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United States v. Leo Yruegas d/b/a Chito's Mexican Restaurant	1	OCAHO	45	(1989)
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Miguel A. Gallegos v. Magna-View, Inc.	4	OCAHO	628	(1994)
Tyrone Robinson v. New York State Family Court	5	OCAHO	814	(1995)
United States v. Anchor Seafood Distributors, Inc. d/b/a Anchor Fish Company	5	OCAHO	742	(1995)
United States v. Burns and Intra-Continental Enterprises	5	OCAHO	759	(1995)
United States v. Columbia Sportswear Manufacturers, Inc.	5	OCAHO	808	(1995)
United States v. Continental Forestry Service	6	OCAHO	836	(1996)
United States v. Cordin Company	10	OCAHO	1162	(2012)
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United States v. Kim Dong Hui t/a Chestnut Gourmet Restaurant	3	OCAHO	479	(1992)
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United States v. Hartmann Studios, Inc. 11 OCAHO 1255 (2015)

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John A. Breda v. Kindred Braintree Hospital, LLC	10	OCAHO	1202	(2013)
Robert Y. Chu v. Fujitsu Network Transmission System, Inc.	5	OCAHO	778	(1995)
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United States v. Auburn University	4	OCAHO	662	(1994)
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United States v. Chuy's Paint & Body Shop	1	OCAHO	19	(1988)
United States v. National P.R. Engineer Corporation	1	OCAHO	146	(1990)
United States v. Sophie Valdez d/b/a La Parilla Restaurant	1	OCAHO	91	(1989)
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United States v. Jerry Estopy and Manuel Bortoni, d/b/a Estopy Farms	11	OCAHO	1252	(2015)
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United States v. Chuy's Paint & Body Shop	1	OCAHO	19	(1988)
United States v. Eduardo Gutierrez, Individually and d/b/a Diamond Tires and Wheels	3	OCAHO	554	(1993)
United States v. El Centenario, Inc. d/b/a Las Margaritas III	1	OCAHO	28	(1988)
United States v. Elsinore Manufacturing, Inc.	1	OCAHO	5	(1988)
United States v. La Fiesta, Inc. d/b/a Las Margaritas	1	OCAHO	28	(1988)
United States v. National P.R. Engineer Corporation	1	OCAHO	146	(1990)
United States v. Patricio Torres, Individually and d/b/a Superior Roof Services	1	OCAHO	83	(1989)
United States v. Student Exchange International, Inc.	1	OCAHO	117	(1989)
United States v. Torres Mexican Food, Inc.	4	OCAHO	596	(1994)
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United States v. El Paso Hospitality, Inc. 5 OCAHO 737 (1995)
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United States v. Mushtaq Admed Chaudhry 3 OCAHO 576 (1993)
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United States v. Kaday Musu Thoronka 5 OCAHO 772 (1995)
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Mester Manufacturing Company v. United States 1 OCAHO 44 (1989)
United States v. ABC Roofing & Waterproofing, Inc. 2 OCAHO 358 (1991)
United States v. ABC Roofing & Waterproofing, Inc. 2 OCAHO 381 (1991)
United States v. Dodge Printing Centers, Inc. 1 OCAHO 181 (1990)
United States v. Giannini Landscaping, Inc. 3 OCAHO 573 (1993)
United States v. Karnival Fashion, Inc. 5 OCAHO 783 (1995)
United States v. Koamerican Trading Corporation 1 OCAHO 63 (1989)
United States v. Maka's Akamai Service 1 OCAHO 36 (1988)
United States v. Min Goldblatt & Sons, Inc. t/a Richfield Caterers 1 OCAHO 184 (1990)

United States v. Mitchell Greif, President, Coast Poly, LLC	10 OCAHO	1183	(2013)
United States v. New El Rey Sausage Company	1 OCAHO	78	(1989)
United States v. Paula Schwartz d/b/a Metroplex Maid and Placement Service	5 OCAHO	760	(1995)
United States v. Robert Cleek d/b/a Robert Cleek Concrete Company	1 OCAHO	182	(1990)
United States v. Sophie Valdez d/b/a La Parilla Restaurant	1 OCAHO	112	(1989)
United States v. Split Rail Fence Company, Inc.	10 OCAHO	1181	(2013)
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United States v. Mario Saikhon, Inc.	1 OCAHO	279	(1990)
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United States v. Big Bear Market	1 OCAHO	48	(1989)
United States v. Citizen's Utilities Company, Inc., Telephone Division	1 OCAHO	109	(1989)
United States v. Interdynamics, Inc.	3 OCAHO	433	(1992)
United States v. Mester Manufacturing Company	1 OCAHO	18	(1988)
United States v. New El Rey Sausage Company	1 OCAHO	78	(1989)
United States v. The Body Shop	1 OCAHO	149	(1990)
United States v. Walia's, Inc. d/b/a Walia's Restaurant	1 OCAHO	122	(1990)
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 May Be Appropriate Factor to Consider In Assessing the Amount of the Penalty

