1293	2016
United States v. Visiontron Corp.	13	ОСАНО	1348	2020

Good Faith Factor Focuses on Compliance With Section 1324a Obligations

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

GOOD FAITH

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	
High Compliance Rate May Be Evidence of Good F	aith (aith			
	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	

GOOD FAITH

No Error in Finding	That Pre-signing I-9 Forms in Batches Is Not Consistent with Good Faith

No Error in Finding That Pre-signing I-9 Forms in Ba	atches Is Not Consistent with Good Faith		
	United States v. M & D Masonry	10 OCAHO 1215	2014
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	United States v. Pegasus Family Restaurant, Inc.	12 OCAHO 1293	2016
	United States v. Psychosomatic Fitness LLC	14 OCAHO 1387	a 2021
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	ОСАНО	1355	2020
United States v. International Packaging, Inc.	12	ОСАНО	1275	2016
	12	ОСАНО	1275	2016

GOOD FAITH DEFENSE

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
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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

GOOD FAITH DEFENSE	United States v. Lazy Days South, Inc.	13 ОСАНО	1322	2020
Good Faith Defense at 8 U.S.C. 1324a(b)(6)(A) On	ly 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 At 8 U.S.C.1324a(a)(3) Applie	s Only to Knowing Hire Violations			
	United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12 OCAHO	1276	2016

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10 OCAHO 1177

3 OCAHO 473

OCAHO 1008

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1998

2013

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GOOD FAITH DEFENSE

Good Faith Defense Does Not Apply to Substantive Violations

	United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12	ОСАНО	1276	2016
	United States v. International Packaging, Inc.	12	ОСАНО	1275	2016
		12	ОСАНО	1275	2016
	United States v. PM Packaging, Inc., and PM Corporate Group, Inc., d/b/a PM Packaging	11	ОСАНО	1253	2015
HEARING(S)					
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	Adolfo Cruz Deguzman v. First America Bank Corporation	3	ОСАНО	585	1993

Troncoso v. Ferlin Service Industries

United States v. Mitchell Greif, President, Coast Poly, LLC

United States v. Mojave, Inc. d/b/a Casa Jose Café, a Texas Corporation

United States v. Jonel, Inc.

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	Hernandez v. Farley Candy Company	5	OCAHO 781	1995
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Evidence				
Evidence	Juan Manuel Alamprese v. MNSH, Inc.	9	ОСАНО 1094	2003
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Abdul Hamid Kadir v. Regal Dental Ceramics

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Ironsi C. Ndusorouwa v. Prepared Foods, Inc.	1	ОСАНО	192	1990
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A.S. v. Amazon Web Services, Inc.	14	ОСАНО	1381c	2021

9 OCAHO 1094

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	TOTICAL INDEA			11/10/2	021
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	A.S. v. Amazon Web Services, Inc.	14	ОСАНО	1381c	2021
	United States v. Rosario Strano and Vito Strano d/b/a Strano Farms	4	ОСАНО	623	1994
HEARING(S)					
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Permissive Joinder					
	Linda S. Walker v. United Airlines, Inc.	4	ОСАНО	686	1994
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Juan Manuel Alamprese v. MNSH, Inc.

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	Alberto Izquierdo v. Victoria Nursing & Rehabilitation Center	10	ОСАНО	1131	2009
	Michael K. Lee v. Airtouch Communications	6	ОСАНО	888	1996
Request for a Hearing					
	United States v. Esther Flores-Martinez	4	ОСАНО	647	1994
		4	ОСАНО	698	1994
	United States v. Kanon Associated Services, Inc.	5	ОСАНО	800	1995
	United States v. R&M Fashion, Inc.	6	ОСАНО	826	1995
Waiver of Evidentiary Hearing					

Ironsi C. Ndusorouwa v. Prepared Foods, Inc.

