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Request for Review Filed After Ten-Day Deadline is Untimely Unless Equitable Tolling Applies

United States v. Chen Wilmington, Inc. 11 OCAHO 1241 (2015)

United States v. Horno MSJ, Ltd., Company 11 OCAHO 1247 a (2015)

Request for Review Must Be Timely Filed and Served to Give Opposing Party Time to Respond

United States v. Horno MSJ, Ltd., Company 11 OCAHO 1247 a (2015)

Review Limited to Issues Contained in the Request for Review

United States v. M & D Masonry 10 OCAHO 1215 (2014)
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United States v. Armando Alvarez-Suarez 4 OCAHO 699 (1994)
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United States v. Paula Schwartz d/b/a Metroplex Maid and Placement Service 5 OCAHO 760 (1995)
The CAHO Is Authorized to Apply a De Novo Standard of Review to the ALJ's Decision

United States v. Durable, Inc. 11 OCAHO 1221 (2014)
United States v. Romans Racing Stables, Inc. 11 OCAHO 1230 (2014)
United States v. Vilardo Vineyards 11 OCAHO 1248 (2015)
The CAHO is Authorized to Appy a de novo Standard of Review to the ALJ's Decision

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United States v. Dodge Printing Centers, Inc. 1 OCAHO 181 (1990)
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United States v. New El Rey Sausage Company 1 OCAHO 78 (1989)
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Application For Fees Must Include Time Expended and Rate At Which Fees Were Computed

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

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

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

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United States v. Mester Manufacturing Company	1	OCAHO	18	(1988)
United States v. New El Rey Sausage Company	1	OCAHO	78	(1989)
United States v. The Body Shop	1	OCAHO	149	(1990)
United States v. Walia's, Inc. d/b/a Walia's Restaurant	1	OCAHO	122	(1990)
United States v. Widow Brown's Inn, Inc. t/a Widow Brown's Inn Main & Bushkill Streets	3	OCAHO	399	(1992)
Standard for Issuing a Citation (Reason to believe)				
United States v. New El Rey Sausage Company	1	OCAHO	78	(1989)
United States v. The Body Shop	1	OCAHO	149	(1990)
United States v. Widow Brown's Inn, Inc. t/a Widow Brown's Inn Main & Bushkill Streets	3	OCAHO	399	(1992)
CIVIL MONEY PENALTY				
Ability to Pay is Appropriate Factor to Consider				
United States v. Metropolitan Warehouse, Inc.	10	OCAHO	1207	(2013)
United States v. Mr. Mike's Pizza, Inc.	10	OCAHO	1196	(2013)
United States v. The Red Coach Restaurant, Inc.	10	OCAHO	1200	(2013)
Across-the-Board Enhancement for Presence of Only Some Unauthorized Workers Not Permitted				
United States v. Jalisco's Bar and Grill, Inc.	11	OCAHO	1224	(2014)
United States v. Natural Environmental, Inc.	10	OCAHO	1197	(2013)
Aggravation				
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United States v. Hudson Delivery Service, Inc. d/b/a Home Delivery Service	7	OCAHO	945	(1997)
United States v. Nebeker, Inc.	10	OCAHO	1165	(2013)
United States v. New China Buffet Restaurant	10	OCAHO	1132	(2010)
United States v. Rupson of Hyde Park, Inc. d/b/a Super 8 Motel, Hyde Park	7	OCAHO	958	(1997)
United States v. Snack Attack Deli, Inc.	10	OCAHO	1137	(2010)

United States v. Taste of China 10 OCAHO 1164 (2013)

Government Must Prove Existence of Aggravation Factor by Preponderance of Evidence

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Lack of good faith

Siam Thai Sushi Restaurant, d/b/a Four Siamese Company, Inc. 10 OCAHO 1174 (2013)

Aggravation - Lack of Good Faith

United States v. Modern Disposal Incorporated 10 OCAHO 1175 (2013)

Aggravation Based on Employer's Size of Business

United States v. Modern Disposal Incorporated 10 OCAHO 1175 (2013)

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ALJ Can Consider Public Policy of Leniency to Small Entities

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

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

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

ALJ Not Bound by ICE's Method of Calculating Penalties

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ALJ Not Required to Make Individualized Findings Regarding Each Violation

Ketchikan Drywall Services, Inc. v. Immigration and Customs Enforcement; Office of the Chief Administrative Hearing Officer 10 OCAHO 1201 (2013)
An Employer Demonstrates Bad Faith by Paying Unauthorized Workers in Cash Under the Table

United States v. Symmetric Solutions, Incorporated d/b/a Minerva Indian Cuisine 10 OCAHO 1209 (2014)
Assessment of Penalty Greater Than Requested

United States v. Aid Maintenance Company, Inc. 8 OCAHO 1023 (1999)
Bad Faith Requires a Showing of Culpable Conduct Beyond Respondent's Verification Failures

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United States v. Horno MSJ, Ltd., Company 11 OCAHO 1247 (2015)
United States v. Kobe Sakura Japanese, Inc. 10 OCAHO 1205 (2013)
United States v. Kobe Sapporo Japanese, Inc. 10 OCAHO 1204 (2013)
United States v. Liberty Packaging, Inc. 11 OCAHO 1245 (2015)
United States v. Natural Environmental, Inc. 10 OCAHO 1197 (2013)
United States v. New Star at Niagara Fall, Inc., d/b/a New Star Buffet 10 OCAHO 1192 (2013)
United States v. Pharaoh's Gentleman's Club, Inc. 10 OCAHO 1189 (2013)
United States v. Platinum Builders of Central Florida, Inc. 10 OCAHO 1199 (2013)
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Certain Statutory Factors May Be More Compelling Than Others in the Context of a Specific Case

United States v. Durable, Inc. 11 OCAHO 1221 (2014)
United States v. Romans Racing Stables, Inc. 11 OCAHO 1230 (2014)
Change of Corporate Ownership After a Violation Does Not Affect History of Violations Factor

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

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

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United States v. El Paso Hospitality, Inc. 5 OCAHO 737 (1995)

United States v. Hosung Cleaning Corporation d/b/a Sun Cleaner 4 OCAHO 670 (1994)

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

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

Definition

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

Deliberate Violation of Multiple Laws Governing Employer Conduct Merits Maximum Penalty

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Document Abuse

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Double Jeopardy

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

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

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

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Enhancement Factor Based on Whether Specific Individual was Unauthorized

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

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

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Excessive Money Penalties

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Excessiveness Determined Relative to Characteristics of Offense, Not Offender

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United States v. Rupson of Hyde Park, Inc. d/b/a Super 8 Motel, Hyde Park 7 OCAHO 958 (1997)
United States v. Snack Attack Deli, Inc. 10 OCAHO 1137 (2010)

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

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

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Failure to Prepare I-9 Among Most Serious Paperwork Violations

