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Stephen Salerno v. ICL Retail Systems, Inc.	3	OCAHO	481	(1993)
United States v. Alvand, Inc. d/b/a 410 Diner	2	OCAHO	352	(1991)

United States v. American Terrazzo Corporation d/b/a John Delallo Foods 6 OCAHO 877 (1996)

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

United States v. Exim, Inc. and Jaime Monardes, Individually 3 OCAHO 591 (1993)

United States v. Leonor Yolanda Ortiz 6 OCAHO 889 (1996)

United States v. McDonnell Douglas Corporation 4 OCAHO 676 (1994)

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

Wartan Bozoghlanian v. Raytheon Company, Electromagnetic Systems Division 4 OCAHO 660 (1994)

Yves Nguyen v. ADT Engineering, Inc. 3 OCAHO 489 (1993)

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Guy Santiglia v. Sun Microsystems, Inc. 9 OCAHO 1110 (2004)

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

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United States v. Stanford Sign and Awning, Inc. 10 OCAHO 1145 (2012)

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. Jula888, LLC d/b/a Para Tacos La Chilanga 12 OCAHO 1286 (2016)

United States v. Safe-Air of Illinois, Inc. 12 OCAHO 1270 (2016)

Government Bears the Burden of Proof for Liability and Penalty

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

United States v. Ideal Transportation Co., Inc. 12 OCAHO 1290 (2016)

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

United States v. Solutions Group International, LLC 12 OCAHO 1288 (2016)

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

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. 3679 Commerce Place, Inc. 12 OCAHO 1296 (2017)
United States v. Clean Sweep Janitor Service 11 OCAHO 1226 (2014)
United States v. Dr. Robert Schaus, D.D.S. 11 OCAHO 1239 (2014)
United States v. Durable, Inc. 11 OCAHO 1231 (2014)
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United States v. Liberty Packaging, Inc. 11 OCAHO 1245 (2015)
United States v. Metropolitan Enterprises, Inc. 12 OCAHO 1297 (2017)
United States v. Pegasus Family Restaurant, Inc. 12 OCAHO 1293 (2016)
United States v. St. Croix Personnel Services, Inc. 12 OCAHO 1289 (2016)

Government Bears the Burden of Proving Liability and Penalty By a Preponderance of the Evidence

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

Government Bears the Burden of Proving Liability by a Preponderance of the Evidence

United States v. Frimmel Management, LLC d/b/a Uncle Sam's 12 OCAHO 1271 b (2016)
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United States v. Muniz Concrete & Contracting, Inc. 12 OCAHO 1278 (2016)
United States v. St. Croix Personnel Services, Inc. 12 OCAHO 1289 (2016)
United States v. Wave Green, Inc. d/b/a Golden Farm Market 11 OCAHO 1267 (2016)

Government Met Burden of Proving Unauthorized Status of Some Employees

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

Government Must Prove Aggravating Factor by Preponderance of Evidence

Margarita Garcia Ocana v. El Dorado Stone, LLC 11 OCAHO 1244 (2015)
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United States v. Liberty Packaging, Inc. 11 OCAHO 1245 (2015)
United States v. Natural Environmental, Inc. 10 OCAHO 1197 (2013)
Government Must Prove Existence of Aggravating Factor by Preponderance of Evidence

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 (2016)
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United States v. New Star at Niagara Fall, Inc., d/b/a New Star Buffet 10 OCAHO 1192 (2013)
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In Considering Non-Statutory Factor, Facts Must Support Favorable Exercise of Discretion

United States v. Century Hotels Corporation, d/b/a Scottsdale Thunderbird Suites 11 OCAHO 1218 (2014)
United States v. Solutions Group International, LLC 12 OCAHO 1288 (2016)
Mitigation

United States v. Skydive Academy of Hawaii Corporation d/b/a Skydive Hawaii 6 OCAHO 848 (1996)
Movant Bears Initial Burden to Demonstrate Absence of Genuine Issue of Material Fact

United States v. Buffalo Transportation, Inc. 11 OCAHO 1263 (2015)
Non-Statutory Factor Considered As Matter of Equity

United States v. Century Hotels Corporation, d/b/a Scottsdale Thunderbird Suites 11 OCAHO 1218 (2014)
Party Moving for Summary Decision Must Show There Is No Genuine Issue of Material Fact

United States v. Cawoods Produce, Inc. 12 OCAHO 1280 (2016)
United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles 12 OCAHO 1281 (2016)
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United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12 OCAHO	1286		(2016)
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United States v. Solutions Group International, LLC	12 OCAHO	1288		(2016)
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United States v. Wave Green, Inc. d/b/a Golden Farm Market	11 OCAHO	1267		(2016)
Party Seeking Consideration of Non-Statutory Factor Bears Burden of Proof				
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United States v. Sophie Valdez d/b/a La Parilla Restaurant	1 OCAHO	91	(1989)

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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)
United States v. Elsinore Manufacturing, Inc.	1 OCAHO	5	(1988)
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United States v. National P.R. Engineer Corporation	1 OCAHO	146	(1990)
United States v. Patricio Torres, Individually and d/b/a Superior Roof Services	1 OCAHO	83	(1989)
United States v. Student Exchange International, Inc.	1 OCAHO	117	(1989)
United States v. Torres Mexican Food, Inc.	4 OCAHO	596	(1994)
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United States v. Giannini Landscaping, Inc.	3 OCAHO	573	(1993)

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United States v. Dodge Printing Centers, Inc.	1 OCAHO	181	(1990)
United States v. Giannini Landscaping, Inc.	3 OCAHO	573	(1993)
United States v. Karnival Fashion, Inc.	5 OCAHO	783	(1995)
United States v. Koamerican Trading Corporation	1 OCAHO	63	(1989)
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United States v. Min Goldblatt & Sons, Inc. t/a Richfield Caterers	1 OCAHO	184	(1990)
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United States v. New El Rey Sausage Company	1 OCAHO	78	(1989)
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United States v. Split Rail Fence Company, Inc.	10 OCAHO	1181	(2013)

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United States v. Pedro Dominguez 6 OCAHO 876 (1996)

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United States v. Danny Mathis d/b/a Mathis Maspory 4 OCAHO 717 (1995)

United States v. Karnival Fashion, Inc. 5 OCAHO 783 (1995)

United States v. Mushtaq Admed Chaudhry 3 OCAHO 576 (1993)

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

United States v. Javier Morales-Vargas a/k/a Daniel Avasolos-Velasqez 5 OCAHO 732 (1995)

United States v. Maria Teresa De Jesus Morales-Martinez 5 OCAHO 727 (1995)

United States v. Mohammed Noorealam 5 OCAHO 797 (1995)

United States v. Mourad Abu Remileh 5 OCAHO 724 (1995)

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United States v. Mario Saikhon, Inc. 1 OCAHO 279 (1990)

United States v. Mester Manufacturing Company 1 OCAHO 18 (1988)

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United States v. Big Bear Market 1 OCAHO 48 (1989)

United States v. Citizen's Utilities Company, Inc., Telephone Division 1 OCAHO 109 (1989)

United States v. Interdynamics, Inc. 3 OCAHO 433 (1992)

United States v. Mester Manufacturing Company 1 OCAHO 18 (1988)

United States v. New El Rey Sausage Company 1 OCAHO 78 (1989)

United States v. The Body Shop 1 OCAHO 149 (1990)

United States v. Walia's, Inc. d/b/a Walia's Restaurant 1 OCAHO 122 (1990)

United States v. Widow Brown's Inn, Inc. t/a Widow Brown's Inn Main & Bushkill Streets 3 OCAHO 399 (1992)

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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

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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. International Packaging, Inc. 12 OCAHO 1275 (2016)

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United States v. Pegasus Family Restaurant, Inc. 12 OCAHO 1293 (2016)

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United States v. Solutions Group International, LLC 12 OCAHO 1288 (2016)

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. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles 12 OCAHO 1281 (2016)

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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 Leniency to Small Businesses

United States v. Buffalo Transportation, Inc. 11 OCAHO 1263 (2015)
United States v. Cawoods Produce, Inc. 12 OCAHO 1280 (2016)
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Aggravation

United States v. Forsch Polymer Corporation 10 OCAHO 1156 (2012)
United States v. Hudson Delivery Service, Inc. d/b/a Home Delivery Service 7 OCAHO 945 (1997)
United States v. Nebeker, Inc. 10 OCAHO 1165 (2013)
United States v. New China Buffet Restaurant 10 OCAHO 1132 (2010)
United States v. Rupson of Hyde Park, Inc. d/b/a Super 8 Motel, Hyde Park 7 OCAHO 958 (1997)
United States v. Snack Attack Deli, Inc. 10 OCAHO 1137 (2010)
United States v. Taste of China 10 OCAHO 1164 (2013)
Government Must Prove Existence of Aggravation Factor by Preponderance of Evidence
United States v. Natural Environmental, Inc. 10 OCAHO 1197 (2013)
Lack of good faith
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Aggravation - Lack of Good Faith

United States v. Jula888, LLC d/b/a Para Tacos La Chilanga 12 OCAHO 1286 (2016)
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. 3679 Commerce Place, Inc.	12 OCAHO	1296		(2017)
United States v. Cawoods Produce, Inc.	12 OCAHO	1280		(2016)
United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12 OCAHO	1276		(2016)
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. Ideal Transportation Co., Inc.	12 OCAHO	1290		(2016)
United States v. International Packaging, Inc.	12 OCAHO	1275		(2016)
United States v. Muniz Concrete & Contracting, Inc.	12 OCAHO	1278		(2016)
United States v. Niche, Inc.	11 OCAHO	1250		(2015)
United States v. Pegasus Family Restaurant, Inc.	12 OCAHO	1293		(2016)
United States v. Solutions Group International, LLC	12 OCAHO	1288		(2016)
United States v. Speedy Gonzalez Construction, Inc.	11 OCAHO	1243		(2015)
United States v. St. Croix Personnel Services, Inc.	12 OCAHO	1289		(2016)