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	United States v. Marcos Iniguez-Casillas	8	ОСАНО	1001	1998
HEARSAY EVIDENCE					
Generally					
	United States v. David Jenkins	5	ОСАНО	743	1995
	United States v. Mohammed Noorealam	5	ОСАНО	753	1995
	United States v. Sunshine Building Maintenance, Inc.	7	ОСАНО	997	1998
Hearsay Is Freely Admissible in Administrative Proc	eeding if Probative and Reliable				
	United States v. Jalisco's Bar and Grill, Inc.	11	ОСАНО	1224	2014
	United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12	ОСАНО	1286	2016
Summary Decision					
	Celia Simon v. Ingram Micro, Inc.	9	ОСАНО	1088	2003

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	United States v. China Wok Restaurant, Inc., a Nebraska Corporation	4	ОСАНО	608	1994
	United States v. Snack Attack Deli, Inc.	10	ОСАНО	1137	2010
HIRE					
Definition					
	Sanchez v. Leobardo and Carmen Ocanas d/b/a Leo Ocanas Farm	9	ОСАНО	1115	2005
	United States v. David Jenkins	4	ОСАНО	649	1994
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	Bunn v. USX/US Steel	7	OCAHO 985	1998
	Christopher Winkler v. West Capital Financial Services	7	OCAHO 928	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

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	7	OCAHO S	925	1997
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4 OCAHO 612

9 OCAHO 1085

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Elizabeth S. Mengarpuan v. Asbury Methodist Village

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The Issue of Subject Matter Jurisdiction May Be Raised at Any Time

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Donna Yvette Miller v. United States Postal Service, Greater South Carolina District Office	12	ОСАНО	1284	2016
Jayaben Patel v. USCIS Boston	14	ОСАНО	1353	2020
	14	ОСАНО	1353a	2020
Leola Branch v. Duong Schumacher	14	ОСАНО	1358	2020
Robert Heath v. F18 Consulting and an Anonymous Employer	14	ОСАНО	1365	2020
Robert Heath v. VBeyond Corporation and an Anonymous Employer	14	ОСАНО	1368	2020
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Sanchez v. Leobardo and Carmen Ocanas d/b/a Leo Ocanas Farm	9	ОСАНО	1115	2005
United States v. Auburn University	4	ОСАНО	617	1994
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JURISDICTION

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Jixian Pan v. Christian Engineering Company d/b/a Jude Engineering	4	ОСАНО	648	1994
Joan A. Lardy v. United Airlines, Inc.	4	ОСАНО	595	1994
Julian Sahagun v. Bend-Pack, Inc.	5	ОСАНО	809	1995
Leonid Naginsky v. Department of Defense and EG&G Dynatrend	5	ОСАНО	726	1995
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	6	ОСАНО	838	1996
United States v. Workrite Uniform Company, Inc.	5	ОСАНО	736	1995
Wartan Bozoghlanian v. Raytheon Company, Electromagnetic Systems Division	4	ОСАНО	660	1994

Under Section 1324b, Complainant Must Allege An Unfair Immigration-Related Employment Practice

	Aurelio Galindo v. Smithfield Foods & Yuma County	14	ОСАНО	1369	2020
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	Gloria Ondina-Mendez v. Sugar Creek Packing Company	9	ОСАНО	1085	2002
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	United States v. Hardeep Singh	3	ОСАНО	520	1993
	United States v. Leonor Yolanda Ortiz	6	ОСАНО	905	1996
	United States v. Maria Sourovova	8	ОСАНО	1020	1998
	United States v. Marisol Chavez-Ramirez	5	ОСАНО	774	1995
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	United States v. Aid Maintenance Company, Inc.	8	ОСАНО	1023	1999
	United States v. Jonel, Inc.	8	ОСАНО	1008	1998
	United States v. Mark Steven Carter d/b/a Dixie Industrial Service Company	7	ОСАНО	931	1997
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	United States v. Muniz Concrete & Contracting, Inc.	12	ОСАНО	12/8	2016
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	United States v. Valencia Bar & Liquors, Inc.	7	ОСАНО	995	1998
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	United States v. Sunshine Building Maintenance, Inc.	7	OCAHO 997	1998
	United States v. Yin Tien Chen, Individually and Winning Orchards, LLC	9	OCAHO 1092	2003
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	United States v. Alberta Sosa, Inc.	6	OCAHO 831	1996
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inc. United States v. Ricardo Calderon, Inc.	6	ОСАНО	832	1996
	6	ОСАНО	832	1996
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	United States v. American McNair, Inc.	1	OCAHO 285	1991
	United States v. American Terrazzo Corporation d/b/a John Delallo Foods	6	OCAHO 828	1995
		6	OCAHO 828	1995
	United States v. Basim Aziz Hanna d/b/a Ferris & Ferris Pizza	1	OCAHO 200	1990
	United States v. C&D Plastics, Inc.	1	OCAHO 240	1990
	United States v. Cafe Camino Real, Inc.	2	OCAHO 307	1991