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

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United States v. Big Bear Market 1 OCAHO 48 (1989)
United States v. Broadcasters Unlimited, Inc. d/b/a KGRE AM Radio 4 OCAHO 719 (1994)
United States v. Buckingham Limited Partnership d/b/a Mr. Wash 1 OCAHO 151 (1990)
United States v. Busy Corner Sportswear, Inc. 3 OCAHO 511 (1993)
United States v. Camidor Properties, Inc. 1 OCAHO 299 (1991)
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United States v. Chef Rayko, Inc. d/b/a Chef Rayko's Cucina Italiana	5	OCAHO	794	(1995)
United States v. Chef Rayko, Inc. d/b/a Chef Rayko's Cucina Italiana	5	OCAHO	803	(1995)
United States v. Chuy's Paint & Body Shop	1	OCAHO	19	(1988)
United States v. Citizen's Utilities Company, Inc., Telephone Division	1	OCAHO	109	(1989)
United States v. Collins Food International, Inc. d/b/a Sizzler Restaurant	1	OCAHO	67	(1989)
United States v. Collins Food International, Inc. d/b/a Sizzler Restaurant	1	OCAHO	123	(1990)
United States v. Continental Sports Corporation	5	OCAHO	799	(1995)
United States v. Cristina Galeas	5	OCAHO	790	(1995)
United States v. Danny Mathis d/b/a Mathis Maspory	5	OCAHO	752	(1995)
United States v. David Day d/b/a David Day Masonry	3	OCAHO	575	(1993)
United States v. Davis Nursery, Inc.	4	OCAHO	694	(1994)
United States v. Diamond Construction, Inc.	3	OCAHO	451	(1992)
United States v. Dodge Printing Centers, Inc.	1	OCAHO	125	(1990)
United States v. Dr. Merrill Cahn, D.P.M.	1	OCAHO	127	(1990)
United States v. Ed Valencia & Sons, Inc. d/b/a Valladares	2	OCAHO	316	(1992)
United States v. El Azteca Dunkirk, Inc.	10	OCAHO	1172	(2013)
United States v. Elder Jerez d/b/a Green Scaping	3	OCAHO	420	(1992)
United States v. Felipe, Inc.	1	OCAHO	93	(1989)
United States v. Felipe, Inc.	1	OCAHO	108	(1989)
United States v. Galilee Fashions, Inc.	4	OCAHO	697	(1994)
United States v. Gerald Hollendorfer	1	OCAHO	175	(1990)
United States v. Giamblis Enterprises	5	OCAHO	817	(1995)
United States v. Gloria Fashions, Inc.	6	OCAHO	887	(1996)
United States v. Guillermo Perales d/b/a Mexican Bakery	2	OCAHO	315	(1991)
United States v. Hardeep Singh	3	OCAHO	520	(1993)
United States v. Honeybake Farms, Inc.	2	OCAHO	311	(1991)
United States v. Hudson Delivery Service, Inc. d/b/a Home Delivery Service	7	OCAHO	945	(1997)
United States v. Hugh Jeffrey Fox d/b/a Frank & Stein	5	OCAHO	756	(1995)

United States v. Ice Castles Daycare Too, Inc.	10	OCAHO	1142	(2011)
United States v. Jesus Satarain, Individually	3	OCAHO	557	(1993)
United States v. Jimmy Bai Huang d/b/a Great Wall Chinese Restaurant	1	OCAHO	300	(1991)
United States v. Johnny Ng Lim and Christina Lim Go d/b/a The New Orient	3	OCAHO	499	(1993)
United States v. Johnny Ng Lim and Christina Lim Go d/b/a The New Orient	3	OCAHO	512	(1993)
United States v. Kangaroo Express of Pueblo	3	OCAHO	581	(1993)
United States v. Ketchikan Drywall Services, Inc.	10	OCAHO	1139	(2011)
United States v. Kim Dong Hui t/a Chestnut Gourmet Restaurant	3	OCAHO	479	(1992)
United States v. La Casona d/b/a La Casona Mexican Restaurant	4	OCAHO	712	(1994)
United States v. Landscapes By Susanna	3	OCAHO	556	(1993)
United States v. Landscapes By Susanna	3	OCAHO	556	(1993)
United States v. Leo Yruegas d/b/a Chito's Mexican Restaurant	1	OCAHO	45	(1989)
United States v. M.T.S. Service Corporation d/b/a Maggie's Catering Mexico Tipico Restaurant	3	OCAHO	448	(1992)
United States v. Mester Manufacturing Company	1	OCAHO	18	(1988)
United States v. Minaco Fashions, Inc.	3	OCAHO	552	(1993)
United States v. Monfort, Inc.	4	OCAHO	597	(1994)
United States v. Nancy Mubarki	5	OCAHO	816	(1995)
United States v. Neighbors of Hawaii d/b/a Tower of Power	1	OCAHO	262	(1990)
United States v. New China Buffet Restaurant	10	OCAHO	1132	(2010)
United States v. Nicolas Tinoco-Medina	6	OCAHO	890	(1996)
United States v. Noel Plastering & Stucco, Inc.	2	OCAHO	319	(1991)
United States v. Noel Plastering & Stucco, Inc.	2	OCAHO	377	(1991)
United States v. Noel Plastering & Stucco, Inc.	3	OCAHO	427	(1992)
United States v. Onion River Sports, Inc.	4	OCAHO	673	(1994)
United States v. Orlando Diaz-Rosas	4	OCAHO	702	(1994)
United States v. Oscar Chacon, Sr.	3	OCAHO	578	(1993)
United States v. Pedro Dominguez	7	OCAHO	972	(1997)
United States v. Penrod National Enterprises, Inc. d/b/a Floral Bionomics Landscape Management	3	OCAHO	559	(1993)

United States v. Penrod National Enterprises, Inc. d/b/a Floral Bionomics Landscape Management	3	OCAHO	559	(1993)
United States v. Ricardo Calderon, Inc.	6	OCAHO	832	(1996)
United States v. Riverboat Delta King, Inc.	5	OCAHO	738	(1995)
United States v. Robert Griffin d/b/a Griff's Landscape	1	OCAHO	50	(1989)
United States v. Robison Fruit Ranch, Inc.	6	OCAHO	855	(1996)
United States v. Rosario Strano and Vito Strano d/b/a Strano Farms	5	OCAHO	748	(1995)
United States v. San Ysidro Ranch	1	OCAHO	183	(1990)
United States v. Satarain, Individually	3	OCAHO	557	(1993)
United States v. SDI Industries, Inc.	3	OCAHO	465	(1992)
United States v. Sea Pine Inn, Inc. t/a Sea Pine Inn	1	OCAHO	87	(1989)
United States v. Sergio Alaniz d/b/a Sagunada	1	OCAHO	297	(1991)
United States v. Snack Attack Deli, Inc.	10	OCAHO	1137	(2010)
United States v. Task Force Security, Inc. d/b/a Task Force Security and Investigations	3	OCAHO	563	(1993)
United States v. Task Force Security, Inc. d/b/a Task Force Security and Investigations	4	OCAHO	625	(1994)
United States v. The Beverly Center	5	OCAHO	762	(1995)
United States v. The Wrangler's Country Café, Inc. and Henry D. Stieben	1	OCAHO	191	(1990)
United States v. Tom & Yu, Inc. t/a Peking Garden Restaurant	3	OCAHO	445	(1992)
United States v. Tuttle's Design Build, Inc.	3	OCAHO	422	(1992)
United States v. Ulysses, Inc. and Ulysses Restaurant Group, Inc.	3	OCAHO	449	(1992)
United States v. Visit USA Bureau - San Francisco, Inc.	1	OCAHO	155	(1990)
United States v. Widow Brown's Inn, Inc. t/a Widow Brown's Inn Main & Bushkill Streets	3	OCAHO	399	(1992)
United States v. Wood 'N Stuff	3	OCAHO	574	(1993)