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. 3679 Commerce Place, Inc.	12 OCAHO	1296		(2017)
United States v. Cawoods Produce, Inc.	12 OCAHO	1280		(2016)
United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12 OCAHO	1281		(2016)
United States v. Frimmel Management, LLC d/b/a Uncle Sam's	12 OCAHO	1271	b	(2016)
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United States v. Golden Employment Group, Inc. 12 OCAHO 1277 (2016)

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. Ideal Transportation Co., Inc. 12 OCAHO 1290 (2016)

United States v. International Packaging, Inc. 12 OCAHO 1275 (2016)

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United States v. Metropolitan Enterprises, Inc. 12 OCAHO 1297 (2017)

United States v. Muniz Concrete & Contracting, Inc. 12 OCAHO 1278 (2016)

United States v. Pegasus Family Restaurant, Inc. 12 OCAHO 1293 (2016)

United States v. Safe-Air of Illinois, Inc. 12 OCAHO 1270 (2016)

United States v. Solutions Group International, LLC 12 OCAHO 1288 (2016)

United States v. St. Croix Personnel Services, Inc. 12 OCAHO 1289 (2016)

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

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)

United States v. Metropolitan Enterprises, Inc. 12 OCAHO 1297 (2017)

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 Found Where Employer Appeared to Intentionally Subvert Purposes of Section 1324a(b)

United States v. Jula888, LLC d/b/a Para Tacos La Chilanga 12 OCAHO 1286 (2016)
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)
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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

United States v. Jerry Estopy and Manuel Bortoni, d/b/a Estopy Farms 11 OCAHO 1256 (2015)
Company Tax Losses Do Not Necessarily Establish Poor Financial Condition or Inability To Pay

United States v. Mott Thoroughbred Stables, Inc. 11 OCAHO 1233 (2014)
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United States v. Benjamin P. Raygoza d/b/a Cielito Lindo Restaurant 5 OCAHO 729 (1995)
United States v. El Paso Hospitality, Inc. 5 OCAHO 737 (1995)
United States v. Hosung Cleaning Corporation d/b/a Sun Cleaner 4 OCAHO 670 (1994)
Culpable Conduct Can Be Shown by Evidence that Employer Tried to Mislead Government

Margarita Garcia Ocana v. El Dorado Stone, LLC 11 OCAHO 1244 (2015)
United States v. Liberty Packaging, Inc. 11 OCAHO 1245 (2015)
Definition

United States v. Furr's/Bishop's Cafeterias d/b/a Furr's Cafeterias 2 OCAHO 330 (1991)
Deliberate Violation of Multiple Laws Governing Employer Conduct Merits Maximum Penalty

United States v. Symmetric Solutions, Incorporated d/b/a Minerva Indian Cuisine 10 OCAHO 1209 (2014)
Difference in Seriousness of Violations May Be Reflected in the Final Penalty

United States v. Cawoods Produce, Inc. 12 OCAHO 1280 (2016)
United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles 12 OCAHO 1281 (2016)

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United States v. Hair U Wear, LLC 11 OCAHO 1268 (2016)
United States v. Muniz Concrete & Contracting, Inc. 12 OCAHO 1278 (2016)
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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

United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167) 11 OCAHO 1258 (2015)
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United States v. Monfort, Inc. 4 OCAHO 597 (1994)
United States v. The Beverly Center 5 OCAHO 762 (1995)
Document Fraud

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

United States v. Alberto Noriega-Perez 5 OCAHO 811 (1995)
United States v. Alberto Noriega-Perez 6 OCAHO 859 (1996)
Eighth Amendment

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

United States v. Durable, Inc. 11 OCAHO 1229 (2014)
Employer's Previous Receipt of a Warning Notice Does Not Constitute History of Previous Violations

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

Enhancement Factor Based on Whether Specific Individual was Unauthorized

Margarita Garcia Ocana v. El Dorado Stone, LLC	11 OCAHO	1244	(2015)
United States v. Jalisco's Bar and Grill, Inc.	11 OCAHO	1224	(2014)
United States v. Liberty Packaging, Inc.	11 OCAHO	1245	(2015)
United States v. Romans Racing Stables, Inc.	11 OCAHO	1230	(2014)

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

United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167)	11 OCAHO	1258	(2015)
United States v. Kobe Sakura Japanese, Inc.	10 OCAHO	1205	(2013)
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United States v. Metropolitan Warehouse, Inc.	10 OCAHO	1207	(2013)
United States v. Pharaoh's Gentleman's Club, Inc.	10 OCAHO	1189	(2013)
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)

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

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

Excessive Money Penalties

United States v. A&J Kyoto Japanese Restaurant, Inc.	10 OCAHO	1186	(2013)
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. La Hacienda Mexican Café	10 OCAHO	1167	(2013)
United States v. Mr. Mike's Pizza, Inc.	10 OCAHO	1196	(2013)
United States v. New Outlook Homecare, LLC	10 OCAHO	1210	(2014)
United States v. New Star at Niagara Fall, Inc., d/b/a New Star Buffet	10 OCAHO	1192	(2013)

United States v. New Sun Transit, Inc. d/b/a La Tolteca Mexican Restaurant 10 OCAHO 1194 (2013)
United States v. Pedro Dominguez 6 OCAHO 878 (1996)
United States v. Pharaoh's Gentleman's Club, Inc. 10 OCAHO 1189 (2013)
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)
Factors

United States v. DJ Drywall, Inc. 10 OCAHO 1136 (2010)
United States v. Fortune East Fashion, Inc. 7 OCAHO 992 (1998)
United States v. New China Buffet Restaurant 10 OCAHO 1132 (2010)
United States v. Pedro Dominguez 8 OCAHO 1000 (1998)
United States v. Rupson of Hyde Park, Inc. d/b/a Super 8 Motel, Hyde Park 7 OCAHO 958 (1997)
United States v. Snack Attack Deli, Inc. 10 OCAHO 1137 (2010)
Failure to Complete I-9 Within Three Business Days is Serious Violation

United States v. Buffalo Transportation, Inc. 11 OCAHO 1263 (2015)
Failure to Conform Practices to Law After Previous Violations May Constitute Lack of Good Faith

United States v. Durable, Inc. 11 OCAHO 1231 (2014)
Failure to Cooperate With ICE's Investigation Can Constitute Culpable Conduct

Margarita Garcia Ocana v. El Dorado Stone, LLC 11 OCAHO 1244 (2015)
United States v. Liberty Packaging, Inc. 11 OCAHO 1245 (2015)
Failure to Prepare Form I-9 Among Most Serious Paperwork Violations

United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles 12 OCAHO 1281 (2016)
United States v. Golden Employment Group, Inc. 12 OCAHO 1277 (2016)

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. Ideal Transportation Co., Inc. 12 OCAHO 1290 (2016)

United States v. International Packaging, Inc. 12 OCAHO 1275 (2016)

United States v. Jula888, LLC d/b/a Para Tacos La Chilanga 12 OCAHO 1286 (2016)

United States v. Pegasus Family Restaurant, Inc. 12 OCAHO 1293 (2016)

United States v. Safe-Air of Illinois, Inc. 12 OCAHO 1270 (2016)

United States v. Solutions Group International, LLC 12 OCAHO 1288 (2016)

United States v. St. Croix Personnel Services, Inc. 12 OCAHO 1289 (2016)

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

Failure to Prepare Form I-9 Generally Warrants Higher Penalty Than Do Errors or Omissions on Form

United States v. Golden Employment Group, Inc. 12 OCAHO 1277 (2016)

United States v. International Packaging, Inc. 12 OCAHO 1275 (2016)

Failure to Prepare I-9 Among Most Serious Paperwork Violations

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

United States v. Cawoods Produce, Inc. 12 OCAHO 1280 (2016)

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

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

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

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

Failure to Prepare I-9 More Serious Than Paperwork Violations

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

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

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

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

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

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

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

Failure to Timely Prepare Form I-9 Is A Serious Violation

United States v. St. Croix Personnel Services, Inc. 12 OCAHO 1289 (2016)

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

United States v. Cawoods Produce, Inc. 12 OCAHO 1280 (2016)

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

Generally

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

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

United States v. A-Plus Roofing, Inc. 1 OCAHO 209 (1990)

United States v. Applied Computer Technology 2 OCAHO 367 (1991)

United States v. Armando Alvarez-Suarez 6 OCAHO 862 (1996)

United States v. Big Bear Market 1 OCAHO 48 (1989)

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

United States v. Buckingham Limited Partnership d/b/a Mr. Wash 1 OCAHO 151 (1990)

United States v. Busy Corner Sportswear, Inc. 3 OCAHO 511 (1993)

United States v. Camidor Properties, Inc. 1 OCAHO 299 (1991)

United States v. Carlos Cruz d/b/a La Rosa Bakery 3 OCAHO 453 (1992)