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United States v. Local Building & Remodeling of International Falls	3	ОСАНО	567	1993
United States v. Mark Steven Carter d/b/a Dixie Industrial Service Company	7	ОСАНО	931	1997
United States v. Mester Manufacturing Company	1	ОСАНО	18	1988
United States v. New El Rey Sausage Company	1	ОСАНО	66	1989
United States v. Noel Plastering & Stucco, Inc.	3	ОСАНО	427	1992
	2	ОСАНО	377	1991
United States v. Oscar Chacon, Sr.	3	ОСАНО	578	1993
United States v. PPJV, Inc. d/b/a Publishers Press	2	ОСАНО	337	1991
United States v. Randall Kurzon, Individually and Alonza Restaurant Ventures,	3	ОСАНО	583	1993
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Degree of Culpability for Constructive Knowledge	Requires More Than Mere Negligence				
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KNOWLEDGE					
Employer Chargeable With Such Knowledge As Re	asonable Inquiry Would Have Revealed				
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United States v. Furr's/Bishop's Cafeterias d/b/a Furr's Cafeterias	2	OCAHO 330	1991
	2	OCAHO 330	1991
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United States v. China Wok Restaurant, Inc., a Nebraska Corporation	4	OCAHO 608	1994
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KNOWLEDGE

Imputed Knowledge

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	United States v. Oscar Chacon, Sr.	3	ОСАНО	578	1993
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KNOWLEDGE					
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	United States v. Haim Co., Inc.	7	OCAHO 988	1998
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U.S. Worker Cannot Be Rejected Based on Criteria				
	United States v. Jerry Estopy and Manuel Bortoni, d/b/a Estopy Farms	11	OCAHO 1252	2015
U.S. Worker Must Be Considered Qualified If Minir	num Requirements of Job Order Are Met			
	United States v. Jerry Estopy and Manuel Bortoni, d/b/a Estopy Farms	11	OCAHO 1256	2015
		11	OCAHO 1252	2015

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4 OCAHO 594

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United States v. Diversified Technology and Services of Virginia, Inc.	9	ОСАНО	1095	2003
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Courts Can Look to the Location of Information	Within a Statute to Determine Legislative Intent

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Limitations on OCAHO's Jurisdiction Under 8 U.S.C. Section 1324b

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LIABILITY

Absent Extension of Time, Employer Cannot Avoid Liability by Submitting I-9s Later in Process

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Jenlih John Hsieh v. PMC - Sierra, Inc. 9 OCAHO 1100 2003

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	United States v. Fairfield Jersey, Inc.	9	ОСАНО	1069	2001
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	United States v. Rupson of Hyde Park, Inc. d/b/a Super 8 Motel, Hyde Park	7	ОСАНО	940	1997
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Employers Are Routinel	y Held Liable for Acts of the Authorized Agents

Employers Are Routinery field Liable for Acts of the	Authorized Agents				
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	United States v. Continental Sports Corporation	5	ОСАНО	780	1995
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	United States v. Spring & Soon Fashion, Inc.	7	ОСАНО	982	1997
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United States v. Auburn University	4	ОСАНО	617	1994

MEMORANDUM OF UNDERSTANDING

Equal Employment Opportunity Commission

(MOU)

MEMORANDUM OF UNDERSTANDING (MOU)

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ALJ is Not Required to Specify Exactly How Much Overall Penalty Was Reduced for Each Factor

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	United States v. Louis Padnos Iron & Metal Co., a Corporation	3	OCAHO 414	1992
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	United States v. Monfort, Inc.	4	ОСАНО 597	1994
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Timeliness

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

charge requirement is intended to 1 at reopondent o	Charge respondent is intended to 1 at respondent on reduce and 110 vide opportunity for constitution						
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	11	ОСАНО	1247	2015
United States v. Imacuclean Cleaning Services, LLC	13	ОСАНО	1327	2019