Good Faith Compliance

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

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United States v. Anchor Seafood Distributors, Inc. d/b/a Anchor Fish Company	5	OCAHO	758	(1995)
United States v. Benjamin P. Raygoza d/b/a Cielito Lindo Restaurant	5	OCAHO	729	(1995)
United States v. Danny Mathis d/b/a Mathis Maspory	4	OCAHO	717	(1994)
United States v. Danny Mathis d/b/a Mathis Maspory	5	OCAHO	752	(1995)
United States v. David Jenkins	5	OCAHO	743	(1995)
United States v. Draper-King Cole, Inc.	7	OCAHO	933	(1997)
United States v. Four Star Knitting, Inc.	6	OCAHO	868	(1996)
United States v. Hudson Delivery Service, Inc. d/b/a Home Delivery Service	7	OCAHO	945	(1997)
United States v. Ice Castles Daycare Too, Inc.	10	OCAHO	1142	(2011)
United States v. Karnival Fashion, Inc.	5	OCAHO	783	(1995)
United States v. Kerry J. Vicker d/b/a SNB Cleaning	5	OCAHO	819	(1995)
United States v. LFW Dairy Corporation	10	OCAHO	1129	(2009)
United States v. Mark Steven Carter d/b/a Dixie industrial Service Company	6	OCAHO	865	(1996)
United States v. Mark Steven Carter d/b/a Dixie Industrial Service Company	7	OCAHO	931	(1997)
United States v. Mesabi Bituminous, Inc.	5	OCAHO	801	(1995)
United States v. Monroe Novelty Co., Inc. d/b/a Monroe Novelties Corporation	7	OCAHO	986	(1998)
United States v. Pegasus Restaurant, Inc.	10	OCAHO	1143	(2012)
United States v. Primera Enterprises, Inc. d/b/a J.B.'s Lounge	4	OCAHO	692	(1994)
United States v. Ricky Catalano d/b/a Papa Joe's Pizza	7	OCAHO	974	(1997)
United States v. Riverboat Delta King, Inc.	5	OCAHO	738	(1995)
United States v. Rupson of Hyde Park, Inc. d/b/a Super 8 Motel, Hyde Park	7	OCAHO	958	(1997)
United States v. Skydive Academy of Hawaii Corporation d/b/a Skydive Hawaii	6	OCAHO	848	(1996)
United States v. Sunshine Building Maintenance, Inc.	7	OCAHO	997	(1998)
United States v. Taco Plus, Inc. d/b/a Taco Loco	5	OCAHO	775	(1995)
United States v. Task Force Security, Inc. d/b/a Task Force Security and Investigations	4	OCAHO	625	(1994)
United States v. Tri-Component Product Corporation	6	OCAHO	853	(1996)
United States v. Vogue Pleating, Stitching & Embroidery Corporation	5	OCAHO	782	(1995)

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

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

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

Government Bears the Burden of Proof on Penalty and Aggravating Factors

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

United States v. Golf International d/b/a Desert Canyon Golf 11 OCAHO 1222 (2014)

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

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

Government Must Prove Aggravating Factor by Preponderance of Evidence

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

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

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

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

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

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

Government Has Burden of Proof by Preponderance of Evidence

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

ICE Fine Guidelines Have No Binding Effect on OCAHO

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

United States v. Senox Corporation 11 OCAHO 1219 (2014)

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

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

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

United States v. Senox Corporation 11 OCAHO 1219 (2014)

Illegal Alien(s)

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

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

United States v. Chef Rayko, Inc. d/b/a Chef Rayko's Cucina Italiana 5 OCAHO 794 (1995)

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

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

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

United States v. Giamblis Enterprises 6 OCAHO 834 (1996)

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

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

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

United States v. Ricardo Calderon, Inc. 6 OCAHO 832 (1996)

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

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

United States v. Tri-Component Product Corporation 6 OCAHO 853 (1996)

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United States v. Monroe Novelty Co., Inc. d/b/a Monroe Novelties Corporation 7 OCAHO 986 (1998)

United States v. Pedro Dominguez 8 OCAHO 1000 (1998)

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

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

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

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

Knowing Hire

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

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

Knowing Hire Violations Are Far More Serious Than Any Paperwork Violations

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

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

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

United States v. Romans Racing Stables, Inc. 11 OCAHO 1230 (2014)

United States v. The Red Coach Restaurant, Inc. 10 OCAHO 1200 (2013)

Leniency Toward Small Entities

United States v. Clean Sweep Janitor Service 11 OCAHO 1226 (2014)

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

United States v. Kenneth McPeek Racing Stables, Inc. 11 OCAHO 1249 (2015)

United States v. Mr. Mike's Pizza, Inc. 10 OCAHO 1196 (2013)

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United States v. 4431, Inc. t/a Candlelight Inn 4 OCAHO 611 (1994)

United States v. Adolfo Martinez, Jr., Individually d/b/a AAAA Roofing 3 OCAHO 494 (1993)

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

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United States v. Basim Aziz Hanna d/b/a Ferris & Ferris Pizza	1	OCAHO	200	(1990)
United States v. Benjamin P. Raygoza d/b/a Cielito Lindo Restaurant	5	OCAHO	729	(1995)
United States v. Big Bear Market	1	OCAHO	48	(1989)
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United States v. Business Teleconsultants, Ltd.	3	OCAHO	536	(1993)
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United States v. Busy Corner Sportswear, Inc.	3	OCAHO	511	(1993)
United States v. Cafe Camino Real, Inc.	2	OCAHO	307	(1991)
United States v. Camidor Properties, Inc.	1	OCAHO	299	(1991)
United States v. Carlos Cruz d/b/a La Rosa Bakery	3	OCAHO	453	(1992)
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United States v. Charles C. W. Wu d/b/a Airport Budget Hotel	3	OCAHO	434	(1992)
United States v. Charo's Corporation d/b/a Charo's Restaurant	2	OCAHO	369	(1991)
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United States v. Collins Food International, Inc. d/b/a Sizzler Restaurant	1	OCAHO	67	(1989)
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United States v. Ed Valencia & Sons, Inc. d/b/a Valladares	2	OCAHO	316	(1992)
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United States v. Enrique Martinez and Herlinda Martinez d/b/a Enrique's Restaurant	2	OCAHO	360	(1991)
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United States v. Giamblis Enterprises	6	OCAHO	834	(1996)
United States v. Giannini Landscaping, Inc.	3	OCAHO	573	(1993)
United States v. Great Bend Packing Company	6	OCAHO	835	(1996)
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United States v. Guillermo Perales d/b/a Mexican Bakery	2	OCAHO	315	(1991)
United States v. H&H Saguaro Specialists	10	OCAHO	1147	(2012)
United States v. Hilario Rodriguez, Jr.	1	OCAHO	276	(1990)
United States v. Honeybake Farms, Inc.	2	OCAHO	311	(1991)
United States v. Hugh Jeffrey Fox d/b/a Frank & Stein	5	OCAHO	756	(1995)
United States v. Ice Castles Daycare Too, Inc.	10	OCAHO	1142	(2011)
United States v. James Q. Carlson d/b/a Jimmy On The Spot	1	OCAHO	260	(1990)
United States v. James Q. Carlson d/b/a Jimmy On The Spot	1	OCAHO	264	(1990)
United States v. Jennifer Dittman d/b/a Ready Room Restaurant	1	OCAHO	195	(1990)
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United States v. Kerry J. Vicker d/b/a SNB Cleaning	5	OCAHO	819	(1995)
United States v. Kim Dong Hui t/a Chestnut Gourmet Restaurant	3	OCAHO	479	(1992)
United States v. La Fiesta, Inc. d/b/a Las Margaritas	1	OCAHO	24	(1988)
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United States v. Ramon Yamamoto d/b/a Elvis Palace Restaurant	3	OCAHO	424	(1992)
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Notices of Discrepancies or Suspect Documents Do Not Alone Prove Employee Is Unauthorized

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

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Employer Chargeable With Such Knowledge As Reasonable Inquiry Would Have Revealed

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Employer Must Take Adequate Steps to Verify Eligibility Where Specific Information Casts Doubt

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Employer Not Entitled to Cultivate Deliberate Ignorance or Avoid Acquiring Knowledge

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Expired Authorization Document Sufficient To Put Employer on Notice of Unauthorized Status