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

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

United States v. Chuy's Paint & Body Shop	1	OCAHO	19	(1988)
United States v. Citizen's Utilities Company, Inc., Telephone Division	1	OCAHO	109	(1989)
United States v. Collins Food International, Inc. d/b/a Sizzler Restaurant	1	OCAHO	67	(1989)
United States v. Collins Food International, Inc. d/b/a Sizzler Restaurant	1	OCAHO	123	(1990)
United States v. Continental Sports Corporation	5	OCAHO	799	(1995)
United States v. Cristina Galeas	5	OCAHO	790	(1995)
United States v. Danny Mathis d/b/a Mathis Maspory	5	OCAHO	752	(1995)
United States v. David Day d/b/a David Day Masonry	3	OCAHO	575	(1993)
United States v. Davis Nursery, Inc.	4	OCAHO	694	(1994)
United States v. Diamond Construction, Inc.	3	OCAHO	451	(1992)
United States v. Dodge Printing Centers, Inc.	1	OCAHO	125	(1990)
United States v. Dr. Merrill Cahn, D.P.M.	1	OCAHO	127	(1990)
United States v. Ed Valencia & Sons, Inc. d/b/a Valladares	2	OCAHO	316	(1992)
United States v. El Azteca Dunkirk, Inc.	10	OCAHO	1172	(2013)
United States v. Elder Jerez d/b/a Green Scaping	3	OCAHO	420	(1992)
United States v. Felipe, Inc.	1	OCAHO	93	(1989)
United States v. Felipe, Inc.	1	OCAHO	108	(1989)
United States v. Galilee Fashions, Inc.	4	OCAHO	697	(1994)
United States v. Gerald Hollendorfer	1	OCAHO	175	(1990)
United States v. Giamblis Enterprises	5	OCAHO	817	(1995)
United States v. Gloria Fashions, Inc.	6	OCAHO	887	(1996)
United States v. Guillermo Perales d/b/a Mexican Bakery	2	OCAHO	315	(1991)
United States v. Hardeep Singh	3	OCAHO	520	(1993)
United States v. Honeybake Farms, Inc.	2	OCAHO	311	(1991)
United States v. Hudson Delivery Service, Inc. d/b/a Home Delivery Service	7	OCAHO	945	(1997)
United States v. Hugh Jeffrey Fox d/b/a Frank & Stein	5	OCAHO	756	(1995)
United States v. Ice Castles Daycare Too, Inc.	10	OCAHO	1142	(2011)
United States v. Jesus Satarain, Individually	3	OCAHO	557	(1993)

United States v. Jimmy Bai Huang d/b/a Great Wall Chinese Restaurant	1	OCAHO	300	(1991)
United States v. Johnny Ng Lim and Christina Lim Go d/b/a The New Orient	3	OCAHO	499	(1993)
United States v. Johnny Ng Lim and Christina Lim Go d/b/a The New Orient	3	OCAHO	512	(1993)
United States v. Kangaroo Express of Pueblo	3	OCAHO	581	(1993)
United States v. Ketchikan Drywall Services, Inc.	10	OCAHO	1139	(2011)
United States v. Kim Dong Hui t/a Chestnut Gourmet Restaurant	3	OCAHO	479	(1992)
United States v. La Casona d/b/a La Casona Mexican Restaurant	4	OCAHO	712	(1994)
United States v. Landscapes By Susanna	3	OCAHO	556	(1993)
United States v. Landscapes By Susanna	3	OCAHO	556	(1993)
United States v. Leo Yruegas d/b/a Chito's Mexican Restaurant	1	OCAHO	45	(1989)
United States v. M.T.S. Service Corporation d/b/a Maggie's Catering Mexico Tipico Restaurant	3	OCAHO	448	(1992)
United States v. Mester Manufacturing Company	1	OCAHO	18	(1988)
United States v. Minaco Fashions, Inc.	3	OCAHO	552	(1993)
United States v. Monfort, Inc.	4	OCAHO	597	(1994)
United States v. Nancy Mubarki	5	OCAHO	816	(1995)
United States v. Neighbors of Hawaii d/b/a Tower of Power	1	OCAHO	262	(1990)
United States v. New China Buffet Restaurant	10	OCAHO	1132	(2010)
United States v. Nicolas Tinoco-Medina	6	OCAHO	890	(1996)
United States v. Noel Plastering & Stucco, Inc.	2	OCAHO	319	(1991)
United States v. Noel Plastering & Stucco, Inc.	2	OCAHO	377	(1991)
United States v. Noel Plastering & Stucco, Inc.	3	OCAHO	427	(1992)
United States v. Onion River Sports, Inc.	4	OCAHO	673	(1994)
United States v. Orlando Diaz-Rosas	4	OCAHO	702	(1994)
United States v. Oscar Chacon, Sr.	3	OCAHO	578	(1993)
United States v. Pedro Dominguez	7	OCAHO	972	(1997)
United States v. Penrod National Enterprises, Inc. d/b/a Floral Bionomics Landscape Management	3	OCAHO	559	(1993)
United States v. Penrod National Enterprises, Inc. d/b/a Floral Bionomics Landscape Management	3	OCAHO	559	(1993)
United States v. Ricardo Calderon, Inc.	6	OCAHO	832	(1996)

United States v. Riverboat Delta King, Inc.	5	OCAHO	738	(1995)
United States v. Robert Griffin d/b/a Griff's Landscape	1	OCAHO	50	(1989)
United States v. Robison Fruit Ranch, Inc.	6	OCAHO	855	(1996)
United States v. Rosario Strano and Vito Strano d/b/a Strano Farms	5	OCAHO	748	(1995)
United States v. San Ysidro Ranch	1	OCAHO	183	(1990)
United States v. Satarain, Individually	3	OCAHO	557	(1993)
United States v. SDI Industries, Inc.	3	OCAHO	465	(1992)
United States v. Sea Pine Inn, Inc. t/a Sea Pine Inn	1	OCAHO	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. 3679 Commerce Place, Inc.	12	OCAHO	1296	(2017)
United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12	OCAHO	1276	(2016)
United States v. Hartmann Studios, Inc.	11	OCAHO	1255	(2015)
United States v. International Packaging, Inc.	12	OCAHO	1275	(2016)
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12	OCAHO	1286	(2016)
United States v. Pegasus Family Restaurant, Inc.	12	OCAHO	1293	(2016)

United States v. Quickstuff, LLC, Its Member Maria Castillo, and A&C Staffing, LLC	11	OCAHO	1265	(2015)
United States v. Solutions Group International, LLC	12	OCAHO	1288	(2016)
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. Cawoods Produce, Inc.	12	OCAHO	1280	(2016)
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. Jula888, LLC d/b/a Para Tacos La Chilanga	12	OCAHO	1286	(2016)
United States v. Keegan Varitey, LLC	11	OCAHO	1238	(2014)
United States v. Niche, Inc.	11	OCAHO	1250	(2015)

Government Bears the Burden of Proof for Liability and Penalty

United States v. Solutions Group International, LLC	12	OCAHO	1288	(2016)

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. 3679 Commerce Place, Inc.	12	OCAHO	1296	(2017)
United States v. Buffalo Transportation, Inc.	11	OCAHO	1263	(2015)
United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12	OCAHO	1281	(2016)
United States v. Employer Solutions Staffing Group II, LLC	11	OCAHO	1242	(2015)
United States v. Frimmel Management, LLC d/b/a Uncle Sam's	12	OCAHO	1271 b	(2016)

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 (2016)
United States v. Golden Employment Group, Inc. 12 OCAHO 1277 (2016)
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. International Packaging, Inc. 12 OCAHO 1275 (2016)
United States v. Liberty Packaging, Inc. 11 OCAHO 1245 (2015)
United States v. Metropolitan Enterprises, Inc. 12 OCAHO 1297 (2017)
United States v. Muniz Concrete & Contracting, Inc. 12 OCAHO 1278 (2016)
United States v. Pegasus Family Restaurant, Inc. 12 OCAHO 1293 (2016)
United States v. 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. St. Croix Personnel Services, Inc. 12 OCAHO 1289 (2016)
United States v. Wave Green, Inc. d/b/a Golden Farm Market 11 OCAHO 1267 (2016)
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)
Government Must Prove Existence of Aggravating Factor by Preponderance of Evidence

United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles 12 OCAHO 1281 (2016)

United States v. Frimmel Management, LLC d/b/a Uncle Sam's 12 OCAHO 1271 b (2016)

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 (2016)

United States v. Ideal Transportation Co., Inc. 12 OCAHO 1290 (2016)

ICE Fine Guidelines Have No Binding Effect on OCAHO

United States v. 3679 Commerce Place, Inc. 12 OCAHO 1296 (2017)

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

United States v. Golden Employment Group, Inc. 12 OCAHO 1277 (2016)

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

United States v. Ideal Transportation Co., Inc. 12 OCAHO 1290 (2016)

United States v. International Packaging, Inc. 12 OCAHO 1275 (2016)

United States v. Jula888, LLC d/b/a Para Tacos La Chilanga 12 OCAHO 1286 (2016)

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

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

United States v. Pegasus Family Restaurant, Inc. 12 OCAHO 1293 (2016)

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

United States v. Solutions Group International, LLC 12 OCAHO 1288 (2016)

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)
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United States v. Monroe Novelty Co., Inc. d/b/a Monroe Novelties Corporation 7 OCAHO 986 (1998)
United States v. Pedro Dominguez 8 OCAHO 1000 (1998)
United States v. Sunshine Building Maintenance, Inc. 7 OCAHO 997 (1998)
United States v. Williams Produce, Inc. 5 OCAHO 730 (1995)
Instruction Given to Respondent to Refrain from Backdating Put Respondent on Notice of Prohibition

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

United States v. Occupational Resource Management, Inc. 10 OCAHO 1166 (2013)
United States v. Sunshine Building Maintenance, Inc. 7 OCAHO 997 (1998)
Knowing Hire Violations Are Far More Serious Than Any Paperwork Violations

