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United States v. Sophie Valdez d/b/a La Parilla Restaurant 1 OCAHO 112 (1989)

United States v. United Pottery Manufacturing & Accessories, Inc. 1 OCAHO 57 (1989)

ALJ's Penalty Assessment Need Not Be Disturbed If It Is Reasonable in Light of Statutory Factors

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

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

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

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Robert Y. Chu v. Fujitsu Network Transmission System, Inc. 5 OCAHO 778 (1995)

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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 1256 (2015)

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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)

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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)
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United States v. Mitchell Greif, President, Coast Poly, LLC	10	OCAHO	1183	(2013)
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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)
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United States v. Danny Mathis d/b/a Mathis Maspory	4	OCAHO	717	(1995)
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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)
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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)

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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. Hair U Wear, LLC	11 OCAHO	1268	(2016)

United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167) 11 OCAHO 1258 (2015)
United States v. 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)
United States v. Wave Green, Inc. d/b/a Golden Farm Market 11 OCAHO 1267 (2016)
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)
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United States v. Snack Attack Deli, Inc. 10 OCAHO 1137 (2010)
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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. Hair U Wear, LLC 11 OCAHO 1268 (2016)

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

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

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 1231 (2014)

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

United States v. Jerry Estopy and Manuel Bortoni, d/b/a Estopy Farms 11 OCAHO 1256 (2015)
ALJ Not Bound by ICE's Method of Calculating Penalties

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

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

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

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

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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 Seriousness of Violations May Be Reflected in the Final Penalty

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

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

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

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Double Jeopardy

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

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

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United States v. New Outlook Homecare, LLC	10 OCAHO	1210	(2014)
United States v. New Star at Niagara Fall, Inc., d/b/a New Star Buffet	10 OCAHO	1192	(2013)
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United States v. Pedro Dominguez	6 OCAHO	878	(1996)

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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

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

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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

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

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

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Failure to Prepare I-9 Among Most Serious Paperwork Violations

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Failure to Prepare I-9 More Serious Than Paperwork Violations

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

United States v. Speedy Gonzalez Construction, Inc. 11 OCAHO 1243 (2015)
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Forms I-9 May Be So Deficient That Violations Are Tantamount to Total Failure to Prepare an I-9

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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)
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United States v. Applied Computer Technology 2 OCAHO 367 (1991)
United States v. Armando Alvarez-Suarez 6 OCAHO 862 (1996)
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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)
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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)
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United States v. Diamond Construction, Inc.	3	OCAHO	451	(1992)
United States v. Dodge Printing Centers, Inc.	1	OCAHO	125	(1990)
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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)
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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)
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United States v. Landscapes By Susanna	3	OCAHO	556	(1993)
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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)
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United States v. Noel Plastering & Stucco, Inc.	2	OCAHO	319	(1991)
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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	873	(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. Hair U Wear, LLC	11 OCAHO	1268	(2016)
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)
United States v. Wave Green, Inc. d/b/a Golden Farm Market	11 OCAHO	1267	(2016)

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	1232	(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	246	(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	246	(1988)

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. Hair U Wear, LLC 11 OCAHO 1268 (2016)

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

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

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. Hair U Wear, LLC	11	OCAHO	1268	(2016)
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)
United States v. Wave Green, Inc. d/b/a Golden Farm Market	11	OCAHO	1267	(2016)

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)

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United States v. Mojave, Inc. d/b/a Casa Jose Café, a Texas Corporation 3 OCAHO 486 (1993)
United States v. Rosario Strano and Vito Strano d/b/a Strano Farms 5 OCAHO 748 (1995)

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

DEFAULT

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

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

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

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

Burden Is On The Defaulting Party to Show That Relief Should Be Granted

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

Default for Failure to File an Answer Must Be Excused Before Party is Permitted to Answer

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

Party That Fails to Timely Answer a Complaint is in Default

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

DEFAULT JUDGMENT(S)

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United States v. A & A Maintenance Enterprise, Inc. 6 OCAHO 852 (1996)

United States v. Abel Galvez-Malgarejo 4 OCAHO 684 (1994)

United States v. Ambrocio Morales-Guzman 5 OCAHO 787 (1995)

United States v. Broadcasters Unlimited, Inc. d/b/a KGRE AM Radio 4 OCAHO 719 (1994)

United States v. Chuy's Paint & Body Shop 1 OCAHO 8 (1988)

United States v. Columbia Sportswear Manufacturers, Inc. 5 OCAHO 808 (1995)

United States v. Continental Forestry Service 6 OCAHO 836 (1996)

United States v. Continental Sports Corporation 4 OCAHO 640 (1994)

United States v. David Ankenbruck and Patricia Fulton d/b/a Broker's Furniture & Manufacturing, Inc. 5 OCAHO 789 (1995)

United States v. Green Plaza, Inc. 4 OCAHO 618 (1994)
United States v. Midtown Fashion, Inc. 4 OCAHO 665 (1994)
United States v. U.S. Style, Inc. 6 OCAHO 827 (1995)
Default Judgment May Be Set Aside If Default Based on Mistake, Inadvertence or Excusable Neglect

United States v. Vilardo Vineyards 11 OCAHO 1248 (2015)
Default Judgments Are Not Favored in this Forum

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

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

Wartan Bozoghlanian v. Lockheed-Advanced Development Corporation 4 OCAHO 711 (1994)
Final Order of Dismissal Based on Abandonment Analogous to Entry of Default Judgment

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Bassey J. Udofot v. 88 Vapor Technologies 3 OCAHO 506 (1993)
Coraizaca v. Yesterday's Restaurant 2 OCAHO 304 (1991)
D'Amico v. Erie Community College 7 OCAHO 927 (1997)
Errol Williams v. Touche Ross & Company d/b/a Deloitte & Touche 1 OCAHO 258 (1990)
Frank Farzin Nickman v. Mesa Air Group 9 OCAHO 1106 (2004)
Jaime Banuelos v. Transportation Leasing Company 1 OCAHO 136 (1990)
Jaime Banuelos v. Transportation Leasing Company 1 OCAHO 156 (1990)
Jairo Diaz v. Canteen Corporation 2 OCAHO 332 (1991)