United States v. Pegasus Family Restaurant, Inc.	12 OCAHO 1293	2016
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PAPERWORK REQUIREMENT (S)/VIOLATION(S)

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	ОСАНО	1258	2015
United States v. Ideal Transportation Co., Inc.	12	ОСАНО	1290	2016
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

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	United States v. Durable, Inc.	11	ОСАНО	1231	2014		
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	United States v. Horno MSJ, Ltd., Company	11	ОСАНО	1247	2015		
		11	ОСАНО	1247	2015		
PAPERWORK REQUIREMENT (S)/VIOLATION(S)							
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	United States v. Crescent City Meat Company, Inc.	11	ОСАНО	1223	2014		
	United States v. Super 8 Motel & Villella Italian Restaurant	10	ОСАНО	1191	2013		
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	United States v. Golden Employment Group, Inc.	12	ОСАНО	1274	2016		

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Siam Thai Sushi Restaurant, d/b/a Four Siamese Company, Inc.	10	ОСАНО	1174	2013
United States v. Anodizing Industries, Inc.	10	ОСАНО	1184	2013
United States v. Modern Disposal Incorporated	10	ОСАНО	1175	2013
United States v. Mr. Mike's Pizza, Inc.	10	ОСАНО	1196	2013
United States v. New Star at Niagara Fall, Inc., d/b/a New Star Buffet	10	ОСАНО	1192	2013
United States v. Pharaoh's Gentleman's Club, Inc.	10	ОСАНО	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	ОСАНО	1258	2015
United States v. Imacuclean Cleaning Services, LLC	13	ОСАНО	1327	2019
United States v. Intelli Transport Services, Inc.	13	ОСАНО	1319	2019
United States v. Kenneth McPeek Racing Stables, Inc.	11	ОСАНО	1249	2015
United States v. Mr. Mike's Pizza, Inc.	10	ОСАНО	1196	2013
United States v. Niche, Inc.	11	ОСАНО	1250	2015
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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		OCAHO 1		2016
	United States v. Executive Cleaning Services of Long Island, Ltd.	13 (OCAHO 1	314	2018
	United States v. Pegasus Family Restaurant, Inc.	12 (OCAHO 1	293	2016
Failure to Ensure Employee Enters Alien Number in	a Section 1 Constitutes Serious Violation				
	United States v. Hartmann Studios, Inc.	11 (OCAHO 1	255	2015
	United States v. Horno MSJ, Ltd., Company	11 (OCAHO 1	247	2015
		11 (OCAHO 1	247	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.

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	United States v. Golf International d/b/a Desert Canyon Golf	10	ОСАНО	1214	2014
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	ОСАНО	1228	2014
Failure to Identify Issuing Authority In Form I-9 Sec	ction 2 Is A Serious Violation				

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

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Failure to Prepare

ranue to rrepare					
	United States v. DJ Drywall, Inc.	10	ОСАНО	1136	2010
	United States v. LFW Dairy Corporation	10	ОСАНО	1129	2009
Failure to Prepare Form I-9 Among Most Serious Pa	perwork Violations				
	United States v. Clean Sweep Janitor Service	11	ОСАНО	1226	2014
	United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12	ОСАНО	1281	2016
	United States v. Golden Employment Group, Inc.	12	ОСАНО	1277	2016
	United States v. Golf International d/b/a Desert Canyon Golf	11	ОСАНО	1222	2014
	United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167)	11	ОСАНО	1258	2015
	United States v. Homestead Metal Recycling Corp.	11	ОСАНО	1251	2015
	United States v. Horno MSJ, Ltd., Company	11	ОСАНО	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

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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	ОСАНО	1258	2015
United States v. Integrity Concrete, Inc. and American Concrete, Inc.	13	ОСАНО	1307	2017
United States v. Keegan Varitey, LLC	11	ОСАНО	1238	2014
United States v. Psychosomatic Fitness LLC	14	ОСАНО	1387a	2021

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Failure to Prepare Forms I-9