United States v. Foothill Packing, Inc.	11 OCAHO	1240		(2015)
United States v. Jalisco's Bar and Grill, Inc.	11 OCAHO	1224		(2014)

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

United States v. 3679 Commerce Place, Inc.	12 OCAHO	1296		(2017)
United States v. Cawoods Produce, Inc.	12 OCAHO	1280		(2016)
United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12 OCAHO	1281		(2016)
United States v. Frimmel Management, LLC d/b/a Uncle Sam's	12 OCAHO	1271	b	(2016)
United States v. International Packaging, Inc.	12 OCAHO	1275		(2016)
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12 OCAHO	1286		(2016)
United States v. Pegasus Family Restaurant, Inc.	12 OCAHO	1293		(2016)
United States v. Romans Racing Stables, Inc.	11 OCAHO	1232		(2014)
United States v. Solutions Group International, LLC	12 OCAHO	1288		(2016)
United States v. St. Croix Personnel Services, Inc.	12 OCAHO	1289		(2016)
United States v. 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. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12 OCAHO	1281		(2016)
United States v. Liberty Packaging, Inc.	11 OCAHO	1245		(2015)
United States v. Muniz Concrete & Contracting, Inc.	12 OCAHO	1278		(2016)
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. 3679 Commerce Place, Inc.	12 OCAHO	1296		(2017)
United States v. Buffalo Transportation, Inc.	11 OCAHO	1263		(2015)
United States v. Cawoods Produce, Inc.	12 OCAHO	1280		(2016)
United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12 OCAHO	1281		(2016)
United States v. Frimmel Management, LLC d/b/a Uncle Sam's	12 OCAHO	1271	b	(2016)
United States v. Hair U Wear, LLC	11 OCAHO	1268		(2016)
United States v. Ideal Transportation Co., Inc.	12 OCAHO	1290		(2016)

United States v. International Packaging, Inc. 12 OCAHO 1275 (2016)

United States v. Jula888, LLC d/b/a Para Tacos La Chilanga 12 OCAHO 1286 (2016)

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

United States v. Metropolitan Enterprises, Inc. 12 OCAHO 1297 (2017)

United States v. Muniz Concrete & Contracting, Inc. 12 OCAHO 1278 (2016)

United States v. Pegasus Family Restaurant, Inc. 12 OCAHO 1293 (2016)

United States v. Solutions Group International, LLC 12 OCAHO 1288 (2016)

United States v. St. Croix Personnel Services, Inc. 12 OCAHO 1289 (2016)

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

OCAHO Generally Considers a Business With Fewer Than 100 Employees to be a Small Business

United States v. Frimmel Management, LLC d/b/a Uncle Sam's 12 OCAHO 1271 b (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. 3679 Commerce Place, Inc. 12 OCAHO 1296 (2017)

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

United States v. Frimmel Management, LLC d/b/a Uncle Sam's 12 OCAHO 1271 b (2016)

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12 OCAHO	1276		(2016)
United States v. Hair U Wear, LLC	11 OCAHO	1268		(2016)
United States v. Hartmann Studios, Inc.	11 OCAHO	1255		(2015)
United States v. International Packaging, Inc.	12 OCAHO	1275		(2016)
United States v. Keegan Varitey, LLC	11 OCAHO	1238		(2014)
United States v. Metropolitan Enterprises, Inc.	12 OCAHO	1297		(2017)
United States v. Niche, Inc.	11 OCAHO	1250		(2015)
United States v. Pegasus Family Restaurant, Inc.	12 OCAHO	1293		(2016)
United States v. Solutions Group International, LLC	12 OCAHO	1288		(2016)
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. Cawoods Produce, Inc.	12 OCAHO	1280		(2016)
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. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12 OCAHO	1281		(2016)
United States v. Frimmel Management, LLC d/b/a Uncle Sam's	12 OCAHO	1271	b	(2016)
United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12 OCAHO	1276		(2016)
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. Ideal Transportation Co., Inc.	12 OCAHO	1290		(2016)

United States v. International Packaging, Inc. 12 OCAHO 1275 (2016)
United States v. Jalisco's Bar and Grill, Inc. 11 OCAHO 1224 (2014)
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga 12 OCAHO 1286 (2016)
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. Pegasus Family Restaurant, Inc. 12 OCAHO 1293 (2016)
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. Safe-Air of Illinois, Inc. 12 OCAHO 1270 (2016)
United States v. SKZ Harvesting, Inc. 11 OCAHO 1266 (2016)
United States v. Solutions Group International, LLC 12 OCAHO 1288 (2016)
United States v. Speedy Gonzalez Construction, Inc. 11 OCAHO 1243 (2015)
United States v. St. Croix Personnel Services, Inc. 12 OCAHO 1289 (2016)
United States v. Symmetric Solutions, Incorporated d/b/a Minerva Indian Cuisine 10 OCAHO 1209 (2014)

Penalties Should Deter Future Violations Without Being Unduly Punitive

United States v. Buffalo Transportation, Inc. 11 OCAHO 1263 (2015)
United States v. Clean Sweep Janitor Service 11 OCAHO 1226 (2014)
United States v. Crescent City Meat Company, Inc. 11 OCAHO 1223 (2014)
United States v. Homestead Metal Recycling Corp. 11 OCAHO 1251 (2015)
United States v. Horno MSJ, Ltd., Company 11 OCAHO 1247 (2015)
United States v. Ideal Transportation Co., Inc. 12 OCAHO 1290 (2016)
United States v. Kenneth McPeek Racing Stables, Inc. 11 OCAHO 1249 (2015)

United States v. Niche, Inc. 11 OCAHO 1250 (2015)
United States v. Safe-Air of Illinois, Inc. 12 OCAHO 1270 (2016)
United States v. Solutions Group International, LLC 12 OCAHO 1288 (2016)
United States v. Speedy Gonzalez Construction, Inc. 11 OCAHO 1243 (2015)
Penalties Should Have a Deterrent Effect and Not Be Merely a Cost of Doing Business

United States v. Hartmann Studios, Inc. 11 OCAHO 1255 (2015)
Penalties Should Not Be Disproportionate to Employer's Revenue

United States v. Crescent City Meat Company, Inc. 11 OCAHO 1223 (2014)
Penalties Should Promote Future Compliance Without Being Unduly Punitive

United States v. 3679 Commerce Place, Inc. 12 OCAHO 1296 (2017)
United States v. Pegasus Family Restaurant, Inc. 12 OCAHO 1293 (2016)
Penalty is Excessive When it is Disproportionate to the Gravity of the Offense

United States v. M & D Masonry, Inc. 10 OCAHO 1211 (2014)
Penalty Within Statutory Range Presumed Valid Under Eighth Amendment Excessive Fines Clause

United States v. Employer Solutions Staffing Group II, LLC 11 OCAHO 1242 (2015)
Person or Entity
Definition
United States v. Furr's/Bishop's Cafeterias d/b/a Furr's Cafeterias 2 OCAHO 330 (1991)
Poor Rate of Compliance Without Showing Culpable Conduct Insufficient to Prove Lack of Good Faith

United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles 12 OCAHO 1281 (2016)
United States v. Pegasus Family Restaurant, Inc. 12 OCAHO 1293 (2016)
United States v. Solutions Group International, LLC 12 OCAHO 1288 (2016)
United States v. St. Croix Personnel Services, Inc. 12 OCAHO 1289 (2016)

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

Previous Violation(s)

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

Principal Goal Is To Enhance Probability of Future Compliance

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

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

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

Proportionality is Critical in Setting Penalties

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

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

United States v. Metropolitan Warehouse, Inc. 10 OCAHO 1207 (2013)

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

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

United States v. Safe-Air of Illinois, Inc. 12 OCAHO 1270 (2016)

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

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

Purpose is to Deter Repeat Violations and Encourage Others to Comply

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

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

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

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 (2016)

Reasonable

United States v. Silverado Stages, Inc. 10 OCAHO 1182 (2013)

Reasonableness Based On Record As Whole and Statutory Factors in Particular

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

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

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

Referring to Discrepancies or Suspect Documents Does Not Alone Prove Employee is Unauthorized

United States v. Frimmel Management, LLC d/b/a Uncle Sam's 12 OCAHO 1271 b (2016)

Seriousness of Violation Depends on Degree of Deviation From Verification Requirements

United States v. Frimmel Management, LLC d/b/a Uncle Sam's 12 OCAHO 1271 b (2016)

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 (2016)

United States v. Muniz Concrete & Contracting, Inc. 12 OCAHO 1278 (2016)

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

United States v. Cawoods Produce, Inc. 12 OCAHO 1280 (2016)

United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles 12 OCAHO 1281 (2016)

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 (2016)

United States v. Golden Employment Group, Inc. 12 OCAHO 1277 (2016)

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. Ideal Transportation Co., Inc. 12 OCAHO 1290 (2016)

United States v. International Packaging, Inc. 12 OCAHO 1275 (2016)

United States v. Jula888, LLC d/b/a Para Tacos La Chilanga 12 OCAHO 1286 (2016)

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

United States v. Muniz Concrete & Contracting, Inc. 12 OCAHO 1278 (2016)

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. Safe-Air of Illinois, Inc.	12	OCAHO	1270	(2016)
United States v. Senox Corporation	11	OCAHO	1219	(2014)
United States v. SKZ Harvesting, Inc.	11	OCAHO	1266	(2016)
United States v. Solutions Group International, LLC	12	OCAHO	1288	(2016)
United States v. Speedy Gonzalez Construction, Inc.	11	OCAHO	1243	(2015)

Seriousness of Violation(s)