Jorge Mario Ipina v. Michigan Department of Labor	2	OCAHO	322	(1991)
Ronald C. Wilson v. Harrisburg School District	6	OCAHO	919	(1997)
Stephen A. Lewis v. Ogden Services	2	OCAHO	375	(1991)
Thereza A. Freeman v. Mexico Studio Owners	1	OCAHO	291	(1991)
Troncoso v. Ferlin Service Industries	1	OCAHO	110	(1989)
Tyrone Robinson v. New York State Family Court	5	OCAHO	814	(1995)
United States v. Abel Galvez-Malgarejo	4	OCAHO	684	(1994)
United States v. Ambrocio Morales-Guzman	5	OCAHO	787	(1995)
United States v. Anders Kampe d/b/a Kampe Motors, Ltd.	3	OCAHO	454	(1992)
United States v. Anders Kampe d/b/a Kampe Motors, Ltd.	3	OCAHO	462	(1992)
United States v. Bubble Fashions Company, Inc. d/b/a Hi-Tide Fashions	2	OCAHO	355	(1991)
United States v. Carlos Antonio Aquino	5	OCAHO	818	(1995)
United States v. Carlos Cruz d/b/a La Rosa Bakery	3	OCAHO	453	(1992)
United States v. Casa Lupe	1	OCAHO	31	(1988)
United States v. Claude H. Linkous & Martin Riley d/b/a CM Health Services	3	OCAHO	436	(1992)
United States v. Coastal Ventures, Limited d/b/a Wendy's/Daly, Limited	1	OCAHO	21	(1988)
United States v. Coastal Ventures, Limited d/b/a Wendy's/Daly, Limited	1	OCAHO	23	(1988)
United States v. Continental Forestry Service	6	OCAHO	836	(1996)
United States v. DAR Distributing, Inc. d/b/a DAR Cabinets	1	OCAHO	60	(1989)
United States v. David Ankenbruck and Patricia Fulton d/b/a Broker's Furniture & Manufacturing, Inc.	5	OCAHO	789	(1995)
United States v. David Ley Salido d/b/a David Ley Salido Rockwall Subcontractor	1	OCAHO	81	(1989)
United States v. Diamond Construction, Inc.	3	OCAHO	451	(1992)
United States v. Dubois Farms, Inc.	1	OCAHO	225	(1990)
United States v. Dynasty 21 Car Wash, Inc.	1	OCAHO	282	(1990)
United States v. Edith Fine	1	OCAHO	116	(1989)
United States v. Educational Employment Enterprise	1	OCAHO	257	(1990)
United States v. Educational Employment Enterprise	1	OCAHO	283	(1991)
United States v. El Mexicano Taco Shop	1	OCAHO	59	(1989)

United States v. Elena Finishing, Inc.	1	OCAHO	132	(1990)
United States v. Estela Rodriguez, Individually and d/b/a Cabaret Lounge	1	OCAHO	20	(1988)
United States v. Fancy That, Inc. and New Fancy That, Inc. d/b/a The Great Alaskan Bush Company	3	OCAHO	446	(1992)
United States v. Florencio Govea	1	OCAHO	40	(1989)
United States v. Francois Kissel, Owner d/b/a Maximilien-In-the-Market	1	OCAHO	61	(1989)
United States v. Guillermo Perales d/b/a Mexican Bakery	2	OCAHO	315	(1991)
United States v. Gus and Candy Kirk d/b/a Kirk Enterprises	1	OCAHO	72	(1989)
United States v. Hardeep Singh	3	OCAHO	520	(1993)
United States v. Hosung Cleaning Corporation d/b/a Sun Cleaner	4	OCAHO	681	(1994)
United States v. Hotel Valet, Inc. d/b/a New York Valet	6	OCAHO	849	(1996)
United States v. I.K.K. Associates, Inc. d/b/a Ocean Avenue Restaurant and Japan Express Restaurants	1	OCAHO	131	(1990)
United States v. Irma Hernandez	8	OCAHO	1043	(2000)
United States v. Jabil Circuit, Inc.	10	OCAHO	1146	(2012)
United States v. Jackson Associates, Engineering Consultants	1	OCAHO	84	(1989)
United States v. John Morales d/b/a Riverside Insulation	1	OCAHO	197	(1990)
United States v. K & M Fashions, Inc.	3	OCAHO	411	(1992)
United States v. Kim Dong Hui t/a Chestnut Gourmet Restaurant	3	OCAHO	479	(1992)
United States v. Koamerican Trading Corporation	1	OCAHO	90	(1989)
United States v. Lawrence H. Harrold d/b/a Diamond Pallet Company	1	OCAHO	114	(1989)
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)
United States v. Mojave, Inc. d/b/a Casa Jose Café, a Texas Corporation	3	OCAHO	473	(1992)
United States v. Mojave, Inc. d/b/a Casa Jose Café, a Texas Corporation	3	OCAHO	486	(1993)
United States v. Moses Sportswear, Inc.	6	OCAHO	841	(1996)
United States v. Mr. Pablo Saucedo	1	OCAHO	41	(1989)

United States v. Nogales Body Shop & Trailer Repair	1 OCAHO	30	(1988)
United States v. Nu Line Fashions, Inc.	1 OCAHO	147	(1990)
United States v. Patricio Torres, Individually and d/b/a Superior Roof Services	1 OCAHO	75	(1989)
United States v. Peter P. Kelley	1 OCAHO	39	(1989)
United States v. Prime Landscape Management, Inc.	1 OCAHO	204	(1990)
United States v. Raul Ramirez d/b/a Solymar Fashion	1 OCAHO	168	(1990)
United States v. Richard Garza, Individually and d/b/a El Patio Restaurant and Lounge	1 OCAHO	211	(1990)
United States v. Robert Cleek d/b/a Robert Cleek Concrete Company	1 OCAHO	163	(1990)
United States v. Robert Cleek d/b/a Robert Cleek Concrete Company	1 OCAHO	201	(1990)
United States v. Rodeo Night Club	5 OCAHO	812	(1995)
United States v. Shine Auto Service	1 OCAHO	70	(1989)
United States v. Silvio Vasquez-Guerrero d/b/a The Vasquez Company	1 OCAHO	37	(1988)
United States v. South Bay Auto Detail	1 OCAHO	68	(1989)
United States v. Spartan Brands, Inc. a/k/a Longwood Manufacturing, Inc.	5 OCAHO	749	(1995)
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United States v. Tiki Pools, Inc. d/b/a California Pools and Spa	1 OCAHO	76	(1989)
United States v. Twiggy's Garden Center, Inc. d/b/a Westchester Site Design	2 OCAHO	301	(1991)
United States v. United Pottery Manufacturing & Accessories, Inc.	1 OCAHO	57	(1989)
United States v. Westco Ground Maintenance Company, Inc.	1 OCAHO	43	(1989)
United States v. William D. Boatright and Hanie Boatright d/b/a BNB Kennels	4 OCAHO	634	(1994)
United States v. William L. Garcia d/b/a La Buena, Inc.	7 OCAHO	950	(1997)
United States v. Zeferino Castillo, Individually	3 OCAHO	505	(1993)
United States v. Zoeb Enterprises, Inc. d/b/a Papa Sam's Deli d/b/a Papaya Paradise	2 OCAHO	356	(1991)
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United States v. Alliance Construction, Inc. 7 OCAHO 983 (1998)