United States v. Buffalo Transportation, Inc.	11 OCAHO	1263	(2015)
United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167)	11 OCAHO	1258	(2015)
United States v. Metropolitan Warehouse, Inc.	10 OCAHO	1207	(2013)
United States v. Mr. Mike's Pizza, Inc.	10 OCAHO	1196	(2013)
United States v. Niche, Inc.	11 OCAHO	1250	(2015)
United States v. 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)

United States v. PM Packaging, Inc., and PM Corporate Group, Inc., d/b/a PM Packaging 11 OCAHO 1253 (2015)
Additional Factors That May Be Considered Are Party's Financials and Statutory Leniency Policy

United States v. Buffalo Transportation, Inc. 11 OCAHO 1263 (2015)
Aggravation

United States v. Forsch Polymer Corporation 10 OCAHO 1156 (2012)
United States v. Hudson Delivery Service, Inc. d/b/a Home Delivery Service 7 OCAHO 945 (1997)
United States v. 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
United States v. Natural Environmental, Inc. 10 OCAHO 1197 (2013)
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)
Franchisee/Franchisor
United States v. Siwan & Brothers, Inc. d/b/a Subway #37616 10 OCAHO 1178 (2013)
United States v. Siwan & Sons, Inc. d/b/a Subway #35029 and Subway #23095 10 OCAHO 1179 (2013)
ALJ Can Consider Public Policy of Leniency to Small Entities

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

United States v. Homestead Metal Recycling Corp. 11 OCAHO 1251 (2015)

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

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

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

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

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

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

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

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

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

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

United States v. Jerry Estopy and Manuel Bortoni, d/b/a Estopy Farms 11 OCAHO 1252 (2015)

ALJ Not Bound by ICE's Method of Calculating Penalties

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

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

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

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

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

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

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

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

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

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

United States v. New Star at Niagara Fall, Inc., d/b/a New Star Buffet 10 OCAHO 1192 (2013)

United States v. Pharaoh's Gentleman's Club, Inc. 10 OCAHO 1189 (2013)

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

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

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

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)

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

United States v. Jerry Estopy and Manuel Bortoni, d/b/a Estopy Farms 11 OCAHO 1252 (2015)

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

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

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

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

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

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

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

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

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

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

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

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

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

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United States v. Alberto Noriega-Perez 5 OCAHO 811 (1995)

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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

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

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

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

Enhancement Factor Based on Whether Specific Individual was Unauthorized

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

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

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

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

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

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

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

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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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United States v. La Hacienda Mexican Café 10 OCAHO 1167 (2013)
United States v. Mr. Mike's Pizza, Inc. 10 OCAHO 1196 (2013)
United States v. New Outlook Homecare, LLC 10 OCAHO 1210 (2014)
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United States v. The Red Coach Restaurant, Inc. 10 OCAHO 1195 (2013)

Excessiveness Determined Relative to Characteristics of Offense, Not Offender

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United States v. DJ Drywall, Inc. 10 OCAHO 1136 (2010)
United States v. Fortune East Fashion, Inc. 7 OCAHO 992 (1998)
United States v. New China Buffet Restaurant 10 OCAHO 1132 (2010)
United States v. Pedro Dominguez 8 OCAHO 1000 (1998)
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 Complete I-9 Within Three Business Days is Serious Violation

United States v. Buffalo Transportation, Inc. 11 OCAHO 1263 (2015)

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

United States v. Durable, Inc. 11 OCAHO 1221 (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 Prepare Form I-9 Among Most Serious Paperwork Violations

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

Failure to Prepare I-9 Among Most Serious Paperwork Violations

United States v. Buffalo Transportation, Inc. 11 OCAHO 1263 (2015)

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

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

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

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

Failure to Prepare I-9 More Serious Than Paperwork Violations

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

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

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

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

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

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

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

United States v. Alberta Sosa, Inc.	6	OCAHO	831	(1996)
United States v. Alyn Industries, Inc. d/b/a Electronic Source Company	10	OCAHO	1141	(2011)
United States v. A-Plus Roofing, Inc.	1	OCAHO	209	(1990)
United States v. Applied Computer Technology	2	OCAHO	367	(1991)
United States v. Armando Alvarez-Suarez	6	OCAHO	862	(1996)
United States v. Big Bear Market	1	OCAHO	48	(1989)
United States v. Broadcasters Unlimited, Inc. d/b/a KGRE AM Radio	4	OCAHO	719	(1994)
United States v. Buckingham Limited Partnership d/b/a Mr. Wash	1	OCAHO	151	(1990)
United States v. Busy Corner Sportswear, Inc.	3	OCAHO	511	(1993)
United States v. Camidor Properties, Inc.	1	OCAHO	299	(1991)
United States v. Carlos Cruz d/b/a La Rosa Bakery	3	OCAHO	453	(1992)
United States v. Chef Rayko, Inc. d/b/a Chef Rayko's Cucina Italiana	5	OCAHO	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)
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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 Assessment Looks Primarily at Steps Employer Took Before Notice of Inspection