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. Draper-King Cole, Inc.	7	OCAHO	933	(1997)
United States v. El Paso Hospitality, Inc.	5	OCAHO	737	(1995)
United States v. Fortune East Fashion, Inc.	7	OCAHO	992	(1998)
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. Golf International d/b/a Desert Canyon Golf	11	OCAHO	1222	(2014)
United States v. Hudson Delivery Service, Inc. d/b/a Home Delivery Service	7	OCAHO	945	(1997)
United States v. Ketchikan Drywall Services, Inc.	10	OCAHO	1139	(2011)
United States v. Mark Steven Carter d/b/a Dixie Industrial Service Company	7	OCAHO	931	(1997)
United States v. Monadnock Mountain Spring Water, Inc.	10	OCAHO	1193	(2013)
United States v. Monroe Novelty Co., Inc. d/b/a Monroe Novelties Corporation	7	OCAHO	986	(1998)
United States v. Occupational Resource Management, Inc.	10	OCAHO	1166	(2013)
United States v. Rupson of Hyde Park, Inc. d/b/a Super 8 Motel, Hyde Park	7	OCAHO	958	(1997)
United States v. Snack Attack Deli, Inc.	10	OCAHO	1137	(2010)
United States v. Sunshine Building Maintenance, Inc.	7	OCAHO	997	(1998)
United States v. Task Force Security, Inc. d/b/a Task Force Security and Investigations	4	OCAHO	625	(1994)

Failure to Complete I-9 prior to Notice of Inspection

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

Should Deter Future Violations Without Being Unduly Punitive

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

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United States v. Barnett Taylor, LLC, d/b/a Burger King	10	OCAHO	1155	(2012)
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United States v. Ed Valencia & Sons, Inc. d/b/a Valladares	2	OCAHO	387	(1991)
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ALJ Must Exercise Discretion in Resolving Discovery Disputes

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ALJ Not Bound By Federal Rules of Civil Procedure

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Asserting Party Bears Burden of Establishing Privilege

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Data Not Shown to Expert or Used to Prove Case Is Not Relevant Evidence

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Deposing Opposing Counsel

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United States v. Roberto C. Davila 6 OCAHO 895 (1996)

United States v. Roberto C. Davila 6 OCAHO 903 (1996)

United States v. Roberto C. Davila 6 OCAHO 902 (1996)

Depositions Should Be Cancelled if Testimony is Not Necessary, Relevant, and/or Non-duplicative

United States v. Frimmel Management, LLC d/b/a Uncle Sam's 12 OCAHO 1271 (2016)

Discovery Permitted as to Any Matter Relevant to Subject Matter of Case and Not Privileged

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Disputes About Temporal Scope of Discovery Resolved in the Factual Context of Each Case

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Employment Practices Outside Limitations Period Always Potentially Relevant

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Evasive or Incomplete Response To Discovery May Be Treated as Failure to Respond

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United States v. Maria Elizondo Garza d/b/a Garza Farm Labor 4 OCAHO 644 (1994)
United States v. Mark Steven Carter d/b/a Dixie industrial Service Company 6 OCAHO 897 (1996)
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United States v. C&K Metals, Inc. a/k/a Leach Cast & Steel, Inc. 6 OCAHO 845 (1996)
United States v. David Jenkins 5 OCAHO 743 (1995)
Frequency and Extent of Discovery May Be Limited by ALJ Sua Sponte or Upon Motion

United States v. Durable, Inc. 11 OCAHO 1221 (2014)
Frequency and Extent of Discovery May Be Limited If Burden/Expense Outweighs Likely Benefit

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United States v. Scandia Interiors, Inc. 1 OCAHO 290 (1991)
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United States v. U.S. Style, Inc. 5 OCAHO 793 (1995)
United States v. Ulysses, Inc. and Ulysses Restaurant Group, Inc. 2 OCAHO 390 (1991)
United States v. Westin Galleria & Westin Oaks Hotel 4 OCAHO 701 (1994)
United States v. William D. Clark d/b/a Tidwell Medical Center 5 OCAHO 771 (1995)
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United States v. Snack Attack Deli, Inc. 10 OCAHO 1137 (2010)
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In OCAHO Cases Discovery is Broad But Not Unlimited

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Good Faith Conferment Requirement

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

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Motion to Compel Must Include Certification of Good Faith Resolution Efforts

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

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

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

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OCAHO Rules Do Not Impose Numerical Limits on Number of Interrogatories

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

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

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

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Party Resisting Discovery Has Burden of Demonstrating That Objection Is Justified

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Relevance Includes Any Matter Bearing on an Issue (Or Possible Issue) In Case

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

Scope Generally Extends to Any Relevant Information That is Not Privileged

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In re Investigation of Norfolk Public Schools, Subpoena 4 OCAHO 621 (1994)

In re Investigation of Wal-Mart Distribution Center, Subpoena 5 OCAHO 788 (1995)

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Benjamin A. K. Yohan v. Central State Hospital 4 OCAHO 593 (1994)
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Intentional Discrimination If Employer Treats Some People Less Favorably Due to Prohibited Factor

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Malice Or Ill Will Is Not Required to Establish Discrimination

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

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

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Donna Yvette Miller v. United States Postal Service, Greater South Carolina District Office	12	OCAHO	1284	(2016)
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Under Section 1324b Disparate Treatment Must Be Shown

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

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

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

United States v. Sahara Wireless International, Inc. 11 OCAHO 1262 (2015)

Dismissal Without Prejudice Leaves the Parties As If No Action Had Been Brought At All

United States v. Sahara Wireless International, Inc. 11 OCAHO 1262 (2015)

Even Under Liberal Pleading Standards, Claims Lacking Adequate Basis Must Be Dismissed

Terri Ann Jablonski v. Kelly Legal Services, et al. 12 OCAHO 1282 (2016)

Failure to Respond

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

Failure to Respond to an Order May Be Deemed an Abandonment of a Party's Complaint

Ricardo Farhard Gamez Caltzoncin v. GSM Insurors-Glass, Sorenson & McDavid 12 OCAHO 1287 (2016)

Ricardo Farhard Gamez Caltzoncin v. GSM Insurors-Glass, Sorenson & McDavid 12 OCAHO 1287 (2016)

Failure To Respond to an Order May Be Deemed an Abandonment of a Party's Request for a Hearing

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

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

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

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

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

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Employers Enrolled in E-Verify May Only Accept List B Document Containing a Photograph

Michael Edward Johnson v. Progressive Roofing 12 OCAHO 1295 (2017)

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

United States v. Golden Employment Group, Inc. 12 OCAHO 1274 (2016)
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United States v. Speedy Gonzalez Construction, Inc. 11 OCAHO 1228 (2014)

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

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

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United States v. 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. 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. Jula888, LLC d/b/a Para Tacos La Chilanga 12 OCAHO 1286 (2016)
United States v. Metropolitan Enterprises, Inc. 12 OCAHO 1297 (2017)
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United States v. Speedy Gonzalez Construction, Inc. 11 OCAHO 1228 (2014)

Function of Individual Within Entity is Determinative of Employee Status

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

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Lydia Annella Anderson v. Newark Public Schools 8 OCAHO 1035 (1999)
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Noemi Barragan-Mandujano Romo v. Todd Corporation 1 OCAHO 25 (1988)
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United States v. Crescent City Meat Company, Inc. 11 OCAHO 1217 (2014)
United States v. The Red Coach Restaurant, Inc. 10 OCAHO 1195 (2013)

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United States v. Jula888, LLC d/b/a Para Tacos La Chilanga 12 OCAHO 1286 (2016)

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

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United States v. Saidabror Siddikov d/b/a Beyond Cleaning Services 11 OCAHO 1257 (2015)
Victor B. Palma v. Alufase USA, LLC 10 OCAHO 1213 (2014)

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

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

Loss of Grandfathered Status

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

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

United States v. Dr. Robert Schaus, D.D.S. 11 OCAHO 1239 (2014)
United States v. Leed Construction, Megan Burkholder 11 OCAHO 1237 (2014)
United States v. Metropolitan Enterprises, Inc. 12 OCAHO 1297 (2017)
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)
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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)
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United States v. Saidabror Siddikov d/b/a Beyond Cleaning Services 11 OCAHO 1257 (2015)
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United States v. Walden Station, Inc.	8 OCAHO	1053	(2000)
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Dolores Garcia Contreras v. Cascade Fruit Company	9 OCAHO	1090	(2003)
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Daniel Joseph Bendig v. Conoco, Inc. 9 OCAHO 1077 (2001)

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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)
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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)
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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)
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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. 4431, Inc. t/a Candlelight Inn	4	OCAHO	611	(1994)
United States v. Basim Aziz Hanna d/b/a Ferris & Ferris Pizza	1	OCAHO	200	(1990)
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)
United States v. El Paso Hospitality, Inc.	5	OCAHO	737	(1995)
United States v. Enrique Reyes d/b/a King's Produce	4	OCAHO	592	(1994)
United States v. Giamblis Enterprises	5	OCAHO	817	(1995)
United States v. Giannini Landscaping, Inc.	3	OCAHO	573	(1993)
United States v. GRS, Inc. d/b/a Gasket Engineering	4	OCAHO	627	(1994)