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United States v. R2M2 Rebar & Stressing, Inc.	14	ОСАНО	1357	2020
Failure to Prepare I-9 Among Most Serious Paperwork Violations				
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United States v. Mott Thoroughbred Stables, Inc.	11	ОСАНО	1233	2014
United States v. Niche, Inc.	11	ОСАНО	1250	2015
United States v. PM Packaging, Inc., and PM Corporate Group, Inc., d/b/a PM Packaging	11	ОСАНО	1253	2015
United States v. Solutions Group International, LLC	12	ОСАНО	1288	2016
United States v. Speedy Gonzalez Construction, Inc.	11	ОСАНО	1243	2015

Failure to Prepare I-9 More Serious Than Paperwork Violations

PAPERWORK REQUIREMENT (S)/VIOLATION(S)	United States v. Psychosomatic Fitness LLC	14	ОСАНО	1387a	2021
Failure to Present a Form I-9 Is A Substantive Viola	tion				
	United States v. Eriksmoen Cottages, Ltd.	14	ОСАНО	1355	2020
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	United States v. A&J Kyoto Japanese Restaurant, Inc.	10	ОСАНО	1186	2013
	United States v. Eriksmoen Cottages, Ltd.	14	ОСАНО	1355	2020
	United States v. Golden Employment Group, Inc.	12	ОСАНО	1274	2016
	United States v. The Red Coach Restaurant, Inc.	10	ОСАНО	1195	2013

Failure to Present Timely Prepared I-9 Forms is a Serious Violation

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	United States v. Kenneth McPeek Racing Stables, Inc.	11	OCAHO 1249		2015
	United States v. Liberty Packaging, Inc.	11	OCAHO 1245		2015
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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	осано 1301		2017
	United States v. Imacuclean Cleaning Services, LLC	13	ОСАНО 1327		2019
Failure to Properly Complete Employer Verification	n in Section 2 Constitutes Substantive Violation				
	United States v. Golf International d/b/a Desert Canyon Golf	10	ОСАНО 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

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11	ОСАНО	1247	2015
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PAPERWORK REQUIREMENT (S)/VIOLATION(S)

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	ОСАНО	1222	2014
United States v. Kenneth McPeek Racing Stables, Inc.	11	ОСАНО	1249	2015

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

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Failure to Reverify Employment Authorization Doc	ument Before Expiration Date Constitutes Violation				
	United States v. Eriksmoen Cottages, Ltd.	14	ОСАНО	1355	2020
	United States v. Hartmann Studios, Inc.	11	ОСАНО	1255	2015
Failure to Timely Prepare Form I-9 Is A Serious Vio	plation				
	United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12	ОСАНО	1276	2016
	United States v. Hair U Wear, LLC	11	ОСАНО	1268	2016
	United States v. Homestead Metal Recycling Corp.	11	ОСАНО	1251	2015

United States v. Visiontron Corp.

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2009

Failure to Timely Prepare Form I-9 is Both Substantive and Serious Violation

Failure to Timely Prepare Form I-9 is Both Substanti	ve and Serious Violation				
	United States v. Dr. Robert Schaus, D.D.S.	11	ОСАНО	1239	2014
	United States v. Kobe Sakura Japanese, Inc.	10	ОСАНО	1205	2013
	United States v. Kobe Sapporo Japanese, Inc.	10	ОСАНО	1204	2013
	United States v. Platinum Builders of Central Florida, Inc.	10	ОСАНО	1199	2013
	United States v. Red Bowl of Cary, LLC, Inc. d/b/a Red Bowl Asian Bistro	10	ОСАНО	1206	2013
	United States v. Two For Seven, LLC d/b/a Black & Blue Restaurant	10	ОСАНО	1208	2014
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Failure to Timely Submit Forms I-9 to ICE Cannot be	e Corrected Through Good Faith Exception				
	United States v. Eriksmoen Cottages, Ltd.	14	ОСАНО	1355	2020
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	United States v. DJ Drywall, Inc.	10	ОСАНО	1136	2010