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

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Setting Aside Order

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

United States v. Monica Zapata-Cosio 4 OCAHO 685 (1994)

Meritorious Defense(s)

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

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

Statute of Limitations

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

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Acting Lawfully Under a Law

Ahmad S. Elhajomar v. City and County of Honolulu 1 OCAHO 246 (1990)

Audrey Murtano v. C. R. England, Inc. 9 OCAHO 1116 (2005)

United States v. Zabala Vineyards 6 OCAHO 830 (1995)

Acting Lawfully Under a Regulation

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

Audrey Murtano v. C. R. England, Inc. 9 OCAHO 1116 (2005)

Ghaffar Sepahpour v. Unisys, Inc.	3 OCAHO	500	(1993)
Irma Leticia Sosa v. United States Postal Service	1 OCAHO	115	(1989)
Olimpia Tovar v. United States Postal Service	1 OCAHO	269	(1990)
United States v. Southwest Marine Corporation, a California Corporation	3 OCAHO	429	(1992)

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Chand Wije v. Barton Springs/Edwards Aquifier C.D.	4 OCAHO	635	(1994)
Dalila Kamal-Griffin v. Curtis, Mallet-Prevost, Colt & Mosle	3 OCAHO	550	(1993)
Qais Ibrahim Alhameed v. Grand Traverse Resort and Casinos	10 OCAHO	1126	(2008)
Sanchez v. Leobardo and Carmen Ocanas d/b/a Leo Ocanas Farm	9 OCAHO	1115	(2005)
United States v. A & A Maintenance Enterprise, Inc.	6 OCAHO	852	(1996)
United States v. Aid Maintenance Company, Inc.	6 OCAHO	893	(1996)
United States v. Alberta Sosa, Inc.	4 OCAHO	720	(1994)
United States v. Alberta Sosa, Inc.	5 OCAHO	739	(1995)
United States v. Alvand, Inc. d/b/a 410 Diner	1 OCAHO	296	(1991)
United States v. Alvand, Inc. d/b/a 410 Diner	2 OCAHO	352	(1991)
United States v. Ana Maria Villegas-Valenzuela	5 OCAHO	784	(1995)
United States v. Applied Computer Technology	2 OCAHO	306	(1991)
United States v. Armando Alvarez-Suarez	4 OCAHO	655	(1994)
United States v. Barnett Taylor, LLC, d/b/a Burger King	10 OCAHO	1155	(2012)
United States v. Boah Fashion, Corporation	1 OCAHO	281	(1990)
United States v. Broadway Tire, Inc.	1 OCAHO	226	(1990)
United States v. Buckingham Limited Partnership d/b/a Mr. Wash	1 OCAHO	151	(1990)

United States v. Central Nebraska Packing, Inc.	4	OCAHO	714	(1994)
United States v. Chi Ling, Inc. d/b/a Chi Ling Chinese Restaurant	5	OCAHO	723	(1995)
United States v. Chicken By Chickadee Farms, Inc.	3	OCAHO	423	(1992)
United States v. China Wok Restaurant, Inc., a Nebraska Corporation	4	OCAHO	608	(1994)
United States v. Christie Automotive Products	2	OCAHO	361	(1991)
United States v. Cindy L. Golchuk d/b/a Rancho Sierra Drywall	2	OCAHO	353	(1991)
United States v. Collins Food International, Inc. d/b/a Sizzler Restaurant	1	OCAHO	123	(1990)
United States v. David Jenkins	4	OCAHO	649	(1994)
United States v. David Jenkins	5	OCAHO	743	(1995)
United States v. David Segura-Sataray	4	OCAHO	703	(1994)
United States v. Davis Nursery, Inc.	4	OCAHO	694	(1994)
United States v. Diamond Construction, Inc.	3	OCAHO	456	(1992)
United States v. Diversified Technology and Services of Virginia, Inc.	9	OCAHO	1095	(2003)
United States v. Dolly Boman Irani	6	OCAHO	860	(1996)
United States v. Dubois Farms, Inc.	1	OCAHO	242	(1990)
United States v. Ed Valencia & Sons, Inc. d/b/a Valladares	2	OCAHO	387	(1991)
United States v. Enrique Reyes d/b/a King's Produce	4	OCAHO	592	(1994)
United States v. Exim, Inc. and Jaime Monardes, Individually	3	OCAHO	591	(1993)
United States v. Fairfield Jersey, Inc.	9	OCAHO	1072	(2001)
United States v. Felipe De Leon-Valenzuela	6	OCAHO	866	(1996)
United States v. Felipe De Leon-Valenzuela	6	OCAHO	899	(1996)
United States v. Gerald Hollendorfer	1	OCAHO	175	(1990)
United States v. Goldenfield Corporation d/b/a Rodeway Inn	2	OCAHO	321	(1991)
United States v. Gregorio Alabada Makilan	4	OCAHO	610	(1994)
United States v. Harris Ranch Beef Company	2	OCAHO	331	(1991)
United States v. Harris Ranch Beef Company	2	OCAHO	333	(1991)
United States v. Harris Ranch Beef Company	2	OCAHO	338	(1991)
United States v. Hilario Rodriguez, Jr.	1	OCAHO	276	(1990)

United States v. Hosung Cleaning Corporation d/b/a Sun Cleaner	4	OCAHO	670	(1994)
United States v. Hotel Martha Washington Corporation	5	OCAHO	786	(1995)
United States v. Interdynamics, Inc.	3	OCAHO	433	(1992)
United States v. Israel Velasquez-Tabir	6	OCAHO	872	(1996)
United States v. James Q. Carlson d/b/a Jimmy On The Spot	1	OCAHO	260	(1990)
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United States v. John Gasper, Individually and d/b/a John Gasper Labor Contractor	1	OCAHO	218	(1990)
United States v. Julio Carpio-Lingan	6	OCAHO	871	(1996)
United States v. Kaday Musu Thoronka	5	OCAHO	772	(1995)
United States v. Lee Moyle, Owner d/b/a Moyle Mink Farm	1	OCAHO	212	(1990)
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United States v. Lorenzo Robles d/b/a Lorenzo Robles Roofing and Construction	2	OCAHO	309	(1991)
United States v. MAC Specialties Ltd.	6	OCAHO	920	(1997)
United States v. Marisol Chavez-Ramirez	5	OCAHO	774	(1995)
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United States v. Mourad Abu Remileh	4	OCAHO	706	(1994)
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United States v. Multimatic Products, Inc.	1	OCAHO	221	(1990)
United States v. Nevada Lifestyles, Inc. d/b/a Commercial Drapery Cleaners	3	OCAHO	463	(1992)
United States v. Noel Plastering & Stucco, Inc.	2	OCAHO	396	(1991)
United States v. Noel Plastering & Stucco, Inc.	3	OCAHO	427	(1992)
United States v. Northern Michigan Fruit Company	4	OCAHO	667	(1994)
United States v. Oscar Eduardo Villatoro-Guzman	3	OCAHO	540	(1993)
United States v. Patrol & Guard Enterprises, Inc.	8	OCAHO	1040	(2000)
United States v. Penrod National Enterprises, Inc. d/b/a Floral Bionomics Landscape Management	3	OCAHO	541	(1993)
United States v. PPJV, Inc. d/b/a Publishers Press	2	OCAHO	337	(1991)