United States v. Hosung Cleaning Corporation d/b/a Sun Cleaner	4	OCAHO	670	(1994)
United States v. Karnival Fashion, Inc.	5	OCAHO	769	(1995)
United States v. Land Coast Insulation, Inc.	2	OCAHO	379	(1991)
United States v. Manos & Associates, Inc. d/b/a The Bread Basket Restaurant	1	OCAHO	130	(1989)
United States v. Manuel Orozco-Minjares	4	OCAHO	606	(1994)
United States v. Mester Manufacturing Company	1	OCAHO	18	(1988)
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United States v. PPJV, Inc. d/b/a Publishers Press	2	OCAHO	354	(1991)
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United States v. Mr. Z Enterprise	1	OCAHO	288	(1991)
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United States v. Ricardo Calderon, Inc.	6	OCAHO	832	(1996)
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United States v. Lorenzo Robles d/b/a Lorenzo Robles Roofing and Construction	2	OCAHO	309	(1991)
United States v. Mr. Z Enterprise	1	OCAHO	288	(1991)
United States v. Power Operating Company	3	OCAHO	580	(1993)
United States v. Richard Bakovic	3	OCAHO	482	(1991)
United States v. Saidabror Siddikov d/b/a Beyond Cleaning Services	11	OCAHO	1257	(2015)
United States v. Sophie Valdez d/b/a La Parilla Restaurant	1	OCAHO	91	(1989)
United States v. U.S. Style, Inc.	5	OCAHO	793	(1995)

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

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United States v. American Terrazzo Corporation d/b/a John Delallo Foods 6 OCAHO 828 (1995)

United States v. Mark Steven Carter d/b/a Dixie Industrial Service Company 7 OCAHO 931 (1997)

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

United States v. Yin Tien Chen, Individually and Winning Orchards, LLC 9 OCAHO 1092 (2003)

Number of Hours an Employee Worked Not Determinative of Duration of Employment

United States v. Golden Employment Group, Inc. 12 OCAHO 1274 (2016)

Seasonal Agricultural Workers

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

United States v. Ralph Sanchez, Labor Contractor 1 OCAHO 58 (1989)

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

Michael K. Lee v. Airtouch Communications 6 OCAHO 888 (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. Robison Fruit Ranch, Inc. 6 OCAHO 855 (1996)

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

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

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Ashwani Goel v. Indotronix Internation Corporation 9 OCAHO 1102 (2003)

Roman Udala v. New York State Department of Education 4 OCAHO 633 (1994)

Equitable Tolling Does Not Extend to Garden Variety Claim of Excusable Neglect

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

Equitable Tolling is Rare Remedy Available Only Where Requesting Party Exercised Due Diligence

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

United States v. Vilardo Vineyards 11 OCAHO 1248 (2015)

Filing of EEOC Charge Does Not Toll Limitations Period for Filing of OSC Charge

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Anthony F. Lundy v. OOCL, Inc. 1 OCAHO 215 (1990)

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Moises Reyes v. Pilgrim Psychiatric Center 3 OCAHO 529 (1993)

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United States v. Mesa Airlines 1 OCAHO 74 (1989)

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Yadira Azucena Ocampo Soto v. Top Industrial, Inc. 7 OCAHO 999 (1998)
May Be Available Where Party Prevented From Timely Filing by Circumstances Beyond Party's Control

United States v. Vilardo Vineyards 11 OCAHO 1248 (2015)
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Salim J. Hajiani v. Ali Properties, LLC, Airport Shell 10 OCAHO 1188 (2013)

Yadira Azucena Ocampo Soto v. Top Industrial, Inc. 7 OCAHO 999 (1998)

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

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

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Chester A. Mackentire, Jr. v. Ricoh Corporation, et al. 5 OCAHO 746 (1995)

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Equitable

Linda S. Walker v. United Airlines, Inc. 4 OCAHO 686 (1994)

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Estoppel Against the Government Not Created Merely by Silence or Delay

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

Estoppel Must at a Minimum Be Premised Upon Some Affirmative Government Misconduct

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

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Dr. Mahmoud M. Hammoudah v. Rush-Presbyterian St. Luke's Medical Center 8 OCAHO 1047 (2000)

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

In re Investigation of ABM Industries, Subpoena 5 OCAHO 763 (1995)

Government Is Virtually Impervious to Claims of Equitable Estoppel

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

Government May Not Be Estopped on the Same Terms as Other Litigants

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

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United States v. Yin Tien Chen, Individually and Winning Orchards, LLC 9 OCAHO 1092 (2003)

ETHICAL CONDUCT

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

United States v. Louisiana Crane Company, LLC d/b/a Louisiana Crane and Construction 11 OCAHO 1246 (2015)

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

United States v. Louisiana Crane Company, LLC d/b/a Louisiana Crane and Construction 11 OCAHO 1246 (2015)

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

United States v. Louisiana Crane Company, LLC d/b/a Louisiana Crane and Construction 11 OCAHO 1246 (2015)

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United States v. Select Temporaries, Inc. d/b/a Select Personnel Services 9 OCAHO 1079 (2002)

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

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

United States v. Louisiana Crane Company, LLC d/b/a Louisiana Crane and Construction 11 OCAHO 1246 (2015)

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

United States v. Louisiana Crane Company, LLC d/b/a Louisiana Crane and Construction 11 OCAHO 1246 (2015)

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

United States v. Louisiana Crane Company, LLC d/b/a Louisiana Crane and Construction 11 OCAHO 1246 (2015)

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

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

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

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

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E-VERIFY

Acceptable Documents

Michael Edward Johnson v. Progressive Roofing 12 OCAHO 1295 (2017)

Employers Enrolled in E-Verify May Only Accept List B Document Containing a Photograph

Michael Edward Johnson v. Progressive Roofing 12 OCAHO 1295 (2017)

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

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

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United States v. Esther Flores-Martinez 5 OCAHO 733 (1995)

United States v. Fortune East Fashion, Inc. 7 OCAHO 977 (1997)

United States v. Leonor Yolanda Ortiz 6 OCAHO 863 (1996)

United States v. March Construction, Inc. 10 OCAHO 1158 (2012)

United States v. Nicolas Tinoco-Medina 6 OCAHO 890 (1996)

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

After Government Meets Burden of Proof, Respondent Must Introduce Evidence to Rebut

United States v. Frimmel Management, LLC d/b/a Uncle Sam's 12 OCAHO 1271 b (2016)

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)

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

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

Asserting Party Bears Burden of Establishing Privilege

United States v. Rose Acre Farms, Inc. 12 OCAHO 1285 (2016)

Authentication

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

United States v. Israel Velasquez-Tabir 6 OCAHO 914 (1997)

United States v. Julio Carpio-Lingan 6 OCAHO 914 (1997)

Awareness of Citizenship Status

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

Burden of Production May Shift to Respondent to Controvert Government's Evidence

United States v. Cawoods Produce, Inc. 12 OCAHO 1280 (2016)

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

United States v. Frimmel Management, LLC d/b/a Uncle Sam's 12 OCAHO 1271 b (2016)

United States v. Jula888, LLC d/b/a Para Tacos La Chilanga 12 OCAHO 1286 (2016)

Burden of Proof

Adnan Niaz Mir v. Federal Bureau of Prisons 3 OCAHO 577 (1993)

Bertalina Monjaras v. Blue Ribbon Cleaners, Inc. 3 OCAHO 526 (1993)

Corneliu Curuta v. Tomball College 9 OCAHO 1099 (2003)

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

Dalila Kamal-Griffin v. Curtis, Mallet-Prevost, Colt & Mosle 3 OCAHO 550 (1993)

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Jack Huang v. Queens Motel	2	OCAHO	364	(1991)
Jimmy Jack Jackai v. Dallas County Data Services	3	OCAHO	569	(1993)
John R. Alvarez v. Interstate Highway Construction	3	OCAHO	430	(1992)
Jorge Mario Ipina v. Michigan Department of Labor	2	OCAHO	386	(1991)
Juan Francisco Martinez v. Lott Constructors, Inc.	2	OCAHO	323	(1991)
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United States v. Rose Acre Farms, Inc.	12	OCAHO	1285	(2016)
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Donna Yvette Miller v. United States Postal Service, Greater South Carolina District Office	12	OCAHO	1284	(2016)
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United States v. Farmers Insurance Group of Companies	1	OCAHO	22	(1988)
United States v. Guardsmark	4	OCAHO	614	(1994)
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United States v. James Arnold, Individually and d/b/a Fiesta/Bonanza Motors	1	OCAHO	119	(1989)
United States v. Martinez Cleaning Company, Inc. d/b/a Martinez Cleaners	1	OCAHO	121	(1990)
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United States v. Noel Plastering & Stucco, Inc.	2	OCAHO	396	(1991)
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United States v. Robert Marnul d/b/a Lamont Street Grill	3	OCAHO	441	(1992)
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United States v. Tropicana Casino & Resort	9	OCAHO	1064	(2001)
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May Be Used as a General Guide in Situations Not Provided For by OCAHO or Other Applicable Rules

Donna Yvette Miller v. United States Postal Service, Greater South Carolina District Office	12	OCAHO	1284	(2016)
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United States v. BKR Restaurants, LLC d/b/a Burger King 10 OCAHO 1154 (2012)
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United States v. Great Earth Companies, Inc. 9 OCAHO 1070 (2001)

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United States v. Samuel J. Wasem, General Partner d/b/a Educated Car Wash 1 OCAHO 98 (1989)

United States v. San Ysidro Ranch 1 OCAHO 183 (1990)

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Affirmative Defense(s)

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United States v. Alberto Noriega-Perez 5 OCAHO 798 (1995)

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United States v. Felipe De Leon-Valenzuela 8 OCAHO 1004 (1998)

United States v. Maria Elizondo Garza d/b/a Garza Farm Labor 4 OCAHO 644 (1994)

United States v. Pedro Dominguez 6 OCAHO 910 (1997)

United States v. Roberto C. Davila 6 OCAHO 903 (1996)

FILING

Fax Filings Acceptable to Toll Filing Deadline, But Hard Copies Must Be Forwarded Simultaneously