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Form I-9 Section 2 Is the Heart of the Employment Eligibil	lity Verification Process				
Mar	rgarita Garcia Ocana v. El Dorado Stone, LLC 11	ОСАНО	1244	2015	
Unit	ted States v. Cawoods Produce, Inc. 12	ОСАНО	1280	2016	
Unit	ted States v. Liberty Packaging, Inc.	ОСАНО	1245	2015	
Form I-9 Timely Prepared If Section 1 Completed at Hire a	and Section 2 Within Three Days of Hire				
Unit	ted States v. Intelli Transport Services, Inc. 13	ОСАНО	1319	2019	
Unit	ted States v. St. Croix Personnel Services, Inc.	ОСАНО	1289	2016	
Forms I-9 May Be So Deficient That Violations Are Tantar	- -	ОСАНО	1290	2016	
Unii	ted States v. Cawoods Produce, Inc. 12	ОСАНО	1280	2016	

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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
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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
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United States v. Cafe Camino Real, Inc.	2	OCAHO 307	1991
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United States v. Christie Automotive Products	2	ОСАНО	361	1991
United States v. Collins Food International, Inc. d/b/a Sizzler Restaurant	1	ОСАНО	67	1989
United States v. Curran Engineering Company, Inc.	7	ОСАНО	975	1997
United States v. David Day d/b/a David Day Masonry	3	ОСАНО	575	1993
United States v. Diamond Construction, Inc.	3	ОСАНО	456	1992
United States v. DJ Drywall, Inc.	10	ОСАНО	1136	2010
United States v. Dubois Farms, Inc.	2	ОСАНО	376	1991
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United States v. Eagles Groups, Inc. d/b/a Golden Eagle Services	2	ОСАНО	342	1991
United States v. Ebrahim Banafsheha	3	ОСАНО	525	1993
	3	ОСАНО	525	1993
	3	ОСАНО	525	1993
	3	ОСАНО	525	1993
United States v. Ed Valencia & Sons, Inc. d/b/a Valladares	2	ОСАНО	316	1992
United States v. Eduardo Gutierrez, Individually and d/b/a Diamond Tires and Wheels	3	ОСАНО	554	1993
nneels	3	ОСАНО	554	1993

United States v. Eduardo Gutierrez, Individually and d/b/a Diamond Tires and Wheels	3	ОСАНО	554	1993
	3	ОСАНО	554	1993
United States v. Elder Jerez d/b/a Green Scaping	3	ОСАНО	420	1992
United States v. Felipe, Inc.	1	ОСАНО	93	1989
United States v. Four Seasons Earthworks, Inc.	10	ОСАНО	1150	2012
United States v. Gerald Hollendorfer	1	ОСАНО	175	1990
United States v. Giamblis Enterprises	5	ОСАНО	817	1995
United States v. Giannini Landscaping, Inc.	3	ОСАНО	573	1993
United States v. Goldenfield Corporation d/b/a Rodeway Inn	2	ОСАНО	321	1991
United States v. Hilario Rodriguez, Jr.	1	ОСАНО	276	1990
United States v. Honeybake Farms, Inc.	2	ОСАНО	311	1991
United States v. Interdynamics, Inc.	3	ОСАНО	433	1992
United States v. James Q. Carlson d/b/a Jimmy On The Spot	1	ОСАНО	260	1990
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United States v. Lorenzo Robles d/b/a Lorenzo Robles Roofing and Construction	2	ОСАНО	309	1991
United States v. M.T.S. Service Corporation d/b/a Maggie's Catering Mexico Tipico Restaurant	3	ОСАНО	448	1992
United States v. Manos & Associates, Inc. d/b/a The Bread Basket Restaurant	1	ОСАНО	130	1989
United States v. Mario Saikhon, Inc.	1	ОСАНО	279	1990
United States v. Mark Steven Carter d/b/a Dixie Industrial Service Company	7	ОСАНО	931	1997
United States v. Min Goldblatt & Sons, Inc. t/a Richfield Caterers	1	ОСАНО	154	1990
United States v. Minaco Fashions, Inc.	3	ОСАНО	587	1993
United States v. Nevada Lifestyles, Inc. d/b/a Commercial Drapery Cleaners	3	ОСАНО	518	1993
United States v. New China Buffet Restaurant	10	ОСАНО	1133	2010
United States v. Noel Plastering & Stucco, Inc.	3	ОСАНО	427	1992
United States v. Oscar Chacon, Sr.	3	ОСАНО	578	1993
United States v. Penrod National Enterprises, Inc. d/b/a Floral Bionomics Landscape Management	3	ОСАНО	541	1993
United States v. PPJV, Inc. d/b/a Publishers Press	2	ОСАНО	354	1991
	2	ОСАНО	337	1991