United States v. Hartmann Studios, Inc.	11	OCAHO	1255	(2015)
United States v. Quickstuff, LLC, Its Member Maria Castillo, and A&C Staffing, LLC	11	OCAHO	1265	(2015)

Good Faith Compliance

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

Good Faith Defense

United States v. Anchor Seafood Distributors, Inc. d/b/a Anchor Fish Company	5	OCAHO	758	(1995)
United States v. Benjamin P. Raygoza d/b/a Cielito Lindo Restaurant	5	OCAHO	729	(1995)
United States v. Danny Mathis d/b/a Mathis Maspory	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. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167)	11	OCAHO	1258	(2015)
United States v. Homestead Metal Recycling Corp.	11	OCAHO	1251	(2015)
United States v. Keegan Varitey, LLC	11	OCAHO	1238	(2014)
United States v. Niche, Inc.	11	OCAHO	1250	(2015)

Government Bears the Burden of Proof on Penalty and Aggravating Factors

Margarita Garcia Ocana v. El Dorado Stone, LLC	11	OCAHO	1244	(2015)
United States v. Buffalo Transportation, Inc.	11	OCAHO	1263	(2015)

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. PM Packaging, Inc., and PM Corporate Group, Inc., d/b/a PM Packaging 11 OCAHO 1253 (2015)
United States v. SKZ Harvesting, Inc. 11 OCAHO 1266 (2016)
United States v. Speedy Gonzalez Construction, Inc. 11 OCAHO 1243 (2015)

Government Must Prove Aggravating Factor by Preponderance of Evidence

Margarita Garcia Ocana v. El Dorado Stone, LLC 11 OCAHO 1244 (2015)
United States v. Dr. Robert Schaus, D.D.S. 11 OCAHO 1239 (2014)
United States v. Employer Solutions Staffing Group II, LLC 11 OCAHO 1242 (2015)
United States v. Kobe Sakura Japanese, Inc. 10 OCAHO 1205 (2013)
United States v. Kobe Sapporo Japanese, Inc. 10 OCAHO 1204 (2013)
United States v. Liberty Packaging, Inc. 11 OCAHO 1245 (2015)
United States v. 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. Buffalo Transportation, Inc. 11 OCAHO 1263 (2015)
United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167) 11 OCAHO 1258 (2015)
United States v. Keegan Varitey, LLC 11 OCAHO 1238 (2014)
United States v. Niche, Inc. 11 OCAHO 1250 (2015)
United States v. Senox Corporation 11 OCAHO 1219 (2014)
United States v. Speedy Gonzalez Construction, Inc. 11 OCAHO 1243 (2015)

ICE Guidelines

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)

INS Guidelines

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

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

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)

United States v. New Outlook Homecare, LLC 10 OCAHO 1210 (2014)

Mitigation

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

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

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

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

United States v. American McNair, Inc. 1 OCAHO 285 (1991)

United States v. Anchor Seafood Distributors, Inc. d/b/a Anchor Fish Company 5 OCAHO 758 (1995)

United States v. Anders Kampe d/b/a Kampe Motors, Ltd.	3	OCAHO	462	(1992)
United States v. Applied Computer Technology	2	OCAHO	367	(1991)
United States v. Basim Aziz Hanna d/b/a Ferris & Ferris Pizza	1	OCAHO	200	(1990)
United States v. Benjamin P. Raygoza d/b/a Cielito Lindo Restaurant	5	OCAHO	729	(1995)
United States v. Big Bear Market	1	OCAHO	48	(1989)
United States v. Boo Bears Den	1	OCAHO	71	(1989)
United States v. Broadway Tire, Inc.	1	OCAHO	226	(1990)
United States v. Broadway Tire, Inc.	2	OCAHO	310	(1991)
United States v. Business Teleconsultants, Ltd.	3	OCAHO	536	(1993)
United States v. Business Teleconsultants, Ltd.	3	OCAHO	565	(1993)
United States v. Busy Corner Sportswear, Inc.	3	OCAHO	511	(1993)
United States v. Cafe Camino Real, Inc.	2	OCAHO	307	(1991)
United States v. Camidor Properties, Inc.	1	OCAHO	299	(1991)
United States v. Carlos Cruz d/b/a La Rosa Bakery	3	OCAHO	453	(1992)
United States v. Central Nebraska Packing, Inc.	4	OCAHO	714	(1994)
United States v. Charles C. W. Wu d/b/a Airport Budget Hotel	3	OCAHO	434	(1992)
United States v. Charo's Corporation d/b/a Charo's Restaurant	2	OCAHO	369	(1991)
United States v. Chef Rayko, Inc. d/b/a Chef Rayko's Cucina Italiana	5	OCAHO	803	(1995)
United States v. China Wok Restaurant, Inc., a Nebraska Corporation	4	OCAHO	608	(1994)
United States v. Collins Food International, Inc. d/b/a Sizzler Restaurant	1	OCAHO	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. Danny Mathis d/b/a Mathis Maspory	4	OCAHO	717	(1994)
United States v. David Day d/b/a David Day Masonry	3	OCAHO	575	(1993)
United States v. David Jenkins	5	OCAHO	743	(1995)
United States v. Davis Nursery, Inc.	4	OCAHO	694	(1994)
United States v. Dodge Printing Centers, Inc.	1	OCAHO	125	(1990)
United States v. Draper-King Cole, Inc.	7	OCAHO	933	(1997)