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

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Amended Order Does Not Toll Time Period for Filing Request for Review If Changes Are Only Clerical

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

FINES

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

United States v. 3679 Commerce Place, Inc. 12 OCAHO 1296 (2017)

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)

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

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United States v. Pegasus Family Restaurant, Inc. 12 OCAHO 1293 (2016)

United States v. Safe-Air of Illinois, Inc. 12 OCAHO 1270 (2016)

United States v. Solutions Group International, LLC 12 OCAHO 1288 (2016)

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. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12	OCAHO	1281	(2016)
United States v. Jalisco's Bar and Grill, Inc.	11	OCAHO	1224	(2014)
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12	OCAHO	1286	(2016)
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 Leniency to Small Businesses

United States v. Buffalo Transportation, Inc.	11	OCAHO	1263	(2015)
United States v. Cawoods Produce, Inc.	12	OCAHO	1280	(2016)
United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12	OCAHO	1276	(2016)

ALJ Can Consider Public Policy of Leniency to Small Entities

United States v. 3679 Commerce Place, Inc.	12	OCAHO	1296	(2017)
United States v. Cawoods Produce, Inc.	12	OCAHO	1280	(2016)
United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12	OCAHO	1276	(2016)
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. Ideal Transportation Co., Inc.	12	OCAHO	1290	(2016)
United States v. International Packaging, Inc.	12	OCAHO	1275	(2016)
United States v. Muniz Concrete & Contracting, Inc.	12	OCAHO	1278	(2016)
United States v. Niche, Inc.	11	OCAHO	1250	(2015)
United States v. Pegasus Family Restaurant, Inc.	12	OCAHO	1293	(2016)
United States v. Solutions Group International, LLC	12	OCAHO	1288	(2016)
United States v. Speedy Gonzalez Construction, Inc.	11	OCAHO	1243	(2015)
United States v. St. Croix Personnel Services, Inc.	12	OCAHO	1289	(2016)

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. 3679 Commerce Place, Inc. 12 OCAHO 1296 (2017)

United States v. Cawoods Produce, Inc. 12 OCAHO 1280 (2016)

United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles 12 OCAHO 1281 (2016)

United States v. Frimmel Management, LLC d/b/a Uncle Sam's 12 OCAHO 1271 b (2016)

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 (2016)

United States v. Golden Employment Group, Inc. 12 OCAHO 1277 (2016)

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United States v. Ideal Transportation Co., Inc. 12 OCAHO 1290 (2016)

United States v. International Packaging, Inc. 12 OCAHO 1275 (2016)

United States v. Jula888, LLC d/b/a Para Tacos La Chilanga 12 OCAHO 1286 (2016)

United States v. Metropolitan Enterprises, Inc. 12 OCAHO 1297 (2017)

United States v. Muniz Concrete & Contracting, Inc. 12 OCAHO 1278 (2016)

United States v. Pegasus Family Restaurant, Inc. 12 OCAHO 1293 (2016)

United States v. Safe-Air of Illinois, Inc. 12 OCAHO 1270 (2016)

United States v. Solutions Group International, LLC 12 OCAHO 1288 (2016)

United States v. St. Croix Personnel Services, Inc. 12 OCAHO 1289 (2016)

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

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

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

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

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

ALJ Not Bound by ICE's Method of Calculating Penalties

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

United States v. Metropolitan Enterprises, Inc. 12 OCAHO 1297 (2017)

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)

Bad Faith Found Where Employer Appeared to Intentionally Subvert Purposes of Section 1324a(b)

United States v. Jula888, LLC d/b/a Para Tacos La Chilanga 12 OCAHO 1286 (2016)

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. Liberty Packaging, Inc. 11 OCAHO 1245 (2015)

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

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 Money Penalty

United States v. El Azteca Dunkirk, Inc. 10 OCAHO 1172 (2013)

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

United States v. Enrique Reyes d/b/a King's Produce 4 OCAHO 592 (1994)
United States v. Exim, Inc. and Jaime Monardes, Individually 4 OCAHO 604 (1994)
United States v. Fairfield Jersey, Inc. 9 OCAHO 1069 (2001)
United States v. Fowler Equipment Company, Inc. 10 OCAHO 1169 (2013)
United States v. Giamblis Enterprises 5 OCAHO 817 (1995)
United States v. Gloria Fashions, Inc. 6 OCAHO 887 (1996)
United States v. Golf International d/b/a Desert Canyon Golf 11 OCAHO 1222 (2014)
United States v. Hugh Jeffrey Fox d/b/a Frank & Stein 5 OCAHO 756 (1995)
United States v. New China Buffet Restaurant 10 OCAHO 1132 (2010)
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United States v. Riverboat Delta King, Inc. 5 OCAHO 738 (1995)
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 4 OCAHO 625 (1994)
Generally
United States v. DJ Drywall, Inc. 10 OCAHO 1136 (2010)
Company Tax Losses Do Not Necessarily Establish Poor Financial Condition or Inability To Pay

United States v. Mott Thoroughbred Stables, Inc. 11 OCAHO 1233 (2014)
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)
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. Cawoods Produce, Inc. 12 OCAHO 1280 (2016)

United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles 12 OCAHO 1281 (2016)
United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 (2016)
United States v. Hair U Wear, LLC 11 OCAHO 1268 (2016)
United States v. Muniz Concrete & Contracting, Inc. 12 OCAHO 1278 (2016)
United States v. St. Croix Personnel Services, Inc. 12 OCAHO 1289 (2016)
United States v. Wave Green, Inc. d/b/a Golden Farm Market 11 OCAHO 1267 (2016)
Difference In Severity of Categories of Violations May Be Reflected in the Final Penalty

United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167) 11 OCAHO 1258 (2015)
Employer Knowledge of Employee's Unauthorized Status Not Necessary to Enhance Fine

United States v. Durable, Inc. 11 OCAHO 1229 (2014)
Employer's Previous Receipt of a Warning Notice Does Not Constitute History of Previous Violations

United States v. SKZ Harvesting, Inc. 11 OCAHO 1266 (2016)
Enhancement Factor Based on Whether Specific Individual was Unauthorized

Margarita Garcia Ocana v. El Dorado Stone, LLC 11 OCAHO 1244 (2015)
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United States v. Romans Racing Stables, Inc. 11 OCAHO 1230 (2014)
Evidence of Backdating Does Not Alone Warrant a Finding of Bad Faith

United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167) 11 OCAHO 1258 (2015)
United States v. Metropolitan Warehouse, Inc. 10 OCAHO 1207 (2013)
United States v. Speedy Gonzalez Construction, Inc. 11 OCAHO 1243 (2015)
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United States v. A&J Kyoto Japanese Restaurant, Inc. 10 OCAHO 1186 (2013)

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. Fowler Equipment Company, Inc. 10 OCAHO 1169 (2013)

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

United States v. New China Buffet Restaurant 10 OCAHO 1133 (2010)

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. Pedro Dominguez 6 OCAHO 878 (1996)

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

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

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

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

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

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

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

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

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

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

United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles 12 OCAHO 1281 (2016)

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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. Ideal Transportation Co., Inc. 12 OCAHO 1290 (2016)
United States v. International Packaging, Inc. 12 OCAHO 1275 (2016)
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United States v. Pegasus Family Restaurant, Inc. 12 OCAHO 1293 (2016)
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United States v. Solutions Group International, LLC 12 OCAHO 1288 (2016)
United States v. St. Croix Personnel Services, Inc. 12 OCAHO 1289 (2016)
United States v. Wave Green, Inc. d/b/a Golden Farm Market 11 OCAHO 1267 (2016)

Failure to Prepare Form I-9 Generally Warrants Higher Penalty Than Do Errors or Omissions on Form

United States v. Golden Employment Group, Inc. 12 OCAHO 1277 (2016)
United States v. International Packaging, Inc. 12 OCAHO 1275 (2016)

Failure to Prepare I-9 Among Most Serious Paperwork Violations

United States v. Buffalo Transportation, Inc. 11 OCAHO 1263 (2015)
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United States v. Romans Racing Stables, Inc. 11 OCAHO 1230 (2014)
United States v. Speedy Gonzalez Construction, Inc. 11 OCAHO 1243 (2015)

Failure to Prepare I-9 More Serious Than Paperwork Violations

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

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

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

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

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

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

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

Failure to Timely Prepare Form I-9 Is A Serious Violation

United States v. St. Croix Personnel Services, Inc. 12 OCAHO 1289 (2016)

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

United States v. Cawoods Produce, Inc. 12 OCAHO 1280 (2016)

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

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

United States v. Armando Alvarez-Suarez 6 OCAHO 862 (1996)

United States v. Business Teleconsultants, Ltd. 3 OCAHO 565 (1993)

United States v. David Day d/b/a David Day Masonry 3 OCAHO 575 (1993)

United States v. Exim, Inc. and Jaime Monardes, Individually 3 OCAHO 591 (1993)

United States v. Giannini Landscaping, Inc. 3 OCAHO 573 (1993)

United States v. Hardeep Singh 3 OCAHO 520 (1993)

United States v. Johnny Ng Lim and Christina Lim Go d/b/a The New Orient 3 OCAHO 499 (1993)

United States v. Kangaroo Express of Pueblo 3 OCAHO 581 (1993)

United States v. Landscapes By Susanna 3 OCAHO 556 (1993)

United States v. Local Building & Remodeling of International Falls 3 OCAHO 567 (1993)

United States v. Minaco Fashions, Inc. 3 OCAHO 587 (1993)

United States v. New China Buffet Restaurant 10 OCAHO 1133 (2010)

United States v. Nicolas Tinoco-Medina 6 OCAHO 890 (1996)