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United States v. Scotto Brothers Woodbury Restaurant d/b/a Fox Hollow Inn	3 OCAHO	584	(1993)
United States v. Task Force Security, Inc. d/b/a Task Force Security and Investigations	3 OCAHO	533	(1993)
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United States v. The Grower's Company, Inc. d/b/a Harvest Management, Inc.	2 OCAHO	346	(1991)
United States v. Thomas R. Heisler, Individually and d/b/a The Playground Bar	1 OCAHO	150	(1990)
United States v. Tuttle's Design Build, Inc.	2 OCAHO	370	(1991)
United States v. U.S. Style, Inc.	5 OCAHO	793	(1995)
United States v. Widow Brown's Inn, Inc. t/a Widow Brown's Inn Main & Bushkill Streets	3 OCAHO	399	(1992)
United States v. William and Maria Sievert	1 OCAHO	294	(1991)
United States v. Williams Produce, Inc.	4 OCAHO	671	(1994)
United States v. WSC Plumbing, Inc.	9 OCAHO	1062	(2000)
United States v. Zip City Partner, L.P. d/b/a Zip City Brewing	7 OCAHO	965	(1997)
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United States v. Burns and Intra-Continental Enterprises	5 OCAHO	759	(1995)
United States v. China Wok Restaurant, Inc., a Nebraska Corporation	4 OCAHO	608	(1994)
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United States v. Hugh Jeffrey Fox d/b/a Frank & Stein	5 OCAHO	756	(1995)

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

Collateral Estoppel

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

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

Compliance with Employer Sanctions

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

United States v. Marcel Watch Corporation 1 OCAHO 143 (1990)

United States v. Robison Fruit Ranch, Inc. 6 OCAHO 855 (1996)

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

United States v. Spring & Soon Fashion, Inc. 7 OCAHO 982 (1997)

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

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

Contractor Determination Not Based Solely on Employer Classification

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United States v. Burns and Intra-Continental Enterprises 5 OCAHO 759 (1995)
United States v. Robert Marnul d/b/a Lamont Street Grill 3 OCAHO 441 (1992)
United States v. The Wrangler's Country Café, Inc. and Henry D. Stieben 1 OCAHO 138 (1990)
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United States v. Multimatic Products, Inc. 1 OCAHO 221 (1990)
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Joseph E. Sabol v. Northern Michigan University 9 OCAHO 1107 (2004)
Roman Udala v. New York State Department of Education 4 OCAHO 633 (1994)
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Party May Not Seek Discovery Through Administrative Review When It Had Ample Time for Discovery in Prehearing Process

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

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

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United States v. El Paso Hospitality, Inc. 5 OCAHO 737 (1995)
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United States v. 4431, Inc. t/a Candlelight Inn 4 OCAHO 611 (1994)

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

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

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. Burns and Intra-Continental Enterprises 5 OCAHO 768 (1995)

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

United States v. David Jenkins 5 OCAHO 743 (1995)

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

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

Employers Do Not Have to Complete I-9s for Employees Hired Prior to the Effective Date of IRCA

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

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United States v. China Wok Restaurant, Inc., a Nebraska Corporation 4 OCAHO 608 (1994)

United States v. Corporate Loss Prevention Associates, Ltd. 6 OCAHO 886 (1996)

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

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)

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United States v. Randall Kurzon, Individually and Alonza Restaurant Ventures, inc. 3 OCAHO 583 (1993)

United States v. Wood 'N Stuff 3 OCAHO 574 (1993)

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United States v. Bayley's Quality Seafoods, Inc. 1 OCAHO 238 (1990)

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

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Civil Money Penalty

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

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

Defense(s)

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

ELECTRONIC EMPLOYMENT ELIGIBILITY VERIFICATION

Participation in E-Verify Doesn't Exempt Employer From Completing, Retaining and Producing I-9s

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

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

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

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

EMPLOYEES

Defined As Persons Who Provide Services or Labor for Wages or Other Remuneration

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)

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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)
Generally

Lydia Annella Anderson v. Newark Public Schools 8 OCAHO 1035 (1999)
Natasha Dionne Humphries v. PalmOne 9 OCAHO 1112 (2004)
Sanchez v. Leobardo and Carmen Ocanas d/b/a Leo Ocanas Farm 9 OCAHO 1115 (2005)
United States v. Hudson Delivery Service, Inc. d/b/a Home Delivery Service 7 OCAHO 945 (1997)
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Noemi Barragan-Mandujano Romo v. Todd Corporation 1 OCAHO 25 (1988)
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)
Independent Contractor(s)

United States v. Saidabror Siddikov d/b/a Beyond Cleaning Services 11 OCAHO 1257 (2015)
Victor B. Palma v. Alufase USA, LLC 10 OCAHO 1213 (2014)
Individual Not an Employee Where There Is a Showing of Ownership and Control Over the Enterprise

United States v. 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)

National Origin Claim(s)

Cormia v. Home Care Giver Services 10 OCAHO 1160 (2012)

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

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

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

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

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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Zelleka Getahun v. Dupont Merck Pharmaceutical Company	6 OCAHO	880	(1996)
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United States v. Diversified Technology and Services of Virginia, Inc.	9 OCAHO	1095	(2003)
United States v. Robison Fruit Ranch, Inc.	6 OCAHO	855	(1996)
United States v. Walden Station, Inc.	8 OCAHO	1053	(2000)
Wisniewski v. Douglas County School System	1 OCAHO	29	(1988)
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Jacob Roginsky v. Department of Defense, Center for Naval Analyses, EPL Analysis	2 OCAHO	348	(1991)
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Linda S. Walker v. United Airlines, Inc.	4 OCAHO	686	(1994)
United States v. Curran Engineering Company, Inc.	7 OCAHO	975	(1997)
United States v. Fairfield Jersey, Inc.	9 OCAHO	1069	(2001)
United States v. Mesa Airlines	1 OCAHO	74	(1989)
United States v. Southwest Marine Corporation, a California Corporation	2 OCAHO	400	(1989)
United States v. Southwest Marine Corporation, a California Corporation	3 OCAHO	429	(1992)
United States v. Weld County School District	2 OCAHO	326	(1991)
Discharge			
Cecilia Araceli Basua v. Walmart #1554	3 OCAHO	535	(1993)

