

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

May 17, 2023

UNITED STATES OF AMERICA,	)	
	)	
Complainant,	)	
	)	8 U.S.C. § 1324a Proceeding
	)	
v.	)	OCAHO Case No. 2020A00002
	)	
EL CAMINO, LLC,	)	
	)	
Respondent.	)	
_____	)	

Appearances: Graciela Jiron, Esq., for Complainant<sup>1</sup>  
David L. Dotson, Esq., for Respondent

ORDER ON COMPLAINANT’S MOTION TO EXTEND SUPPLEMENTAL BRIEFING AND  
UPDATED FINANCIAL INFORMATION DEADLINES

This case arises under the employer sanctions provisions of the Immigration and Nationality Act (INA), as amended by the Immigration Reform and Control Act of 1986, 8 U.S.C. § 1324a. Complainant, the Department of Homeland Security, Immigration and Customs Enforcement, file a Complaint against Respondent, El Camino, LLC on October 9, 2019, alleging two counts of violations of the Immigration and Nationality Act (INA) § 274A(a)(1)(B).

On March 15, 2023, the Court issued an order granting in part and denying in part Complainant’s Motion for Summary Decision. *See United States v. El Camino, LLC*, 18 OCAHO no. 1479

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<sup>1</sup> Although Attorney Hazel L. Gauthier filed and signed the present motion, only Attorney Graciela Jiron entered her appearance in this matter by filing the Complaint. *See* 28 C.F.R. § 68.33(f). The Court exercises its discretion to accept this filing but directs Attorney Gauthier to file a notice of appearance or other appropriate motion for clarity of the record.

(2023).<sup>2</sup> The Court ordered the parties to file a joint submission regarding attempts to resolve the remaining violations and any supplemental briefing related to the violations and updated financial information relating to penalties by May 14, 2023, with replies due thirty days after submission of the briefs and updated financial information. *Id.* at 15.

On May 15, 2023, Complainant filed a Motion to Extend Supplemental Briefing and Updated Financial Information Deadlines. Complainant asserts that the parties are “in the process of attempting to resolve the matter and negotiate a settlement agreement,” but need “more time to finalize and prepare a joint notice of settlement and request for dismissal.” Mot. Extend Deadlines 1. Complainant requests a 30-day extension of the deadline for supplemental briefing and updated financial information, attaching email correspondence with Respondent demonstrating its consent. *Id.* at 2.

“OCAHO rules do not provide specific standards for granting extensions, but the standard routinely applied is good cause.” *Tingling v. City of Richmond*, 13 OCAHO no. 1324c, 2 (2021) (citations omitted). Good cause requires “a demonstration of good faith on the part of the party seeking an enlargement of time and some reasonable basis for noncompliance with the time specified in the rule.” *Id.* (citations omitted).

The Court finds that Complainant has demonstrated good cause for an extension of the deadline for supplemental briefing and updated financial information, as counsel are currently in settlement negotiations. Accordingly, the Court will GRANT the parties an extension of time to file a joint submission regarding attempts to resolve the remaining violations, any supplemental briefing related to the violations, and updated financial information relating to penalties. The parties should submit these supplemental filings within 30 days of this order. Replies are due 30 days after submission of the briefs and updated financial information.

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<sup>2</sup> Citations to OCAHO precedents reprinted in bound Volumes 1 through 8 reflect the volume number and the case number of the particular decision, followed by the specific page in that volume where the decision begins; the pinpoint citations which follow are thus to the pages, seriatim, of the specific entire volume. Pinpoint citations to OCAHO precedents subsequent to Volume 8, where the decision has not yet reprinted in a bound volume, are to pages within the original issuances; the beginning page number of an unbound case will always be 1, and is accordingly omitted from the citation. Published decisions may be accessed in the Westlaw database “FIM-OCAHO,” or in the LexisNexis database “OCAHO,” or on the website at <http://www.justice.gov/eoir/OcahoMain/ocahosibpage.htm#PubDecOrders>.

SO ORDERED.

Dated and entered on May 17, 2023.

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Honorable Jean C. King  
Chief Administrative Law Judge