United States v. Ricky Catalano d/b/a Papa Joe's Pizza	7	ОСАНО	974	1997
United States v. Robert Marnul d/b/a Lamont Street Grill	3	ОСАНО	441	1992
United States v. Robert Watson d/b/a North State Tile Company	1	ОСАНО	253	1990
United States v. Ronning Landscaping, Inc.	10	ОСАНО	1149	2012
United States v. Rosario Strano d/b/a Strano Farms	3	ОСАНО	492	1993
United States v. SDI Industries, Inc.	3	ОСАНО	465	1992
United States v. Silver Cloud Investments, Inc. d/b/a Silver Clouds Restaurant	3	ОСАНО	509	1993
United States v. Skydive Academy of Hawaii Corporation d/b/a Skydive Hawaii	6	ОСАНО	848	1996
United States v. South Masonry Fencing Company	1	ОСАНО	4	1988
United States v. Task Force Security, Inc. d/b/a Task Force Security and Investigations	3	ОСАНО	563	1993
Investigations	3	ОСАНО	533	1993
United States v. Tom & Yu, Inc. t/a Peking Garden Restaurant	3	ОСАНО	412	1993
United States v. Tuttle's Design Build, Inc.	3	ОСАНО	422	1992
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United States v. USA Café	1	ОСАНО	42	1989
United States v. William and Maria Sievert	1	ОСАНО	294	1991
United States v. Wood 'N Stuff	3	ОСАНО	574	1993

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(5), (101/1101/(5)		
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		9 OCAHO 1062 2000
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United States v. Two For Seven, LLC d/b/a Black & Blue Restaurant	10	ОСАНО	1208	2014

I-9s To Be Examined Are Those Presented in Response to NOI, Not I-9s Produced Thereafter

PAPERWORK REQUIREMENT

I-9 Retention Requirement for Former Employees

(S)/VIOLATION(S)

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U	United States v. LFW Dairy Corporation	10	ОСАНО	1129	2009
U	United States v. Onion River Sports, Inc.	4	ОСАНО	673	1994
Impossibility Not Available As Defense When Destruct	ion of I-9s Is Due To Employer's Own Actions				
U	United States v. Ideal Transportation Co., Inc.	12	ОСАНО	1290	2016
U	United States v. SKZ Harvesting, Inc.	11	ОСАНО	1266	2016

Lack of Issuing Authority for a Driver's License in Section 2 is a Substantive Violation

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	United States v. Exim, Inc. and Jaime Monardes, Individually	4	ОСАНО	604	1994
	United States v. Intelli Transport Services, Inc.	13	ОСАНО	1319	2019
	United States v. LFW Dairy Corporation	10	ОСАНО	1129	2009
	United States v. March Construction, Inc.	10	ОСАНО	1158	2012
	United States v. New China Buffet Restaurant	10	ОСАНО	1133	2010
	United States v. Onion River Sports, Inc.	4	ОСАНО	673	1994
	United States v. Skydive Academy of Hawaii Corporation d/b/a Skydive Hawaii	6	ОСАНО	848	1996
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	6	ОСАНО	832	1996
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	United States v. Visiontron Corp.	13 OCAHO 1348	2020			
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	United States v. Golf International d/b/a Desert Canyon Golf	10 OCAHO 1214	2014			
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	1 0 1 1 0 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1			
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	United States v. Chen Wilmington, Inc.	11	OCAHO 1241	2015
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	United States v. Farias Enterprises LLC d/b/a Barajas Mexican Grill	13	ОСАНО 1338	2020
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	United States v. Employer Solutions Staffing Group II, LLC	11	ОСАНО	1242	2015
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ALJ has Discretion to Adopt ICE's Proposed Penalty Where it is Proportionate and Suitable		
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ALJ Can Consider Public Policy of Leniency to Sm	ALJ Can Consider Public Policy of Leniency to Small Entities						

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United States v. Cawoods Produce, Inc.