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United States v. Select Temporaries, Inc. d/b/a Select Personnel Services 9 OCAHO 1082 (2002)

Good Faith Conferment Requirement

United States v. Select Temporaries, Inc. d/b/a Select Personnel Services 9 OCAHO 1078 (2002)

Motion to Compel Discovery is Facially Invalid If Certificate of Good Faith Conferment Missing

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

Motion to Compel Must Include Certification of Good Faith Resolution Efforts

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

No Broad General Rule on Specific Time Frame for Scope of Discovery

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

Objections Not Raised in Response to Requests Not Considered in Response to Motion to Compel

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OCAHO Rules Do Not Impose Numerical Limits on Number of Interrogatories

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

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

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

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Party Resisting Discovery Has Burden of Demonstrating That Objection Is Justified

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Relevance Broadly Construed

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Gloria Ondina-Mendez v. Sugar Creek Packing Company 9 OCAHO 1075 (2001)

Howard Eugene McNier v. Arthur Wallace in his capacity as Dean, College of Business, San Francisco State University, et al 9 OCAHO 1074 (2001)

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

Jack Huang v. Queens Motel 2 OCAHO 364 (1991)

Jenlih John Hsieh v. PMC - Sierra, Inc. 9 OCAHO 1093 (2003)

Jesse Charles Jones v. DeWitt Nursing Home 1 OCAHO 189 (1990)

Jimmy Jack Jackai v. Dallas County Data Services 3 OCAHO 569 (1993)

Jose Carlos De Araujo v. Joan Smith Enterprises, Inc., aka California Pools and Spas and or California Pools and Landscape 10 OCAHO 1187 (2013)

Jose Jasso v. Danbury Hilton & Towers 3 OCAHO 522 (1993)

Jose Pablo Martinez v. Superior Linen 10 OCAHO 1180 (2013)

Juan Francisco Martinez v. Lott Constructors, Inc. 2 OCAHO 323 (1991)

Juan Manuel Alamprese v. MNSH, Inc.	9	OCAHO	1094	(2003)
Kenneth Wade Parker, Jr. v. Wild Goose Storage, Inc.	9	OCAHO	1081	(2002)
Krzysztof Zarazinski v. Anglo Fabrics, Company	3	OCAHO	470	(1992)
Krzysztof Zarazinski v. Anglo Fabrics, Company	4	OCAHO	626	(1994)
Martin John Shortt v. Dick Clark's American Bandstand Grill	10	OCAHO	1130	(2009)
Olegario Munoz v. Pastel Furniture Manufacturing Company	3	OCAHO	457	(1992)
Priscilla C. Hensel v. Oklahoma City Veteran's Affairs Medical Center	3	OCAHO	532	(1993)
Priscilla C. Hensel v. University of Oklahoma Health Sciences Center	3	OCAHO	532	(1993)
Programmer's Guild, Inc. v. Value Consulting, Inc.	10	OCAHO	1135	(2010)
Robert Y. Chu v. Fujitsu Network Transmission System, Inc.	5	OCAHO	778	(1995)
Roberto Decasez-Martinez v. Tyson Foods, Inc.	2	OCAHO	372	(1991)
Rosa Maria Tovar v. Rick Misquez d/b/a A.P. Esteve Sales	3	OCAHO	458	(1992)
Salim J. Hajiani v. ESHA USA, Inc. and Sameer Ramjee	10	OCAHO	1212	(2014)
Stephen A. Lewis v. McDonald's Corporation	2	OCAHO	383	(1991)
Travis John Guth v. Kaiser Permanente Hawaii	10	OCAHO	1190	(2013)
United States v. Diversified Technology and Services of Virginia, Inc.	9	OCAHO	1095	(2003)
United States v. General Dynamics	3	OCAHO	517	(1993)
United States v. Guardsmark	4	OCAHO	614	(1994)
United States v. Lasa Marketing Firms, a California Partnership	1	OCAHO	106	(1989)
United States v. Lasa Marketing Firms, a California Partnership	1	OCAHO	141	(1990)
United States v. Marcel Watch Corporation	1	OCAHO	143	(1990)
United States v. Mesa Airlines	1	OCAHO	74	(1989)
United States v. San Diego Semiconductors, Inc.	2	OCAHO	314	(1991)
United States v. Zabala Vineyards	6	OCAHO	830	(1995)
Wisniewski v. Douglas County School System	1	OCAHO	29	(1988)
Reduction in Force				
Daniel Bendig v. Conoco, Inc.	9	OCAHO	1065	(2001)
Daniel Joseph Bendig v. Conoco, Inc.	9	OCAHO	1077	(2001)

Jenlih John Hsieh v. PMC - Sierra, Inc. 9 OCAHO 1093 (2003)

Filing of EEOC Charge Is Not A Condition Precedent to Filing of OSC Charge

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

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

Generally

Adnan Niaz Mir v. Federal Bureau of Prisons 3 OCAHO 510 (1993)

Carlos Aciar v. Rosen's Delicatessen 9 OCAHO 1086 (2002)

Daniel Joseph Bendig v. Conoco, Inc. 9 OCAHO 1077 (2001)

Earl Russel Horne v. Town of Hampstead 6 OCAHO 906 (1997)

Gloria Ondina-Mendez v. Sugar Creek Packing Company 9 OCAHO 1085 (2002)

Grzegirz Pioterek v. Anderson Cleaning Systems, Inc. 3 OCAHO 539 (1993)

Grzegirz Pioterek v. Anderson Cleaning Systems, Inc. 3 OCAHO 590 (1993)

Grzegirz Pioterek v. Scott Worldwide Food Service 3 OCAHO 530 (1993)

Howard Eugene McNier v. San Francisco State University College of Business 7 OCAHO 947 (1997)

James D. Westendorf v. Brown & Root, Inc. 3 OCAHO 477 (1992)

Jesse Charles Jones v. DeWitt Nursing Home 1 OCAHO 189 (1990)

Jose Jasso v. Danbury Hilton & Towers 3 OCAHO 522 (1993)

Josh Kupferberg v. Oklahoma City Veterans Affairs Medical Center 4 OCAHO 709 (1994)

Josh Kupferberg v. University of Oklahoma Health Sciences Center 4 OCAHO 709 (1994)

Kenneth Wade Parker, Jr. v. Wild Goose Storage, Inc. 9 OCAHO 1081 (2002)

Krzysztof Zarazinski v. Anglo Fabrics, Company 4 OCAHO 661 (1994)

Leandro Miraon Aguinaldo v. McDonnell Douglas Corporation 4 OCAHO 707 (1994)

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

Lydia Annella Anderson v. Newark Public Schools 8 OCAHO 1035 (1999)

Marcos Valencio v. VASP Brazilian Airlines 5 OCAHO 740 (1995)
Margarita Yefremov v. New York City Department of Transportation 3 OCAHO 466 (1992)
Maria Gordillo v. Illinois Department of Employment Security 3 OCAHO 542 (1993)
Michael K. Lee v. Airtouch Communications 6 OCAHO 901 (1996)
Priscilla C. Hensel v. Oklahoma City Veteran's Affairs Medical Center 3 OCAHO 532 (1993)
Priscilla C. Hensel v. University of Oklahoma Health Sciences Center 3 OCAHO 532 (1993)
Ronald C. Wilson v. Harrisburg School District 6 OCAHO 919 (1997)
Rosa Isela Olivares Aguirre v. KDI American Products, Inc. 6 OCAHO 882 (1996)
United States v. Auburn University 3 OCAHO 564 (1993)
United States v. General Dynamics 3 OCAHO 517 (1993)
United States v. Marcel Watch Corporation 1 OCAHO 143 (1990)
United States v. Weld County School District 2 OCAHO 326 (1991)
United States v. Zabala Vineyards 6 OCAHO 844 (1996)
Yadira Azucena Ocampo Soto v. Top Industrial, Inc. 7 OCAHO 999 (1998)
Inference that Discrimination Not Determinative Where Same Person Hires & Fires Within Short Time
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Intent To Discriminate If Person Would Have Acted Differently But For Protected Characteristic
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Intentional
Ahadu Tadesse v. United States Postal Service 7 OCAHO 979 (1997)
Benjamin Barone v. Superior Washer and Gasket Corp. 10 OCAHO 1176 (2013)
Dolores Garcia Contreras v. Cascade Fruit Company 9 OCAHO 1090 (2003)