United States v. Eagles Groups, Inc. d/b/a Golden Eagle Services	2	OCAHO	342	(1991)
United States v. Ed Valencia & Sons, Inc. d/b/a Valladares	2	OCAHO	316	(1992)
United States v. El Centenario, Inc. d/b/a Las Margaritas III	1	OCAHO	24	(1988)
United States v. Enrique Martinez and Herlinda Martinez d/b/a Enrique's Restaurant	2	OCAHO	360	(1991)
United States v. Enrique Reyes d/b/a King's Produce	4	OCAHO	592	(1994)
United States v. Exim, Inc. and Jaime Monardes, Individually	3	OCAHO	591	(1993)
United States v. Exim, Inc. and Jaime Monardes, Individually	4	OCAHO	604	(1994)
United States v. Felipe, Inc.	1	OCAHO	93	(1989)
United States v. Four Seasons Earthworks, Inc.	10	OCAHO	1150	(2012)
United States v. Four Star Knitting, Inc.	6	OCAHO	868	(1996)
United States v. Gerald Hollendorfer	1	OCAHO	175	(1990)
United States v. Giamblis Enterprises	6	OCAHO	834	(1996)
United States v. Giannini Landscaping, Inc.	3	OCAHO	573	(1993)
United States v. Great Bend Packing Company	6	OCAHO	835	(1996)
United States v. GRS, Inc. d/b/a Gasket Engineering	4	OCAHO	627	(1994)
United States v. Guillermo Perales d/b/a Mexican Bakery	2	OCAHO	315	(1991)
United States v. H&H Saguaro Specialists	10	OCAHO	1147	(2012)
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)
United States v. Jimmy Bai Huang d/b/a Great Wall Chinese Restaurant	1	OCAHO	300	(1991)
United States v. John Gasper, Individually and d/b/a John Gasper Labor Contractor	2	OCAHO	394	(1990)
United States v. John W. Guewell & Alfred P. Cooper d/b/a Wagco Security Services	3	OCAHO	478	(1992)
United States v. Johnny Ng Lim and Christina Lim Go d/b/a The New Orient	3	OCAHO	499	(1993)

United States v. Johnny Ng Lim and Christina Lim Go d/b/a The New Orient	3	OCAHO	512	(1993)
United States v. Joo Hyun Y and Hyung Jin Cho d/b/a LA Connection	3	OCAHO	403	(1992)
United States v. Juan V. Acevedo	1	OCAHO	95	(1989)
United States v. Kerry J. Vicker d/b/a SNB Cleaning	5	OCAHO	819	(1995)
United States v. Kim Dong Hui t/a Chestnut Gourmet Restaurant	3	OCAHO	479	(1992)
United States v. La Fiesta, Inc. d/b/a Las Margaritas	1	OCAHO	24	(1988)
United States v. Land Coast Insulation, Inc.	2	OCAHO	379	(1991)
United States v. LeMerengo/Rumors Restaurant	1	OCAHO	157	(1990)
United States v. Local Building & Remodeling of International Falls	3	OCAHO	567	(1993)
United States v. Lola O'Brien Oil d/b/a O'Brien Oil Company	1	OCAHO	166	(1990)
United States v. Lorenzo Robles d/b/a Lorenzo Robles Roofing and Construction	2	OCAHO	309	(1991)
United States v. M.T.S. Service Corporation d/b/a Maggie's Catering Mexico Tipico Restaurant	3	OCAHO	448	(1992)
United States v. Masoud Pour d/b/a La Plaza Restaurant	1	OCAHO	164	(1990)
United States v. Min Goldblatt & Sons, Inc. t/a Richfield Caterers	1	OCAHO	154	(1990)
United States v. Minaco Fashions, Inc.	3	OCAHO	587	(1993)
United States v. Morgan's Mexican & Lebanese Foods, Inc.	8	OCAHO	1013	(1998)
United States v. Mourad Abu Remileh	6	OCAHO	825	(1995)
United States v. Multimatic Products, Inc.	1	OCAHO	221	(1990)
United States v. New China Buffet Restaurant	10	OCAHO	1132	(2010)
United States v. Nicolas Tinoco-Medina	6	OCAHO	890	(1996)
United States v. Noel Plastering & Stucco, Inc.	2	OCAHO	377	(1991)
United States v. Noel Plastering & Stucco, Inc.	3	OCAHO	427	(1992)
United States v. Orlando Diaz-Rosas	4	OCAHO	702	(1994)
United States v. Oscar Eduardo Villatoro-Guzman	4	OCAHO	652	(1994)
United States v. Park Sunset Hotel	3	OCAHO	525	(1993)
United States v. Pedro Dominguez	8	OCAHO	1000	(1998)
United States v. Pegasus Restaurant, Inc.	10	OCAHO	1143	(2012)
United States v. Penrod National Enterprises, Inc. d/b/a Floral Bionomics Landscape Management	3	OCAHO	559	(1993)