Daniel Joseph Bendig v. Conoco, Inc.	9	OCAHO	1077	(2001)
Dinko Sefic v. Marconi Wireless	9	OCAHO	1123	(2007)
Dolores Garcia Contreras v. Cascade Fruit Company	9	OCAHO	1090	(2003)
Elizabeth S. Mengarpuan v. Asbury Methodist Village	4	OCAHO	612	(1994)
Esther Din Brooks v. Watts Window World	3	OCAHO	558	(1993)
Joan A. Lardy v. United Airlines, Inc.	4	OCAHO	595	(1994)
Kenneth Wade Parker, Jr. v. Wild Goose Storage, Inc.	9	OCAHO	1081	(2002)
Martin A. Holguin v. Dona Ana Fashions	3	OCAHO	582	(1993)
Noemi Barragan-Mandujano Romo v. Todd Corporation	1	OCAHO	25	(1988)
Olatunji Moshood Fakunmoju v. Claims Administration Corporation	4	OCAHO	624	(1994)
Ramnik M. Trivedi v. Northrop Corporation and Department of Defense	4	OCAHO	600	(1994)
Robert Y. Chu v. Fujitsu Network Transmission System, Inc.	5	OCAHO	778	(1995)
Discrimination				
Howard Eugene McNier v. San Francisco State University College of Business	7	OCAHO	947	(1997)
Iron Workers Local 455 v. Lake Construction & Development Corporation	7	OCAHO	964	(1997)
United States v. Shirley Fuimoto, Hawaii Government Employees Association	7	OCAHO	937	(1997)
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Corneliu Curuta v. Tomball College	9	OCAHO	1099	(2003)
Daniel Joseph Bendig v. Conoco, Inc.	9	OCAHO	1077	(2001)
Dinko Sefic v. Marconi Wireless	9	OCAHO	1123	(2007)
Eric Robin Cholerton v. Robert M. Hadley Company, Inc.	7	OCAHO	934	(1997)
Jorge Mario Ipina v. Michigan Jobs Commission	8	OCAHO	1036	(1999)
Kenneth Wade Parker, Jr. v. Wild Goose Storage, Inc.	9	OCAHO	1081	(2002)
Olisaemeka Eze v. West County Transportation Agency	10	OCAHO	1140	(2011)
United States v. Diversified Technology and Services of Virginia, Inc.	9	OCAHO	1095	(2003)
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Corneliu Curuta v. Tomball College	9	OCAHO	1099	(2003)

Daniel Joseph Bendig v. Conoco, Inc. 9 OCAHO 1077 (2001)
Kenneth Wade Parker, Jr. v. Wild Goose Storage, Inc. 9 OCAHO 1081 (2002)
Luigia Wiesner v. CIT Tours, Inc. 5 OCAHO 773 (1995)
Maria Fuentes v. Grace Culinary Systems 6 OCAHO 873 (1996)
Robert Y. Chu v. Fujitsu Network Transmission System, Inc. 5 OCAHO 778 (1995)
United States v. Diversified Technology and Services of Virginia, Inc. 9 OCAHO 1095 (2003)
United States v. Guardsmark 4 OCAHO 614 (1994)
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Carlos Alberto Martinez v. Noah's New York Bagels, Inc. 6 OCAHO 917 (1997)
Christopher Winkler v. Timlin Corporation 6 OCAHO 912 (1997)
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Earl Russel Horne v. Town of Hampstead 6 OCAHO 906 (1997)
Eric Robin Cholerton v. Robert M. Hadley Company, Inc. 7 OCAHO 934 (1997)
Jack N. Toussaint v. Tekwood Data Processing Consulting 6 OCAHO 892 (1996)
Maria Fuentes v. Grace Culinary Systems 6 OCAHO 873 (1996)
Roman Udala v. New York State Department of Education 4 OCAHO 633 (1994)
United States v. Diversified Technology and Services of Virginia, Inc. 9 OCAHO 1095 (2003)
United States v. Rosario Strano and Vito Strano d/b/a Strano Farms 5 OCAHO 748 (1995)
United States v. The Beverly Center 5 OCAHO 762 (1995)
United States v. Zabala Vineyards 6 OCAHO 830 (1995)
Documents

Dolores Garcia Contreras v. Cascade Fruit Company 9 OCAHO 1090 (2003)
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United States v. Lasa Marketing Firms, a California Partnership 1 OCAHO 106 (1989)
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James D. Westendorf v. Brown & Root, Inc.	3 OCAHO	477	(1992)
Jesse Charles Jones v. DeWitt Nursing Home	1 OCAHO	189	(1990)
Michael K. Lee v. Airtouch Communications	6 OCAHO	888	(1996)
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Stephen A. Lewis v. McDonald's Corporation	2 OCAHO	383	(1991)
United States v. A.J. Bart, Inc.	3 OCAHO	538	(1993)
United States v. Lasa Marketing Firms, a California Partnership	1 OCAHO	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. Robison Fruit Ranch, Inc.	6 OCAHO	855	(1996)
United States v. TKJ, Inc. d/b/a Snelling Personnel Services, a Florida Corporation	3 OCAHO	413	(1992)
United States v. Weld County School District	2 OCAHO	326	(1991)
United States v. Zabala Vineyards	6 OCAHO	830	(1995)

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Earl Russel Horne v. Town of Hampstead	6 OCAHO	906	(1997)
Frederick John Harris v. State of Hawaii, Department of Education	6 OCAHO	922	(1997)
United States v. The Beverly Center	5 OCAHO	762	(1995)

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Dalila Kamal-Griffin v. Curtis, Mallet-Prevost, Colt & Mosle	3 OCAHO	550	(1993)
Eric Robin Cholerton v. Robert M. Hadley Company, Inc.	7 OCAHO	934	(1997)
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Gurpreet Sodhi v. Maricopa County Special Health Care District	9 OCAHO	1127	(2007)
Juan Manuel Alamprese v. MNSH, Inc.	9 OCAHO	1094	(2003)