Gloria Ondina-Mendez v. Sugar Creek Packing Company 9 OCAHO 1085 (2002)
Iron Workers Local 455 v. Lake Construction & Development Corporation 7 OCAHO 964 (1997)
Jimmy Jack Jackai v. Dallas County Data Services 3 OCAHO 569 (1993)
Jorge Mario Ipina v. Michigan Jobs Commission 8 OCAHO 1036 (1999)
Jose Carlos De Araujo v. Joan Smith Enterprises, Inc., aka California Pools and Spas and or California Pools and Landscape 10 OCAHO 1187 (2013)
Jose Pablo Martinez v. Superior Linen 10 OCAHO 1180 (2013)
Juan Manuel Alamprese v. MNSH, Inc. 9 OCAHO 1094 (2003)
Raul A. Gonzalez v. Tri-Component Products, Inc. 9 OCAHO 1118 (2005)
United States v. Diversified Technology and Services of Virginia, Inc. 9 OCAHO 1095 (2003)
United States v. Lasa Marketing Firms, a California Partnership 1 OCAHO 106 (1989)
United States v. Lasa Marketing Firms, a California Partnership 1 OCAHO 141 (1990)
United States v. Marcel Watch Corporation 1 OCAHO 143 (1990)

Intentional Discrimination If Employer Treats Some People Less Favorably Due to Prohibited Factor

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Jurisdiction

Adolfo Cruz Deguzman v. First America Bank Corporation 3 OCAHO 585 (1993)
Cecilia Araceli Basua v. Walmart #1554 3 OCAHO 535 (1993)
Christopher Winkler v. West Capital Financial Services 7 OCAHO 928 (1997)
Cormia v. Home Care Giver Services 10 OCAHO 1160 (2012)
Corneliu Curuta v. United States Water Conservation Laboratory 3 OCAHO 459 (1992)
Daniel D. Tiplea v. Reynolds Electrical & Engineering Company, Inc. 3 OCAHO 548 (1993)
Eric Robin Cholerton v. Robert M. Hadley Company, Inc. 7 OCAHO 934 (1997)
Esther Din Brooks v. KNK Textile 3 OCAHO 528 (1993)
Frank Thomas Brown v. Baltimore City Public Schools 3 OCAHO 480 (1992)
Frederick John Harris v. Mr. Bob Marbut, Chairman & CEO, Argyle Television Operations, Inc. 7 OCAHO 943 (1997)
Ghaffar Sepahpour v. Unisys, Inc. 3 OCAHO 500 (1993)

Gloria Ondina-Mendez v. Sugar Creek Packing Company	9	OCAHO	1085	(2002)
Haddon Speakman v. The Rehabilitation Hospital of South Texas	3	OCAHO	469	(1992)
Hollingsworth v. Applied Research Associates	7	OCAHO	942	(1997)
Howard Eugene McNier v. San Francisco State University College of Business	7	OCAHO	947	(1997)
Howard Eugene McNier v. San Francisco State University College of Business	8	OCAHO	1030	(1999)
Hutchinson v. GTE Data Services	7	OCAHO	954	(1997)
In re Investigation of University of South Florida, Subpoena	8	OCAHO	1056	(2000)
Jamal Y. Elhaj-Chehade v. University of Texas Southwestern Medical School	8	OCAHO	1022	(1999)
Jay S. Manning v. The City of Jacksonville	7	OCAHO	956	(1997)
Jesus Morales v. Cromwell's Tavern Restaurant	3	OCAHO	524	(1993)
Jose N. Hernandez v. City of Santa Ana	4	OCAHO	663	(1994)
Margarita Yefremov v. New York City Department of Transportation	3	OCAHO	466	(1992)
Maria Fuentes v. Grace Culinary Systems	6	OCAHO	873	(1996)
Martin A. Holguin v. Dona Ana Fashions	3	OCAHO	582	(1993)
Mr. Doron Tal v. M. L. Energia, Inc.	4	OCAHO	639	(1994)
Programmer's Guild, Inc. v. Value Consulting, Inc.	10	OCAHO	1135	(2010)
Richard F. Lareau v. US Airways, Inc.	7	OCAHO	932	(1997)
Sellaro v. Elektra Records	3	OCAHO	495	(1993)
United States v. Auburn University	4	OCAHO	617	(1994)
Werline v. Public Service Electric & Gas Company	7	OCAHO	935	(1997)
William S. Monda v. Staryhab, Inc.	8	OCAHO	1002	(1998)

Knowledge of Citizenship Status

Juan Manuel Alamprese v. MNSH, Inc.	9	OCAHO	1094	(2003)

Legitimate, Nondiscriminatory Reason

Benjamin Barone v. Superior Washer and Gasket Corp.	10	OCAHO	1176	(2013)
Celia Simon v. Ingram Micro, Inc.	9	OCAHO	1088	(2003)

Daniel Bendig v. Conoco, Inc.	9	OCAHO	1065	(2001)
Daniel Joseph Bendig v. Conoco, Inc.	9	OCAHO	1077	(2001)
Dinko Sefic v. Marconi Wireless	9	OCAHO	1123	(2007)
Dolores Garcia Contreras v. Cascade Fruit Company	9	OCAHO	1090	(2003)
Gloria Ondina-Mendez v. Sugar Creek Packing Company	9	OCAHO	1085	(2002)
Gurpreet Sodhi v. Maricopa Medical Center	10	OCAHO	1127	(2008)
Jenlih John Hsieh v. PMC - Sierra, Inc.	9	OCAHO	1093	(2003)
Jose Carlos De Araujo v. Joan Smith Enterprises, Inc., aka California Pools and Spas and or California Pools and Landscape	10	OCAHO	1187	(2013)
Jose Pablo Martinez v. Superior Linen	10	OCAHO	1180	(2013)
Kasathsko v. Internal Revenue Service	6	OCAHO	840	(1996)
Luigia Wiesner v. CIT Tours, Inc.	5	OCAHO	773	(1995)
Martin John Shortt v. Dick Clark's American Bandstand Grill	10	OCAHO	1130	(2009)
Norberto Sagal Torres v. Pacific Continental Textiles, Inc.	10	OCAHO	1203	(2013)
Robert Y. Chu v. Fujitsu Network Transmission System, Inc.	5	OCAHO	778	(1995)
Travis John Guth v. Kaiser Permanente Hawaii	10	OCAHO	1190	(2013)
United States v. Diversified Technology and Services of Virginia, Inc.	9	OCAHO	1095	(2003)

Malice Or Ill Will Is Not Required to Establish Discrimination

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Frederick John Harris v. Mr. Bob Marbut, Chairman & CEO, Argyle Television Operations, Inc.	7	OCAHO	943	(1997)
Howard Eugene McNier v. San Francisco State University College of Business	7	OCAHO	947	(1997)
In re Investigation of University of South Florida, Subpoena	8	OCAHO	1056	(2000)
Jack N. Toussaint v. Tekwood Data Processing Consulting	6	OCAHO	892	(1996)
Richard F. Lareau v. US Airways, Inc.	7	OCAHO	932	(1997)
Stephen A. Lewis v. McDonald's Corporation	2	OCAHO	383	(1991)
United States v. Great Earth Companies, Inc.	9	OCAHO	1070	(2001)