United States v. Primera Enterprises, Inc. d/b/a J.B.'s Lounge	4	OCAHO	692	(1994)
United States v. Ramon Yamamoto d/b/a Elvis Palace Restaurant	3	OCAHO	424	(1992)
United States v. Randall Kurzon, Individually and Alonza Restaurant Ventures, inc.	3	OCAHO	583	(1993)
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. Richard Pizzuto Dimensions in Hair and Skin	3	OCAHO	447	(1992)
United States v. Ricky Catalano d/b/a Papa Joe's Pizza	7	OCAHO	974	(1997)
United States v. Riverboat Delta King, Inc.	5	OCAHO	738	(1995)
United States v. Robert Griffin d/b/a Griff's Landscape	1	OCAHO	50	(1989)
United States v. Robert Watson d/b/a North State Tile Company	1	OCAHO	253	(1990)
United States v. Roberto C. Davila	7	OCAHO	936	(1997)
United States v. Ron Eagley d/b/a Gwennie's Old Alaska Restaurant	3	OCAHO	435	(1992)
United States v. Rosario Cuevas d/b/a El Pollo Real	1	OCAHO	273	(1990)
United States v. Rupson of Hyde Park, Inc. d/b/a Super 8 Motel, Hyde Park	7	OCAHO	958	(1997)
United States v. Saeed Rahimzadeh Corporation	3	OCAHO	551	(1993)
United States v. Sergio Alaniz d/b/a Sagunada	1	OCAHO	297	(1991)
United States v. Silver Cloud Investments, Inc. d/b/a Silver Clouds Restaurant	3	OCAHO	509	(1993)
United States v. Skydive Academy of Hawaii Corporation d/b/a Skydive Hawaii	6	OCAHO	848	(1996)
United States v. Sunshine Building Maintenance, Inc.	7	OCAHO	997	(1998)
United States v. Taco Plus, Inc. d/b/a Taco Loco	5	OCAHO	775	(1995)
United States v. Task Force Security, Inc. d/b/a Task Force Security and Investigations	4	OCAHO	625	(1994)
United States v. The Body Shop	1	OCAHO	185	(1990)
United States v. Thomas R. Heisler, Individually and d/b/a The Playground Bar	1	OCAHO	150	(1990)
United States v. Tri-Component Product Corporation	6	OCAHO	853	(1996)
United States v. Ulysses, Inc. and Ulysses Restaurant Group, Inc.	3	OCAHO	449	(1992)
United States v. USA Café	1	OCAHO	42	(1989)
United States v. Williams Produce, Inc.	5	OCAHO	730	(1995)
United States v. Wood 'N Stuff	3	OCAHO	574	(1993)

No Deterrent Effect When Employer Is No Longer in Business

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

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

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

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

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

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

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

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

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

OCAHO ALJs May Review Penalty Assessments De Novo

United States v. Buffalo Transportation, Inc. 11 OCAHO 1263 (2015)

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

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

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

OCAHO May Examine ICE Fine de novo

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

Offender's Resources Not Required Consideration In Assessing Penalty

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

Paperwork Violation Penalties Are Prophylactic and Corrective, Not Punitive

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

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

United States v. Buffalo Transportation, Inc.	11	OCAHO	1263	(2015)
United States v. Hartmann Studios, Inc.	11	OCAHO	1255	(2015)
United States v. Keegan Varitey, LLC	11	OCAHO	1238	(2014)
United States v. Niche, Inc.	11	OCAHO	1250	(2015)

Pattern or Practice

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

Penalties Near Maximum Should Be Reserved for Most Egregious Violations

United States v. Buffalo Transportation, Inc.	11	OCAHO	1263	(2015)
United States v. Century Hotels Corporation, d/b/a Scottsdale Thunderbird Suites	11	OCAHO	1218	(2014)
United States v. Clean Sweep Janitor Service	11	OCAHO	1226	(2014)
United States v. Crescent City Meat Company, Inc.	11	OCAHO	1223	(2014)
United States v. Golf International d/b/a Desert Canyon Golf	11	OCAHO	1222	(2014)
United States v. Hartmann Studios, Inc.	11	OCAHO	1255	(2015)
United States v. Homestead Metal Recycling Corp.	11	OCAHO	1251	(2015)
United States v. Horno MSJ, Ltd., Company	11	OCAHO	1247	(2015)
United States v. Jalisco's Bar and Grill, Inc.	11	OCAHO	1224	(2014)
United States v. M & D Masonry, Inc.	10	OCAHO	1211	(2014)
United States v. Mott Thoroughbred Stables, Inc.	11	OCAHO	1233	(2014)
United States v. Mr. Mike's Pizza, Inc.	10	OCAHO	1196	(2013)
United States v. Natural Environmental, Inc.	10	OCAHO	1197	(2013)
United States v. New Outlook Homecare, LLC	10	OCAHO	1210	(2014)
United States v. New Sun Transit, Inc. d/b/a La Tolteca Mexican Restaurant	10	OCAHO	1194	(2013)
United States v. Niche, Inc.	11	OCAHO	1250	(2015)
United States v. PM Packaging, Inc., and PM Corporate Group, Inc., d/b/a PM Packaging	11	OCAHO	1253	(2015)