Krzysztof Zarazinski v. Anglo Fabrics, Company	4 OCAHO	661	(1994)
Nripendra S. Dhillon v. Regents of the University of California	3 OCAHO	497	(1993)
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)
Rosa Isela Olivares Aguirre v. KDI American Products, Inc.	6 OCAHO	882	(1996)
United States v. Diversified Technology and Services of Virginia, Inc.	9 OCAHO	1095	(2003)
United States v. Yin Tien Chen, Individually and Winning Orchards, LLC	9 OCAHO	1092	(2003)
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United States v. Lasa Marketing Firms, a California Partnership	1 OCAHO	141	(1990)
United States v. Marcel Watch Corporation	1 OCAHO	143	(1990)
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Daniel Joseph Bendig v. Conoco, Inc.	9 OCAHO	1077	(2001)
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Guy Santiglia v. Sun Microsystems, Inc.	9 OCAHO	1110	(2004)
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Benjamin A. K. Yohan v. Central State Hospital	4 OCAHO	593	(1994)
Cecilia Araceli Basua v. Walmart #1554	3 OCAHO	535	(1993)
Cecilia Araceli Basua v. Walmart #1554	3 OCAHO	547	(1993)
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)
Gurpreet Sodhi v. Maricopa County Special Health Care District	9 OCAHO	1127	(2007)
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Jimmy Jack Jackai v. Dallas County Data Services	3 OCAHO	569	(1993)
Joan A. Lardy v. United Airlines, Inc.	4 OCAHO	595	(1994)
Krzysztof Zarazinski v. Anglo Fabrics, Company	4 OCAHO	638	(1994)
Linda Chellouf v. Inter American University of Puerto Rico	12 OCAHO	1269	(2016)
Margarita Yefremov v. New York City Department of Transportation	3 OCAHO	562	(1993)
Martin John Shortt v. Dick Clark's American Bandstand Grill	10 OCAHO	1130	(2009)
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United States v. Hotel Martha Washington Corporation	5 OCAHO	786	(1995)
United States v. Shirley Fuimoto, Hawaii Government Employees Association	7 OCAHO	937	(1997)
United States v. Southwest Marine Corporation, a California Corporation	3 OCAHO	429	(1992)
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United States v. Haim Co., Inc.	7 OCAHO	988	(1998)
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Chand Wije v. Barton Springs/Edwards Aquifier C.D.	5 OCAHO	785	(1995)
Jimmy Jack Jackai v. Dallas County Data Services	3 OCAHO	569	(1993)
Joan A. Lardy v. United Airlines, Inc.	4 OCAHO	595	(1994)
Leonid Naginsky v. Department of Defense and EG&G Dynatrend	6 OCAHO	891	(1996)
Robert Y. Chu v. Fujitsu Network Transmission System, Inc.	5 OCAHO	778	(1995)
United States v. Marcel Watch Corporation	1 OCAHO	143	(1990)
Wartan Bozoghlanian v. Raytheon Company, Electromagnetic Systems Division	4 OCAHO	660	(1994)

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Natasha Dionne Humphries v. PalmOne	9 OCAHO	1112	(2004)
Programmer's Guild, Inc. v. Value Consulting, Inc.	10 OCAHO	1135	(2010)
United States v. Ronning Landscaping, Inc.	10 OCAHO	1149	(2012)
United States v. Shirley Fuimoto, Hawaii Government Employees Association	7 OCAHO	937	(1997)

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

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Ramnik M. Trivedi v. Northrop Corporation and Department of Defense	4 OCAHO	600	(1994)
United States v. General Dynamics	3 OCAHO	517	(1993)

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

Individual Capacity

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

Mr. Doron Tal v. M. L. Energia, Inc. 4 OCAHO 639 (1994)

Knowledge

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

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

Responsibility

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

United States v. Robison Fruit Ranch, Inc. 6 OCAHO 855 (1996)

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

Successorship Liability

Joan A. Lardy v. United Airlines, Inc. 4 OCAHO 595 (1994)

United States v. Jonel, Inc. 7 OCAHO 967 (1997)

United States v. Spring & Soon Fashion, Inc. 7 OCAHO 982 (1997)

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Richard Becker v. Ademco Corporation d/b/a Alarm Device Manufacturing Corporation 1 OCAHO 107 (1989)

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

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

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

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

United States v. China Wok Restaurant, Inc., a Nebraska Corporation 4 OCAHO 608 (1994)

United States v. Monica Zapata-Cosio	5	OCAHO	822	(1995)
United States v. Yin Tien Chen, Individually and Winning Orchards, LLC	9	OCAHO	1092	(2003)

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United States v. 4431, Inc. t/a Candlelight Inn	4	OCAHO	611	(1994)
United States v. Buckingham Limited Partnership d/b/a Mr. Wash	1	OCAHO	151	(1990)
United States v. Cafe Camino Real, Inc.	2	OCAHO	307	(1991)
United States v. China Wok Restaurant, Inc., a Nebraska Corporation	4	OCAHO	608	(1994)
United States v. Collins Food International, Inc. d/b/a Sizzler Restaurant	1	OCAHO	123	(1990)
United States v. Giamblis Enterprises	6	OCAHO	834	(1996)
United States v. Great Bend Packing Company	6	OCAHO	835	(1996)
United States v. Ketchikan Drywall Services, Inc.	10	OCAHO	1139	(2011)
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United States v. Nevada Lifestyles, Inc. d/b/a Commercial Drapery Cleaners	3	OCAHO	518	(1993)
United States v. New El Rey Sausage Company	1	OCAHO	66	(1989)
United States v. Noel Plastering & Stucco, Inc.	2	OCAHO	396	(1991)
United States v. PPJV, Inc. d/b/a Publishers Press	2	OCAHO	337	(1991)
United States v. Randall Kurzon, Individually and Alonza Restaurant Ventures, inc.	3	OCAHO	583	(1993)
United States v. Saeed Rahimzadeh Corporation	3	OCAHO	551	(1993)
United States v. Sophie Valdez d/b/a La Parilla Restaurant	1	OCAHO	91	(1989)
United States v. YES Industries d/b/a Soft Touch Carwash	1	OCAHO	198	(1990)

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United States v. Cafe Camino Real, Inc.	2	OCAHO	307	(1991)
United States v. David Jenkins	4	OCAHO	649	(1994)
United States v. Dubois Farms, Inc.	2	OCAHO	376	(1991)
United States v. Ronning Landscaping, Inc.	10	OCAHO	1149	(2012)
United States v. Tom & Yu, Inc. t/a Peking Garden Restaurant	3	OCAHO	412	(1993)

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United States v. Randall Kurzon, Individually and Alonza Restaurant Ventures, inc. 3 OCAHO 583 (1993)