United States v. San Diego Semiconductors, Inc.	2	OCAHO	314	(1991)
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Albert Gimein v. Department of Defense & Grumman Aerospace Corporation	3	OCAHO	503	(1993)
Bassey J. Udofot v. General Electric Company, Astro-Space Division	1	OCAHO	205	(1990)
Bertalina Monjaras v. Blue Ribbon Cleaners, Inc.	3	OCAHO	526	(1993)
Carlos Aciar v. Rosen's Delicatessen	9	OCAHO	1086	(2002)
Cecilia Araceli Basua v. Walmart #1554	3	OCAHO	535	(1993)
Crecencio Cabrera Mendez v. Jim Daniels	2	OCAHO	374	(1991)
Crecencio Cabrera Mendez v. Jim Daniels	2	OCAHO	392	(1991)
Ghaffar Sepahpour v. Unisys, Inc.	3	OCAHO	500	(1993)
Gloria Ondina-Mendez v. Sugar Creek Packing Company	9	OCAHO	1085	(2002)
Jack Huang v. Queens Motel	2	OCAHO	364	(1991)
Jose Jasso v. Danbury Hilton & Towers	3	OCAHO	522	(1993)
Krzysztof Zarazinski v. Anglo Fabrics, Company	4	OCAHO	626	(1994)
Leonid Naginsky v. Department of Defense and EG&G Dynatrend	6	OCAHO	891	(1996)
Maria Gordillo v. Illinois Department of Employment Security	3	OCAHO	542	(1993)
Michael K. Lee v. Airtouch Communications	6	OCAHO	901	(1996)
Moises Reyes v. Pilgrim Psychiatric Center	3	OCAHO	529	(1993)
Mr. Wahab E. Ekunsumi v. Hyatt Regency Hotel of Cincinnati	1	OCAHO	128	(1990)
Priscilla C. Hensel v. Oklahoma City Veteran's Affairs Medical Center	3	OCAHO	532	(1993)
Priscilla C. Hensel v. University of Oklahoma Health Sciences Center	3	OCAHO	532	(1993)
United States v. Guardsmark	3	OCAHO	572	(1993)
United States v. TKJ, Inc. d/b/a Snelling Personnel Services, a Florida Corporation	3	OCAHO	413	(1992)
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Benjamin A. K. Yohan v. Central State Hospital	4	OCAHO	593	(1994)
Carlos Aciar v. Rosen's Delicatessen	9	OCAHO	1086	(2002)
Christopher Winkler v. Timlin Corporation	6	OCAHO	912	(1997)
Dr. Mahmoud M. Hammoudah v. Rush-Presbyterian St. Luke's Medical Center	8	OCAHO	1015	(1998)

Drahomira Adame v. Dunkin Donuts	5	OCAHO	722	(1995)
Elizabeth S. Mengarpuan v. Asbury Methodist Village	4	OCAHO	612	(1994)
Frederick John Harris v. State of Hawaii, Department of Education	6	OCAHO	922	(1997)
Gloria Ondina-Mendez v. Sugar Creek Packing Company	9	OCAHO	1085	(2002)
Marcos Valencio v. VASP Brazilian Airlines	5	OCAHO	740	(1995)
Martin Flores v. Logan Foods Company	6	OCAHO	874	(1995)
Michael K. Wockenfuss v. Bureau of Prisons	5	OCAHO	767	(1995)
Sara Caspi v. William J. Hoffman and Trigild Corporation	6	OCAHO	838	(1996)
Sara Caspi v. William J. Hoffman and Trigild Corporation	6	OCAHO	907	(1997)
United States v. Shirley Fuimoto, Hawaii Government Employees Association	7	OCAHO	937	(1997)
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H-1B visa				
William S. Monda v. Staryhab, Inc.	8	OCAHO	1002	(1998)
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Dr. Mahmoud M. Hammoudah v. Rush-Presbyterian St. Luke's Medical Center	8	OCAHO	1050	(2000)
Guy Santiglia v. Sun Microsystems, Inc.	9	OCAHO	1097	(2003)
Linda S. Walker v. United Airlines, Inc.	4	OCAHO	686	(1994)
United States v. Diversified Technology and Services of Virginia, Inc.	9	OCAHO	1095	(2003)
United States v. Fairfield Jersey, Inc.	9	OCAHO	1069	(2001)
United States v. Rosario Strano and Vito Strano d/b/a Strano Farms	4	OCAHO	601	(1994)
United States v. Volvo Trucks North America, Inc.	7	OCAHO	994	(1998)
Pattern Or Practice of Discrimination Shown If Employer Discriminates As Standard Operating Procedure				
United States v. Life Generations Healthcare, LLC d/b/a Generations Healthcare	11	OCAHO	1227	(2014)
Prescreening of Employment Applicants Based on Their Documentation is Impermissible				
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Corneliu Curuta v. Tomball College	9	OCAHO	1099	(2003)
Dolores Garcia Contreras v. Cascade Fruit Company	9	OCAHO	1090	(2003)
Jenlih John Hsieh v. PMC - Sierra, Inc.	9	OCAHO	1093	(2003)
Jose Carlos De Araujo v. Joan Smith Enterprises, Inc., aka California Pools and Spas and or California Pools and Landscape	10	OCAHO	1187	(2013)
Jose Pablo Martinez v. Superior Linen	10	OCAHO	1180	(2013)
Travis John Guth v. Kaiser Permanente Hawaii	10	OCAHO	1190	(2013)
United States v. Diversified Technology and Services of Virginia, Inc.	9	OCAHO	1095	(2003)

Reduction in Force

Daniel Bendig v. Conoco, Inc.	9	OCAHO	1065	(2001)
Daniel Joseph Bendig v. Conoco, Inc.	9	OCAHO	1077	(2001)
Jenlih John Hsieh v. PMC - Sierra, Inc.	9	OCAHO	1093	(2003)

Retaliation

Benjamin A. K. Yohan v. Central State Hospital	4	OCAHO	593	(1994)
Brenda Bent v. Brotman Medical Center Pulse Health Services	5	OCAHO	764	(1995)
Chand Wije v. Barton Springs/Edwards Aquifier C.D.	4	OCAHO	668	(1994)
Dinko Sefic v. Marconi Wireless	9	OCAHO	1123	(2007)
Drahomira Adame v. Dunkin Donuts	4	OCAHO	691	(1994)
Drahomira Adame v. Dunkin Donuts	5	OCAHO	722	(1995)
Eric Robin Cholerton v. Robert M. Hadley Company, Inc.	7	OCAHO	934	(1997)
Frederick John Harris v. State of Hawaii, Department of Education	6	OCAHO	922	(1997)
Gurpreet Sodhi v. Maricopa County Special Health Care District	9	OCAHO	1124	(2007)
Gurpreet Sodhi v. Maricopa Medical Center	10	OCAHO	1127	(2008)
Guy Santiglia v. Sun Microsystems, Inc.	9	OCAHO	1097	(2003)
Howard Eugene McNier v. Arthur Wallace in his capacity as Dean, College of Business, San Francisco State University, et al	9	OCAHO	1074	(2001)