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United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12	ОСАНО	1276	2016
United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167)	11	ОСАНО	1258	2015
United States v. Ideal Transportation Co., Inc.	12	ОСАНО	1290	2016
United States v. Muniz Concrete & Contracting, Inc.	12	ОСАНО	1278	2016
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United States v. Pegasus Family Restaurant, Inc.	12	ОСАНО	1293	2016
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SIZE OF BUSINESS

Business Size Is Determined Based on Size At Time of ALJ Adjudication and Penalty Assessment

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Uni	ited States v. Muniz Concrete & Contracting, Inc.	12 (ОСАНО	1278	2016	
Uni	ited States v. St. Croix Personnel Services, Inc.	12 (ОСАНО	1289	2016	
Small Size of Business Only Considered as a Statutory Factor, Not as a Non-Statutory Factor						
Uni	ited States v. Psychosomatic Fitness LLC	14 (ОСАНО	1387a	2021	

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A State Does Not Waive Sovereign Immunity in All Cases When It Accepts Federal Funds

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Attorney Fees	United States v. Workrite Uniform Company, Inc.	5	ОСАНО	755	1995		
	United States v. Zabala Vineyards	6	ОСАНО		1996		
		6	ОСАНО	844	1996		
Component of U.S. Department of Defense is Immune From Suit Before OCAHO							
	Washington Younggil Kim Jung Windsor	12	ОСАНО	1294	2016		

SOVEREIGN IMMUNITY	Washington Younggil Kim v. Randall T. Getz, Sergeant, Flushing Recruiting Center	12	ОСАНО	1279	2016				
Congress Did Not Abrogate State Sovereign Immunity When It Enacted Section 1324b									
	Chiaha Ugochi v. North Dakota Department of Human Services	12	ОСАНО	1304	2017				
	MD Shakhawat Hossain v. Job Service North Dakota	14	ОСАНО	1352	2020				
	Victor Guerrero v. California Department of Corrections and Rehabilitation	11	ОСАНО	1264	2015				
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	Howard Eugene McNier v. Arthur Wallace in his capacity as Dean, College of Business, San Francisco State University, et al	9	ОСАНО	1074	2001				
	Howard Eugene McNier v. San Francisco State University College of Business	8	ОСАНО	1030	1999				
	Jamal Y. Elhaj-Chehade v. University of Texas Southwestern Medical School	8	ОСАНО	1022	1999				
	Massala Prince Reffell v. Prairie View A&M University	9	ОСАНО	1057	2000				

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MD Shakhawat Hossain v. Job Service North Dakota	14	ОСАНО	1352	2020		
Michael C. Smiley v. City of Philadelphia Department of Licenses & Inspection	7	ОСАНО	925	1997		
	7	ОСАНО	925	1997		
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	Washington Younggil Kim Jung Windsor	12	ОСАНО	1294	2016			
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	Qais Ibrahim Alhameed v. Grand Traverse Resort and Casinos	10	ОСАНО	1126	2008			
	Robert Anthony Chung v. Federal Bureau of Prisons, FCI Greenville	6	ОСАНО	881	1996			
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Respondent Seeking Immunity Under the Eleventh Amendment Must Prove That It Is a State Entity								
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Section 1324b Does Not Contain an Express Waiver of Sovereign Immunity

Donna Yvette Miller v. United States Postal Service, Greater South Carolina District Office	12 OCAHO 1284	2016
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State Agency May Waive Affirmative Defense of Sovereign Immunity by Failing to Timely Assert It

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

State Must Timely Object to the Forum or Be Deemed to Have Waived Its Objection

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

State's Own Conduct in the Course of Litigation May Operate to Waive Its Sovereign Immunity

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	Donna Yvette Miller v. United States Postal Service, Greater South Carolina District Office	12	ОСАНО	1284	2016	
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	Ping Ruan v. United States Navy	8	ОСАНО	1046	2000	
	Qais Ibrahim Alhameed v. Grand Traverse Resort and Casinos	10	ОСАНО	1126	2008	
	Washington Younggil Kim Jung Windsor	12	ОСАНО	1294	2016	
	Washington Younggil Kim v. Randall T. Getz, Sergeant, Flushing Recruiting Center	12	ОСАНО	1279	2016	
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Summary Decision Appropriate Where Party is Entitled and Shows No Genuine Issue of Material Fact

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