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United States v. Maka's Akamai Service 1 OCAHO 36 (1988)

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United States v. Charo's Corporation d/b/a Charo's Restaurant 2 OCAHO 369 (1991)

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United States v. GRS, Inc. d/b/a Gasket Engineering 4 OCAHO 627 (1994)

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Johnson v. Florida Power Corporation 7 OCAHO 981 (1997)

United States v. Christie Automotive Products 2 OCAHO 361 (1991)

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

United States v. Goldenfield Corporation d/b/a Rodeway Inn 2 OCAHO 321 (1991)

United States v. Halshan, Inc. d/b/a California Pacific 1 OCAHO 278 (1990)

United States v. Hilario Rodriguez, Jr. 1 OCAHO 276 (1990)

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. Mario Saikhon, Inc.	1 OCAHO	279	(1990)
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Apparent or Implied Authority			
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United States v. Sophie Valdez d/b/a La Parilla Restaurant	1 OCAHO	91	(1989)
United States v. YES Industries d/b/a Soft Touch Carwash	1 OCAHO	198	(1990)
Definition			
United States v. Dubois Farms, Inc.	2 OCAHO	376	(1991)
United States v. Guillermo Perales d/b/a Mexican Bakery	2 OCAHO	320	(1991)
United States v. Jennifer Dittman d/b/a Ready Room Restaurant	1 OCAHO	195	(1990)
United States v. Richard Bakovic	3 OCAHO	482	(1991)
United States v. Sophie Valdez d/b/a La Parilla Restaurant	1 OCAHO	91	(1989)
United States v. The Wrangler's Country Café, Inc. and Henry D. Stieben	1 OCAHO	138	(1990)
United States v. Ulysses, Inc. and Ulysses Restaurant Group, Inc.	3 OCAHO	409	(1992)
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United States v. Big Bear Market	1 OCAHO	48	(1989)
United States v. Boo Bears Den	1 OCAHO	71	(1989)
United States v. Buckingham Limited Partnership d/b/a Mr. Wash	1 OCAHO	151	(1990)
United States v. Burns and Intra-Continental Enterprises	5 OCAHO	768	(1995)
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)
United States v. Davis Nursery, Inc.	4 OCAHO	694	(1994)
United States v. Dubois Farms, Inc.	1 OCAHO	242	(1990)
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Fax Filings Acceptable to Toll Filing Deadline, But Hard Copies Must Be Forwarded Simultaneously

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

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

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

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Failure to Prepare I-9 Among Most Serious Paperwork Violations

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Failure to Prepare I-9 More Serious Than Paperwork Violations

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

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

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

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

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

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

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

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Government Bears the Burden of Proof on Penalty and Aggravating Factors

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Government Has Burden of Proof On Fines and Aggravating Factors

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

United States v. Senox Corporation 11 OCAHO 1219 (2014)
Knowing Hire Violations Are Far More Serious Than Any Paperwork Violations

United States v. Foothill Packing, Inc. 11 OCAHO 1240 (2015)
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Lack of History of Previous Violations Does Not Require the ALJ to Mitigate Civil Penalty

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

Leniency Toward Small Entities

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United States v. Four Star Knitting, Inc.	6	OCAHO	868	(1996)
United States v. Giamblis Enterprises	6	OCAHO	834	(1996)
United States v. Great Bend Packing Company	6	OCAHO	835	(1996)
United States v. GRS, Inc. d/b/a Gasket Engineering	4	OCAHO	627	(1994)
United States v. Kerry J. Vicker d/b/a SNB Cleaning	5	OCAHO	819	(1995)
United States v. Mourad Abu Remileh	6	OCAHO	825	(1995)
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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. Task Force Security, Inc. d/b/a Task Force Security and Investigations	4	OCAHO	625	(1994)

No Deterrent Effect When Employer Is No Longer in Business

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

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

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

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OCAHO ALJs May Review Penalty Assessments De Novo

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

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OCAHO May Examine ICE Fine de novo

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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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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

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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

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Penalties Should Not Be Disproportionate to Employer's Revenue

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

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Principal Goal Is To Enhance Probability of Future Compliance

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

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Proportionality is Critical in Setting Penalties

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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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Purpose is to Deter Repeat Violations and Encourage Others to Comply

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

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Reasonableness Based On Record As Whole and Statutory Factors in Particular

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

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

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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

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

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

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United States v. Oscar Chacon, Sr.	3	OCAHO	578	(1993)
United States v. PPJV, Inc. d/b/a Publishers Press	2	OCAHO	337	(1991)
United States v. Randall Kurzon, Individually and Alonza Restaurant Ventures, inc.	3	OCAHO	583	(1993)
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United States v. Riverboat Delta King, Inc.	5 OCAHO	738	(1995)
United States v. Skydive Academy of Hawaii Corporation d/b/a Skydive Hawaii	6 OCAHO	848	(1996)
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United States v. William D. Boatright and Hanie Boatright d/b/a BNB Kennels 3 OCAHO 589 (1993)

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General, Conclusory Assertion of Irrelevance, Overbreadth or Undue Burden Insufficient Objection

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

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

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

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

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

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

Objections & Reasons Must Be Stated in Discovery Response, Not Only in Opposing Motion to Compel

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

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

Opposing Party Bears Burden of Persuasion

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

Opposing Party Must Specify Objections and Demonstrate That Objections Are Justified

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

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

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

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Claims Against Employers With Fifteen or More Employees Not Within Scope of Section 1324b

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Julio Ricardo Sanchez Molina v. Securitas Security Services USA, Inc.	11	OCAHO	1261	(2015)
Nicasio Angulo v. Securitas Security Services USA, Inc.	11	OCAHO	1259	(2015)
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Claims Against Employers With Fifteen or More Employees Should Be Referred to EEOC

Brian Emilio Gonzalez-Hernandez v. Arizona Family Health Partnership	11	OCAHO	1254	(2015)
Julio Ricardo Sanchez Molina v. Securitas Security Services USA, Inc.	11	OCAHO	1261	(2015)
Nicasio Angulo v. Securitas Security Services USA, Inc.	11	OCAHO	1259	(2015)
Walter Oswaldo Paz-Martinez v. Securitas Security Services USA, Inc.	11	OCAHO	1260	(2015)

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Employer Cannot Avoid Liability by Submitting I-9s After the Deadline Unless Extension is Granted

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Employer is Liable for Only One Violation Per Form I-9