Howard Eugene McNier v. San Francisco State University College of Business	7	OCAHO	947	(1997)
In re Investigation of University of South Florida, Subpoena	8	OCAHO	1056	(2000)
Joan A. Lardy v. United Airlines, Inc.	4	OCAHO	595	(1994)
John A. Breda v. Kindred Braintree Hospital, LLC	10	OCAHO	1202	(2013)
Jorge Mario Ipina v. Michigan Jobs Commission	8	OCAHO	1036	(1999)
Jose Danilo Cruz v. Able Service Contractors, Inc.	6	OCAHO	837	(1996)
Jose N. Hernandez v. City of Santa Ana	4	OCAHO	663	(1994)
Krzysztof Zarazinski v. Anglo Fabrics, Company	4	OCAHO	626	(1994)
Krzysztof Zarazinski v. Anglo Fabrics, Company	4	OCAHO	638	(1994)
Lonnie W. Hogenmiller v. Lincare, Inc.	7	OCAHO	953	(1997)
Marlene Singh Palacio v. Seaside Custom Harvesting/Zinn Packing Company	4	OCAHO	675	(1994)
Martin John Shortt v. Dick Clark's American Bandstand Grill	10	OCAHO	1130	(2009)
Olatunji Moshood Fakunmoju v. Claims Administration Corporation	4	OCAHO	624	(1994)
Robert Y. Chu v. Fujitsu Network Transmission System, Inc.	5	OCAHO	778	(1995)
Seidou Diarrassouba v. Medallion Financial Corporation	9	OCAHO	1076	(2001)
United States v. Guardsmark	3	OCAHO	572	(1993)
United States v. Hotel Martha Washington Corporation	5	OCAHO	786	(1995)
United States v. Shirley Fuimoto, Hawaii Government Employees Association	7	OCAHO	937	(1997)
United States v. Zabala Vineyards	6	OCAHO	844	(1996)

Similarly Situated Comparators

Jose Pablo Martinez v. Superior Linen	10	OCAHO	1180	(2013)
Norberto Sagal Torres v. Pacific Continental Textiles, Inc.	10	OCAHO	1203	(2013)

Subject Matter Jurisdiction

Hutchinson v. End Stage Renal Disease Network of Florida, Inc.	7	OCAHO	939	(1997)
Lonnie W. Hogenmiller v. Lincare, Inc.	7	OCAHO	953	(1997)
Lydia Annella Anderson v. Newark Public Schools	8	OCAHO	1024	(1999)

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

Tax Protester

Bunn v. USX/US Steel 7 OCAHO 985 (1998)

Christopher Winkler v. Timlin Corporation 6 OCAHO 912 (1997)

Christopher Winkler v. West Capital Financial Services 7 OCAHO 928 (1997)

Costigan v. NYNEX 6 OCAHO 918 (1997)

Earl Russel Horne v. Town of Hampstead 6 OCAHO 906 (1997)

Hollingsworth v. Applied Research Associates 7 OCAHO 942 (1997)

Hutchinson v. End Stage Renal Disease Network of Florida, Inc. 7 OCAHO 939 (1997)

Hutchinson v. GTE Data Services 7 OCAHO 954 (1997)

James R. Cook v. Pro Source, Inc. 7 OCAHO 960 (1997)

Jay S. Manning v. The City of Jacksonville 7 OCAHO 956 (1997)

Kosatschkow v. Allen-Stevens Corporation 7 OCAHO 938 (1997)

Lee v. AT&T 7 OCAHO 924 (1997)

Lonnie W. Hogenmiller v. Lincare, Inc. 7 OCAHO 953 (1997)

Michael C. Smiley v. City of Philadelphia Department of Licenses & Inspection 7 OCAHO 925 (1997)

Michael K. Lee v. Airtouch Communications 6 OCAHO 901 (1996)

Michael K. Lee v. Airtouch Communications 7 OCAHO 926 (1997)

Ronald C. Wilson v. Harrisburg School District 6 OCAHO 919 (1997)

Werline v. Public Service Electric & Gas Company 7 OCAHO 935 (1997)

Under Section 1324b Disparate Treatment Must Be Shown

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

Unfair Employment Practice Actionable only if OSC Charge Filed Within 180 Days of the Event

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

Salim J. Hajiani v. ESHA USA, Inc. and Sameer Ramjee 10 OCAHO 1212 (2014)

Where Two Legally Independent Remedies Are Provided, No Barrier To Pursuing Both Simultaneously

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

Who Qualifies as a Protected Individual for Citizenship Status Discrimination

Norberto Sagal Torres v. Pacific Continental Textiles, Inc. 10 OCAHO 1203 (2013)

Travis John Guth v. Kaiser Permanente Hawaii 10 OCAHO 1190 (2013)

DISMISSAL

Abandonment

Abdul Hamid Kadir v. Regal Dental Ceramics 4 OCAHO 598 (1994)

Benjamin A. K. Yohan v. Central State Hospital 4 OCAHO 622 (1994)

Esther Din Brooks v. Watts Window World 3 OCAHO 570 (1993)

LeEdwards v. Kumagai International USA Corporation 4 OCAHO 609 (1994)

Martin A. Holguin v. Dona Ana Fashions 4 OCAHO 605 (1994)

Miguel A. Gallegos v. Magna-View, Inc. 4 OCAHO 628 (1994)

Noe Rodriguez v. Tyson Foods, Inc. 9 OCAHO 1109 (2004)

Tito Ponce Chavez v. National By-Products 4 OCAHO 620 (1994)

United States v. Cordin Company 10 OCAHO 1162 (2012)

United States v. Erlina Fashions, Inc. d/b/a Song Designs, Inc. 4 OCAHO 656 (1994)

United States v. Mitchell Greif, President, Coast Poly, LLC 10 OCAHO 1177 (2013)

Uthaiwan Wong-Opasi v. State of Tennessee, Governor Don Sundquist, et al 8 OCAHO 1054 (2000)

Zoila Palma v. Farley Foods 5 OCAHO 757 (1995)

Acting Lawfully Under a Regulation

Tanya Louise Seaver v. BAE Systems 9 OCAHO 1111 (2004)

After-Acquired Information

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

Citizenship Status Discrimination

Benjamin Barone v. Superior Washer and Gasket Corp. 10 OCAHO 1176 (2013)

Hollingsworth v. Applied Research Associates 7 OCAHO 942 (1997)

Jose Pablo Martinez v. Superior Linen 10 OCAHO 1180 (2013)

Olisaemeka Eze v. West County Transportation Agency 10 OCAHO 1140 (2011)

Salim J. Hajiani v. ESHA USA, Inc. and Sameer Ramjee 10 OCAHO 1212 (2014)

Travis John Guth v. Kaiser Permanente Hawaii 10 OCAHO 1190 (2013)

Citizenship Status Jurisdiction

Christopher Winkler v. Timlin Corporation 6 OCAHO 912 (1997)

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

Gloria Ondina-Mendez v. Sugar Creek Packing Company 9 OCAHO 1085 (2002)

Jack N. Toussaint v. Tekwood Data Processing Consulting 6 OCAHO 892 (1996)

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Defined As Person Who Provides Services or Labor for Wages or Other Remuneration

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Individual Not an Employee Where There Is a Showing of Ownership and Control Over the Enterprise

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Mere Name on List or I-9 Without Proof of Remuneration Insufficient to Prove Employment

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Must Look At Indivudual's Level of Control Within Entity to Determine Whether Employee

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Neither Form of Entity Nor Individual's Title is Determinative of Employee Status

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

Owner/Partner Not an Employee Where There is a Showing of Ownership and Control Over the Enterprise

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United States v. Doug Eier d/b/a Blue Mountain Recreation and Cyclery	1	OCAHO	256	(1990)