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

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

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

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

Penalties Should Deter Future Violations Without Being Unduly Punitive

United States v. Buffalo Transportation, Inc. 11 OCAHO 1263 (2015)

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

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

United States v. Homestead Metal Recycling Corp. 11 OCAHO 1251 (2015)

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

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

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

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

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

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

Penalties Should Not Be Disproportionate to Employer's Revenue

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

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

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

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

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

Person or Entity

Definition

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

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

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

Previous Violation(s)

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

Principal Goal Is To Enhance Probability of Future Compliance

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

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

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

Proportionality is Critical in Setting Penalties

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

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

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Default Judgment May Be Set Aside If Default Based on Mistake, Inadvertence or Excusable Neglect

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United States v. Claude H. Linkous & Martin Riley d/b/a CM Health Services	3	OCAHO	436	(1992)
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United States v. Lea's Party Rentals, Inc.	1	OCAHO	111	(1989)
United States v. Leo Yruegas d/b/a Chito's Mexican Restaurant	1	OCAHO	45	(1989)
United States v. Manuel Medina, Jr., Individually d/b/a The Montana Hideaway	3	OCAHO	485	(1993)
United States v. Minaco Fashions, Inc.	3	OCAHO	534	(1993)
United States v. Mireya Pedraza-Guzman	5	OCAHO	792	(1995)
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United States v. Ed Valencia & Sons, Inc. d/b/a Valladares	2	OCAHO	387	(1991)
United States v. Enrique Reyes d/b/a King's Produce	4	OCAHO	592	(1994)
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United States v. Fairfield Jersey, Inc.	9	OCAHO	1072	(2001)
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United States v. Goldenfield Corporation d/b/a Rodeway Inn	2	OCAHO	321	(1991)
United States v. Gregorio Alabada Makilan	4	OCAHO	610	(1994)
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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)

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

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No Mandate That U.S. Citizen Be Afforded Preference Over Equally Qualified Alien Individual

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OCAHO Case Law, Unlike Title VII, Has Never Recognized the Disparate Impact Theory

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OCAHO Has No Authority Over Discrimination Claims Covered by Statutes Other Than Section 1324b

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

OSC, A Separate and Distinct Party, Can Pursue Complaint-In-Intervention Without Charging Party

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Pattern or Practice

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Pattern Or Practice of Discrimination Shown If Employer Discriminates As Standard Operating Procedure

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Prescreening of Employment Applicants Based on Their Documentation is Impermissible

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

Similarly Situated Comparators

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

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Under Section 1324b Disparate Treatment Must Be Shown

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

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Dismissal With Prejudice is the Equivalent of a Decision on the Merits

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United States v. Homestead Metal Recycling Corp. 11 OCAHO 1251 (2015)
United States v. Leed Construction, Megan Burkholder 11 OCAHO 1237 (2014)

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United States v. Dr. Robert Schaus, D.D.S. 11 OCAHO 1239 (2014)
United States v. Homestead Metal Recycling Corp. 11 OCAHO 1251 (2015)
United States v. Leed Construction, Megan Burkholder 11 OCAHO 1237 (2014)
United States v. Speedy Gonzalez Construction, Inc. 11 OCAHO 1228 (2014)
United States v. Two For Seven, LLC d/b/a Black & Blue Restaurant 10 OCAHO 1208 (2014)

Employee Defined as Individual Who Provides Services or Labor for an Employer for Wages or Other Remuneration

United States v. SKZ Harvesting, Inc. 11 OCAHO 1266 (2016)
United States v. Speedy Gonzalez Construction, Inc. 11 OCAHO 1228 (2014)

Function of Individual Within Entity is Determinative of Employee Status

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

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Lydia Annella Anderson v. Newark Public Schools 8 OCAHO 1035 (1999)
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United States v. Anodizing Industries, Inc. 10 OCAHO 1184 (2013)

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

United States v. The Red Coach Restaurant, Inc. 10 OCAHO 1195 (2013)

Independent Contractor Determination Looks to Regulation, OCAHO Cases and Federal Agency Law

United States v. Saidabror Siddikov d/b/a Beyond Cleaning Services 11 OCAHO 1257 (2015)

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United States v. Saidabror Siddikov d/b/a Beyond Cleaning Services 11 OCAHO 1257 (2015)

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

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

United States v. Speedy Gonzalez Construction, Inc. 11 OCAHO 1228 (2014)

Loss of Grandfathered Status

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

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

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

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

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

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

National Origin

Martin Flores v. Logan Foods Company 6 OCAHO 874 (1995)