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

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

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

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

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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. Felipe, Inc.	1	OCAHO	93	(1989)
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United States v. Goldenfield Corporation d/b/a Rodeway Inn	2	OCAHO	321	(1991)
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United States v. Honeybake Farms, Inc.	2	OCAHO	311	(1991)
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United States v. Mario Saikhon, Inc.	1	OCAHO	279	(1990)
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United States v. Penrod National Enterprises, Inc. d/b/a Floral Bionomics Landscape Management	3	OCAHO	541	(1993)
United States v. PPJV, Inc. d/b/a Publishers Press	2	OCAHO	337	(1991)
United States v. PPJV, Inc. d/b/a Publishers Press	2	OCAHO	354	(1991)
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United States v. Silver Cloud Investments, Inc. d/b/a Silver Clouds Restaurant	3	OCAHO	509	(1993)
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United States v. South Masonry Fencing Company	1	OCAHO	4	(1988)
United States v. Task Force Security, Inc. d/b/a Task Force Security and Investigations	3	OCAHO	533	(1993)
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Ignorance of Statutory Requirements

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

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

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

Liability

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

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United States v. Dubois Farms, Inc. 2 OCAHO 376 (1991)

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

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

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In re Investigation of Chan's Apparel, Subpoena	1	OCAHO	1	(1988)
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In re Investigation of Tropicana Casino & Resort, Subpoena 9 OCAHO 1060 (2000)

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Failure to Enter Printed Name of Individual Who Signs Section 2 Is Substantive Violation

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

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

Failure to Timely Prepare I-9 is Substantive - Not Technical or Procedural - Violation

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

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Hearsay

Martha Diaz v. Pacific Maritime Association 9 OCAHO 1108 (2004)

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

United States v. Century Hotels Corporation, d/b/a Scottsdale Thunderbird Suites 11 OCAHO 1218 (2014)
United States v. Chen Wilmington, Inc. 11 OCAHO 1241 (2015)

ALJ Must Draw Reasonable Inferences In Favor of Nonmoving Party

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

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

United States v. Buffalo Transportation, Inc. 11 OCAHO 1263 (2015)
United States v. Hair U Wear, LLC 11 OCAHO 1268 (2016)
United States v. Senox Corporation 11 OCAHO 1219 (2014)
United States v. Wave Green, Inc. d/b/a Golden Farm Market 11 OCAHO 1267 (2016)

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

United States v. Hair U Wear, LLC 11 OCAHO 1268 (2016)
United States v. Wave Green, Inc. d/b/a Golden Farm Market 11 OCAHO 1267 (2016)

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United States v. Private Brands Company and Private Brand, Inc. 7 OCAHO 941 (1997)
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Completion of False Certification on Form I-9 Does Not Constitute Substantial Compliance

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

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United States v. IBP, Inc. 7 OCAHO 900 (1997)

Documentary Evidence

Celia Simon v. Ingram Micro, Inc. 9 OCAHO 1088 (2003)

Documentary Evidence Together With Proposed Stipulations May Be Sufficient to Establish Liability

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

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Chand Wije v. Barton Springs/Edwards Aquifier C.D. 4 OCAHO 635 (1994)

Chao v. McDonnell Douglas Corporation 6 OCAHO 824 (1995)

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Lydia Annella Anderson v. Newark Public Schools 8 OCAHO 1024 (1999)

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United States v. Walden Station, Inc. 8 OCAHO 1053 (2000)

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Ashwani Goel v. Indotronix Internation Corporation	9	OCAHO	1102	(2003)
Bassey J. Udofot v. 88 Vapor Technologies	3	OCAHO	506	(1993)
Carlos Aciar v. Rosen's Delicatessen	9	OCAHO	1086	(2002)
Celia Simon v. Ingram Micro, Inc.	9	OCAHO	1088	(2003)
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Esther Din Brooks v. KNK Textile	3	OCAHO	528	(1993)
Esther Din Brooks v. Watts Window World	3	OCAHO	570	(1993)
Florinda Kattan v. Union League Club of Chicago	3	OCAHO	586	(1993)
Gabriel Niyi Adepitan v. United States Postal Service	3	OCAHO	416	(1991)
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Maria Ofelia Prado-Rosales v. Montgomery Donuts, Inc.	3	OCAHO	418	(1992)
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Mr. Doron Tal v. M. L. Energia, Inc.	3	OCAHO	519	(1993)
Natasha Dionne Humphries v. PalmOne	9	OCAHO	1112	(2004)
Omar Egal v. Sears Roebuck & Company	3	OCAHO	442	(1992)
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)
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United States v. Alberto Noriega-Perez	5	OCAHO	811	(1995)
United States v. Alvand, Inc. d/b/a 410 Diner	1	OCAHO	296	(1991)
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United States v. American Terrazzo Corporation d/b/a John Delallo Foods	6	OCAHO	828	(1995)
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United States v. Armando Palacio d/b/a La Bahia Restaurant	1	OCAHO	230	(1990)

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United States v. Culinary Artistry, Inc. d/b/a Footer's Catering	1	OCAHO	217	(1990)
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United States v. DJ Drywall, Inc.	10	OCAHO	1136	(2010)
United States v. Doug Eier d/b/a Blue Mountain Recreation and Cyclery	1	OCAHO	256	(1990)
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United States v. Ed Valencia & Sons, Inc. d/b/a Valladares	2	OCAHO	316	(1992)
United States v. El Dorado Furniture Manufacturing, Inc. d/b/a El Dorado Furniture Manufacturer, Inc.	3	OCAHO	417	(1992)
United States v. Elder Jerez d/b/a Green Scaping	3	OCAHO	420	(1992)
United States v. Elsinore Manufacturing, Inc.	1	OCAHO	13	(1988)
United States v. Enrique Martinez and Herlinda Martinez d/b/a Enrique's Restaurant	2	OCAHO	360	(1991)
United States v. Esther Flores-Martinez	5	OCAHO	733	(1995)
United States v. Exim, Inc. and Jaime Monardes, Individually	3	OCAHO	591	(1993)
United States v. Felipe De Leon-Valenzuela	7	OCAHO	993	(1998)
United States v. Giamblis Enterprises	5	OCAHO	817	(1995)
United States v. Goldenfield Corporation d/b/a Rodeway Inn	2	OCAHO	321	(1991)
United States v. Halshan, Inc. d/b/a California Pacific	1	OCAHO	278	(1990)
United States v. Harris Ranch Beef Company	2	OCAHO	335	(1991)

United States v. Hilario Rodriguez, Jr.	1	OCAHO	276	(1990)
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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. Jim Bailey and Charles Fristoe d/b/a B & F Golf Services, Inc.	6	OCAHO	851	(1996)
United States v. Jimmy Bai Huang d/b/a Great Wall Chinese Restaurant	1	OCAHO	287	(1991)
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United States v. Juan V. Acevedo	1	OCAHO	95	(1989)
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