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United States v. John Gasper, Individually and d/b/a John Gasper Labor Contractor	1	OCAHO	218	(1990)
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United States v. Richard Bakovic	3	OCAHO	482	(1991)
United States v. Sophie Valdez d/b/a La Parilla Restaurant	1	OCAHO	91	(1989)
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United States v. Boo Bears Den	1	OCAHO	71	(1989)
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United States v. Chef Rayko, Inc. d/b/a Chef Rayko's Cucina Italiana	5	OCAHO	794	(1995)
United States v. Corporate Loss Prevention Associates, Ltd.	6	OCAHO	886	(1996)

United States v. David Jenkins	4	OCAHO	649	(1994)
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United States v. Giamblis Enterprises	5	OCAHO	817	(1995)
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United States v. GRS, Inc. d/b/a Gasket Engineering	4	OCAHO	627	(1994)
United States v. Hosung Cleaning Corporation d/b/a Sun Cleaner	4	OCAHO	670	(1994)
United States v. Karnival Fashion, Inc.	5	OCAHO	769	(1995)
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United States v. Manuel Orozco-Minjares	4	OCAHO	606	(1994)
United States v. Mester Manufacturing Company	1	OCAHO	18	(1988)
United States v. Min Goldblatt & Sons, Inc. t/a Richfield Caterers	1	OCAHO	154	(1990)
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United States v. Noel Plastering & Stucco, Inc.	3	OCAHO	427	(1992)
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United States v. Richard Bakovic	3	OCAHO	482	(1991)
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Michael K. Lee v. Airtouch Communications	6	OCAHO	888	(1996)
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United States v. Mourad Abu Remileh 6 OCAHO 864 (1996)
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Dr. Mahmoud M. Hammoudah v. Rush-Presbyterian St. Luke's Medical Center 8 OCAHO 1047 (2000)

Hernandez v. Farley Candy Company 5 OCAHO 765 (1995)

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Applicable State Bar and ABA Model Rules Provide Guidance on Ethical Issues in OCAHO Proceedings

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Ethics Rules Require Counsel to Cite to Known Authority Contrary to Client's Position

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Failure to Provide Adequate Legal Support of Claims Renders a Pleading Deficient

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United States v. The Beverly Center 5 OCAHO 762 (1995)

Lawyers Are Officers of the Court and Have an Ethical Duty to Be Candid With the Court

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Plagiarism Violates Counsel's Duty to Act With Integrity and With Candor to the Court

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Pleading and Argument Contrary to All Relevant Authority Show Lack of Candor With the Court

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Standards of Conduct in OCAHO Rules are General Goals, Not Specific Standards of Conduct

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Verbatim Copying of Text Without Attribution is Plagarism and Misrepresentation to the Court

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When Ethical Issues Arise in OCAHO Proceedings, Applicable State Bar Rules Provide Guidance

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Dalila Kamal-Griffin v. Cahill Gordon & Reindel 3 OCAHO 460 (1992)

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United States v. Cafe Camino Real, Inc.	2	OCAHO	307	(1991)
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United States v. Employer Solutions Staffing Group II, LLC 11 OCAHO 1234 (2014)

Must Include Nature of Request, Objections, Arguments, and Good Faith Attempt to Resolve

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United States v. Employer Solutions Staffing Group II, LLC 11 OCAHO 1234 (2014)
Objections & Reasons Must Be Stated in Discovery Response, Not Only in Opposing Motion to Compel

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United States v. Curran Engineering Company, Inc.	7	OCAHO	975	(1997)
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United States v. Diamond Construction, Inc.	3	OCAHO	456	(1992)
United States v. DJ Drywall, Inc.	10	OCAHO	1136	(2010)
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United States v. Ed Valencia & Sons, Inc. d/b/a Valladares	2	OCAHO	316	(1992)
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United States v. Four Seasons Earthworks, Inc.	10	OCAHO	1150	(2012)
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United States v. Giamblis Enterprises	5	OCAHO	817	(1995)
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United States v. Lola O'Brien Oil d/b/a O'Brien Oil Company	1	OCAHO	166	(1990)
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United States v. PPJV, Inc. d/b/a Publishers Press	2	OCAHO	337	(1991)
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I-9 Retention Required for 3 Years After Hire or 1 Year After Termination, Whichever Is Later				
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I-9s To Be Examined Are Those Presented in Response to NOI, Not I-9s Produced Thereafter

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United States v. LFW Dairy Corporation 10 OCAHO 1129 (2009)

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

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United States v. Corporate Loss Prevention Associates, Ltd. 6 OCAHO 908 (1997)

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Mere Failure to Date I-9 Employer Attestation is Technical or Procedural

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United States v. Davis Nursery, Inc. 4 OCAHO 694 (1994)

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

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United States v. Ricardo Calderon, Inc. 6 OCAHO 832 (1996)

United States v. Taco Plus, Inc. d/b/a Taco Loco 5 OCAHO 775 (1995)

United States v. Task Force Security, Inc. d/b/a Task Force Security and Investigations 4 OCAHO 625 (1994)

United States v. Union Lakeville Corporation 8 OCAHO 1019 (1998)

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

No Expiration Date for Driver's License in Section 2 is Substantive if No Copy Attached

United States v. Golf International d/b/a Desert Canyon Golf 10 OCAHO 1214 (2014)

Omitting Document Number/Expiration Date May Be Technical/Procedural If Document Copy Attached

United States v. Chen Wilmington, Inc. 11 OCAHO 1241 (2015)

Person Who Signs Attestation Must Be Same Person Who Examines Employee's Original Documents

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Ketchikan Drywall Services, Inc. v. Immigration and Customs Enforcement; Office of the Chief Administrative Hearing Officer 10 OCAHO 1201 (2013)
Variety of Violations May Be Sufficiently Egregious to Merit Penalties Near Statutory Maximum

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United States v. Louisiana Crane Company, LLC d/b/a Louisiana Crane and Construction 11 OCAHO 1246 (2015)
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ALJ Can Consider Public Policy of Leniency to Small Entities

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

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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)

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

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

ALJ Not Bound by ICE's Method of Calculating Penalties

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

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

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

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

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

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

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

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Adverse Employment Action Occurs When Employment Decision Made and Communicated to Employee

Rael A. Odongo v. Crossmark, Inc. 11 OCAHO 1236 (2014)

Based on Filing a Charge With OSC

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

Causation Requires a Showing that the Decisionmaker Knew of the Employee's Protected Activity

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Employer Has Burden of Production in Stating Non-Discriminatory Reason for Employment Action

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Evidence of Pretext Must Be Specific and Substantial

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Filing EEOC Religious Discrimination Complaint is not Protected Activity Under Section 1324b(a)(5)

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Jose Pablo Martinez v. Superior Linen 10 OCAHO 1180 (2013)

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Complaining About Illegal Hiring Under § 1324a Does Not Constitute Protected Activity Under § 1324b(a)(5)

Jose Carlos De Araujo v. Joan Smith Enterprises, Inc., aka California Pools and Spas and or California Pools and Landscape 10 OCAHO 1187 (2013)

Retaliation Claim Must Be Based on Conduct that is Protected Under Section 1324b

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Retaliation May Consist of Actions Not Directly Related to an Individual's Employment

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Retaliation Provision of Section 1324b Applies to any Individual, Not Just Protected Individuals

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To Rebut Prima Facie Case, Employer Must State Non-Retaliatory Reason for Employment Action

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United States v. Penrod National Enterprises, Inc. d/b/a Floral Bionomics Landscape Management 3 OCAHO 559 (1993)

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Issues Not Properly Raised Below Cannot Be Raised for the First Time on Review

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Attorney Fees Not Permitted As Sanction for Failure to Comply With Discovery Order

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United States v. The Beverly Center 5 OCAHO 762 (1995)

Discovery Sanctions Usually Imposed Only After Order Compelling Discovered is Issued

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