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Leonid Naginsky v. Department of Defense and EG&G Dynatrend 6 OCAHO 891 (1996)
Michael K. Lee v. Airtouch Communications 6 OCAHO 901 (1996)

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

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

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

United States v. Homestead Metal Recycling Corp. 11 OCAHO 1251 (2015)
United States v. Two For Seven, LLC d/b/a Black & Blue Restaurant 10 OCAHO 1208 (2014)

Three Level Inquiry to Determinine Whether Individual Is An Independent Contractor Or An Employee

United States v. Saidabror Siddikov d/b/a Beyond Cleaning Services 11 OCAHO 1257 (2015)

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United States v. Robison Fruit Ranch, Inc. 6 OCAHO 855 (1996)
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United States v. Mesa Airlines	1	OCAHO	74	(1989)
United States v. Southwest Marine Corporation, a California Corporation	2	OCAHO	400	(1989)
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Dinko Sefic v. Marconi Wireless	9	OCAHO	1123	(2007)
Dolores Garcia Contreras v. Cascade Fruit Company	9	OCAHO	1090	(2003)
Elizabeth S. Mengarpuan v. Asbury Methodist Village	4	OCAHO	612	(1994)
Esther Din Brooks v. Watts Window World	3	OCAHO	558	(1993)
Joan A. Lardy v. United Airlines, Inc.	4	OCAHO	595	(1994)
Kenneth Wade Parker, Jr. v. Wild Goose Storage, Inc.	9	OCAHO	1081	(2002)
Martin A. Holguin v. Dona Ana Fashions	3	OCAHO	582	(1993)
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Eric Robin Cholerton v. Robert M. Hadley Company, Inc.	7	OCAHO	934	(1997)
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Ramnik M. Trivedi v. Northrop Corporation and Department of Defense 4 OCAHO 600 (1994)

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United States v. Land Coast Insulation, Inc.	2	OCAHO	379	(1991)
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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 OCAHO 1193 (2013)

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Employee's Failure to Check Box Attesting to Status or Sign Section 1 is a Substantive Violation

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

Employer Must Attest to Examination of Section 2 Documents

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

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

Employer Must Ensure Employee Completed and Signs Section 1 On Date of Hire

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

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

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

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

Employers Not At Liberty to Create Own Alternative Employment Eligibility Verification Systems

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Failure to Attest to Examination of Section 2 Documents is Serious Substantive Violation

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

Failure to Complete and Sign Section 2 of Form I-9 Is Both Substantive and Serious Violation

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

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

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

Failure to Complete or Sign Section 2 Employer Verification Constitutes Substantive Violation

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

Failure to Ensure Employee Enters Alien Number in Section 1 Constitutes Serious Violation

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

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Failure to Ensure Employee Signs Section 1 Is A Serious Violation

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

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)

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

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

Failure to Prepare Form I-9 Subverts the Purpose of the Employment Verification Requirements

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

Failure to Properly Complete Section 2 of the Form I-9 is a Serious Violation

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

Failure to Reverify Employment Authorization Document Before Expiration Date Constitutes Violation

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I-9 Section 3 To Be Used Only for Reverification After Section 2 is Properly Completed At Hire

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Retention Requirement for Former Employees

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The Longer the Delay In Preparing a Form I-9, The More Serious the Violation

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Timely Prepared If Section 1 Completed at Hire and Section 2 Within Three Days of Hire

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

United States v. Speedy Gonzalez Construction, Inc. 11 OCAHO 1228 (2014)

Use of Section 3 of Form I-9 Only Proper If Employee Is Rehired or Work Authorization Expires

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Absence of Good Faith Shown Where Employer Enters False Hire Dates on Multiple 1-9 Forms

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

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Good Faith Affirmative Defense Only Available for Technical/Procedural Violations

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Good Faith Shown When Employer Makes Effort to Ascertain and Conform to its Legal Obligations

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

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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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Failure to Prepare I-9 Among Most Serious Paperwork Violations

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

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United States v. Draper-King Cole, Inc.	7 OCAHO	933	(1997)
United States v. Enrique Reyes d/b/a King's Produce	4 OCAHO	592	(1994)
United States v. Exim, Inc. and Jaime Monardes, Individually	4 OCAHO	604	(1994)
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United States v. Giamblis Enterprises 5 OCAHO 817 (1995)

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United States v. Jonel, Inc. 8 OCAHO 1008 (1998)

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Paperwork Violation Penalties Are Prophylactic and Corrective, Not Punitive

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

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Penalties Near Maximum Should Be Reserved for Most Egregious Violations

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Penalties Should Deter Future Violations Without Being Unduly Punitive

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

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

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Issues Are Not the Same Where Second Action Involves Application of Different Legal Standard

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

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

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ALJ Must Accept As True Unrebutted Facts Established By Documentary Evidence or Affidavit

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Gurpreet Sodhi v. Maricopa County Special Health Care District	9	OCAHO	1124	(2007)
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United States v. Chesters Restaurants, Inc. d/b/a La Cabana Restaurant	1	OCAHO	113	(1989)
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United States v. Continental Sports Corporation	5	OCAHO	799	(1995)
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United States v. Elsinore Manufacturing, Inc.	1	OCAHO	13	(1988)
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United States v. Felipe De Leon-Valenzuela	7	OCAHO	993	(1998)
United States v. Giamblis Enterprises	5	OCAHO	817	(1995)
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United States v. James Q. Carlson d/b/a Jimmy On The Spot	1	OCAHO	298	(1991)
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United States v. Neighbors of Hawaii d/b/a Tower of Power	1	OCAHO	262	(1990)
United States v. Nicolas Tinoco-Medina	6	OCAHO	890	(1996)
United States v. Noel Plastering & Stucco, Inc.	2	OCAHO	377	(1991)
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United States v. Orlando Diaz-Rosas	4	OCAHO	702	(1994)
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United States v. Paula Schwartz d/b/a Metroplex Maid and Placement Service	5	OCAHO	760	(1995)
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United States v. PPJV, Inc. d/b/a Publishers Press	2	OCAHO	337	(1991)
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United States v. Ricky Catalano d/b/a Papa Joe's Pizza	7	OCAHO	974	(1997)
United States v. Robert Marnul d/b/a Lamont Street Grill	3	OCAHO	441	(1992)
United States v. Roberto C. Davila	7	OCAHO	936	(1997)

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United States v. Sergio Alaniz d/b/a Sagunada	1	OCAHO	245	(1990)
United States v. Sergio Alaniz d/b/a Sagunada	1	OCAHO	297	(1991)
United States v. The Beverly Center	5	OCAHO	762	(1995)
United States v. Tom & Yu, Inc. t/a Peking Garden Restaurant	3	OCAHO	412	(1993)
United States v. Tri-Component Product Corporation	5	OCAHO	821	(1995)
United States v. Ulysses, Inc. and Ulysses Restaurant Group, Inc.	3	OCAHO	409	(1992)
United States v. USA Café	1	OCAHO	42	(1989)
United States v. Valencia Bar & Liquors, Inc.	7	OCAHO	995	(1998)
United States v. Weldco, Inc. and Weldco Components, Inc. d/b/a Weldco Products	3	OCAHO	483	(1993)
United States v. Weymoor Investments, Limited	1	OCAHO	56	(1989)
United States v. William and Maria Sievert	1	OCAHO	294	(1991)
United States v. Wood 'N Stuff	3	OCAHO	574	(1993)
United States v. Yin Tien Chen, Individually and Winning Orchards, LLC	9	OCAHO	1092	(2003)
Wisniewski v. Douglas County School System	1	OCAHO	29	(1988)
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United States v. China Wok Restaurant, Inc., a Nebraska Corporation	4	OCAHO	608	(1994)
United States v. Snack Attack Deli, Inc.	10	OCAHO	1137	(2010)

Issue Is Material Only If It Might Affect the Outcome of the Case and Must Inevitably Be Decided

United States v. Split Rail Fence Company, Inc.	11	OCAHO	1216 a	(2015)

Issue of Fact Is Genuine Only If It Has A Real Basis in the Record

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Jurisdiction

Leonor Garcia v. Tia Maria's Cantina & Mexican Restaurante 7 OCAHO 970 (1997)

Knowledge

Martin John Shortt v. Dick Clark's American Bandstand Grill 10 OCAHO 1130 (2009)

United States v. Felipe De Leon-Valenzuela 7 OCAHO 993 (1998)

United States v. Haim Co., Inc. 7 OCAHO 988 (1998)

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

United States v. Diversified Technology and Services of Virginia, Inc. 9 OCAHO 1095 (2003)

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

United States v. Jim Bailey and Charles Fristoe d/b/a B & F Golf Services, Inc. 6 OCAHO 851 (1996)

Modification(s)

United States v. Paula Schwartz d/b/a Metroplex Maid and Placement Service 5 OCAHO 760 (1995)

Motion to Dismiss Treated As Motion for Summary Decision Where Evidence Outside Pleadings is Considered

United States v. Split Rail Fence Company, Inc. 11 OCAHO 1216 (2014)

Movant Bears Initial Burden to Demonstrate Absence of Genuine Issue of Material Fact

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

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

Moving Party Who Bears Burden of Proof At Trial Must Present Sufficient Evidence to Support

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Nonmoving Party Who Bears Burden of Proof at Trial Must Present Sufficient Evidence to Support Claim

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Notice to Pro Se Party

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Parties Generally Not Put to Burden or Expense of Hearing Absent Genuine, Material Factual Issue

United States v. Employer Solutions Staffing Group II, LLC 11 OCAHO 1242 (2015)
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Party Opposed May Not Rest on Mere Allegations or Denials in Pleading

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

Party Opposed Must Provide Specific Facts Showing Genuine Issue of Material Fact for Hearing

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Summary Decision Appropriate Where Party is Entitled and Shows No Genuine Issue of Material Fact

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Unsworn Factual Allegations Cannot Create Genuine Issue of Material Fact

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