United States v. Orlando Diaz-Rosas 4 OCAHO 702 (1994)

United States v. Oscar Chacon, Sr.	3 OCAHO	578	(1993)
United States v. Park Sunset Hotel	3 OCAHO	525	(1993)
United States v. Penrod National Enterprises, Inc. d/b/a Floral Bionomics Landscape Management	3 OCAHO	559	(1993)
United States v. Satarain, Individually	3 OCAHO	557	(1993)
United States v. Silver Cloud Investments, Inc. d/b/a Silver Clouds Restaurant	3 OCAHO	509	(1993)
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. 3679 Commerce Place, Inc.	12 OCAHO	1296	(2017)
United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12 OCAHO	1276	(2016)
United States v. Hartmann Studios, Inc.	11 OCAHO	1255	(2015)
United States v. International Packaging, Inc.	12 OCAHO	1275	(2016)
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12 OCAHO	1286	(2016)
United States v. Pegasus Family Restaurant, Inc.	12 OCAHO	1293	(2016)
United States v. SKZ Harvesting, Inc.	11 OCAHO	1266	(2016)
United States v. Solutions Group International, LLC	12 OCAHO	1288	(2016)

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

United States v. Cawoods Produce, Inc.	12 OCAHO	1280	(2016)
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. Jula888, LLC d/b/a Para Tacos La Chilanga	12 OCAHO	1286	(2016)
United States v. Kenneth McPeek Racing Stables, Inc.	11 OCAHO	1249	(2015)
United States v. Niche, Inc.	11 OCAHO	1250	(2015)
United States v. Safe-Air of Illinois, Inc.	12 OCAHO	1270	(2016)

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. 3679 Commerce Place, Inc.	12 OCAHO	1296		(2017)
United States v. Buffalo Transportation, Inc.	11 OCAHO	1263		(2015)
United States v. Clean Sweep Janitor Service	11 OCAHO	1226		(2014)
United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12 OCAHO	1281		(2016)
United States v. Employer Solutions Staffing Group II, LLC	11 OCAHO	1242		(2015)
United States v. Frimmel Management, LLC d/b/a Uncle Sam's	12 OCAHO	1271	b	(2016)
United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12 OCAHO	1276		(2016)
United States v. Golden Employment Group, Inc.	12 OCAHO	1277		(2016)
United States v. Hair U Wear, LLC	11 OCAHO	1268		(2016)
United States v. International Packaging, Inc.	12 OCAHO	1275		(2016)
United States v. Liberty Packaging, Inc.	11 OCAHO	1245		(2015)
United States v. Metropolitan Enterprises, Inc.	12 OCAHO	1297		(2017)
United States v. Muniz Concrete & Contracting, Inc.	12 OCAHO	1278		(2016)
United States v. Pegasus Family Restaurant, Inc.	12 OCAHO	1293		(2016)
United States v. 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. Solutions Group International, LLC	12 OCAHO	1288		(2016)
United States v. Speedy Gonzalez Construction, Inc.	11 OCAHO	1243		(2015)
United States v. St. Croix Personnel Services, Inc.	12 OCAHO	1289		(2016)
United States v. Wave Green, Inc. d/b/a Golden Farm Market	11 OCAHO	1267		(2016)
Government Has Burden of Proof On Fines and Aggravating Factors				
United States v. Golf International d/b/a Desert Canyon Golf	11 OCAHO	1222		(2014)
Government Must Prove Aggravating Factor by Preponderance of Evidence				
Margarita Garcia Ocana v. El Dorado Stone, LLC	11 OCAHO	1244		(2015)
United States v. Clean Sweep Janitor Service	11 OCAHO	1226		(2014)
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. Ideal Transportation Co., Inc. 12 OCAHO 1290 (2016)
United States v. Liberty Packaging, Inc. 11 OCAHO 1245 (2015)
United States v. Speedy Gonzalez Construction, Inc. 11 OCAHO 1243 (2015)
Government Must Prove Existence of Aggravating Factor by Preponderance of Evidence

United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles 12 OCAHO 1281 (2016)
United States v. Frimmel Management, LLC d/b/a Uncle Sam's 12 OCAHO 1271 b (2016)
United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 (2016)
ICE Fine Guidelines Have No Binding Effect on OCAHO

United States v. 3679 Commerce Place, Inc. 12 OCAHO 1296 (2017)
United States v. Buffalo Transportation, Inc. 11 OCAHO 1263 (2015)
United States v. Golden Employment Group, Inc. 12 OCAHO 1277 (2016)
United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167) 11 OCAHO 1258 (2015)
United States v. Ideal Transportation Co., Inc. 12 OCAHO 1290 (2016)
United States v. International Packaging, Inc. 12 OCAHO 1275 (2016)
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga 12 OCAHO 1286 (2016)
United States v. Niche, Inc. 11 OCAHO 1250 (2015)
United States v. Pegasus Family Restaurant, Inc. 12 OCAHO 1293 (2016)
United States v. Senox Corporation 11 OCAHO 1219 (2014)
United States v. Solutions Group International, LLC 12 OCAHO 1288 (2016)
United States v. Speedy Gonzalez Construction, Inc. 11 OCAHO 1243 (2015)
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)
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. 3679 Commerce Place, Inc.	12 OCAHO	1296		(2017)
United States v. Cawoods Produce, Inc.	12 OCAHO	1280		(2016)
United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12 OCAHO	1281		(2016)
United States v. Frimmel Management, LLC d/b/a Uncle Sam's	12 OCAHO	1271	b	(2016)
United States v. International Packaging, Inc.	12 OCAHO	1275		(2016)
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12 OCAHO	1286		(2016)
United States v. Pegasus Family Restaurant, Inc.	12 OCAHO	1293		(2016)
United States v. Romans Racing Stables, Inc.	11 OCAHO	1232		(2014)
United States v. Solutions Group International, LLC	12 OCAHO	1288		(2016)
United States v. St. Croix Personnel Services, Inc.	12 OCAHO	1289		(2016)

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. Alberta Sosa, Inc.	6 OCAHO	831		(1996)
United States v. Davis Nursery, Inc.	4 OCAHO	694		(1994)
United States v. Draper-King Cole, Inc.	7 OCAHO	933		(1997)
United States v. Exim, Inc. and Jaime Monardes, Individually	4 OCAHO	604		(1994)
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)
United States v. Oscar Eduardo Villatoro-Guzman 4 OCAHO 652 (1994)
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

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. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles 12 OCAHO 1281 (2016)
United States v. Liberty Packaging, Inc. 11 OCAHO 1245 (2015)
United States v. Muniz Concrete & Contracting, Inc. 12 OCAHO 1278 (2016)
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. 3679 Commerce Place, Inc. 12 OCAHO 1296 (2017)
United States v. Buffalo Transportation, Inc. 11 OCAHO 1263 (2015)

United States v. Cawoods Produce, Inc. 12 OCAHO 1280 (2016)

United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles 12 OCAHO 1281 (2016)

United States v. Frimmel Management, LLC d/b/a Uncle Sam's 12 OCAHO 1271 b (2016)

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

United States v. Ideal Transportation Co., Inc. 12 OCAHO 1290 (2016)

United States v. International Packaging, Inc. 12 OCAHO 1275 (2016)

United States v. Jula888, LLC d/b/a Para Tacos La Chilanga 12 OCAHO 1286 (2016)

United States v. Metropolitan Enterprises, Inc. 12 OCAHO 1297 (2017)

United States v. Muniz Concrete & Contracting, Inc. 12 OCAHO 1278 (2016)

United States v. Pegasus Family Restaurant, Inc. 12 OCAHO 1293 (2016)

United States v. Solutions Group International, LLC 12 OCAHO 1288 (2016)

United States v. St. Croix Personnel Services, Inc. 12 OCAHO 1289 (2016)

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

OCAHO Generally Considers a Business With Fewer Than 100 Employees to be a Small Business

United States v. Frimmel Management, LLC d/b/a Uncle Sam's 12 OCAHO 1271 b (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)

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. 3679 Commerce Place, Inc. 12 OCAHO 1296 (2017)

United States v. Buffalo Transportation, Inc.	11 OCAHO	1263		(2015)
United States v. Frimmel Management, LLC d/b/a Uncle Sam's	12 OCAHO	1271	b	(2016)
United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12 OCAHO	1276		(2016)
United States v. Hair U Wear, LLC	11 OCAHO	1268		(2016)
United States v. Hartmann Studios, Inc.	11 OCAHO	1255		(2015)
United States v. International Packaging, Inc.	12 OCAHO	1275		(2016)
United States v. Metropolitan Enterprises, Inc.	12 OCAHO	1297		(2017)
United States v. Niche, Inc.	11 OCAHO	1250		(2015)
United States v. Pegasus Family Restaurant, Inc.	12 OCAHO	1293		(2016)
United States v. Solutions Group International, LLC	12 OCAHO	1288		(2016)
United States v. Wave Green, Inc. d/b/a Golden Farm Market	11 OCAHO	1267		(2016)

Penalties Near Maximum Should Be Reserved for Most Egregious Violations

United States v. Buffalo Transportation, Inc.	11 OCAHO	1263		(2015)
United States v. Cawoods Produce, Inc.	12 OCAHO	1280		(2016)
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. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12 OCAHO	1281		(2016)
United States v. Frimmel Management, LLC d/b/a Uncle Sam's	12 OCAHO	1271	b	(2016)
United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12 OCAHO	1276		(2016)
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. Ideal Transportation Co., Inc.	12 OCAHO	1290		(2016)
United States v. International Packaging, Inc.	12 OCAHO	1275		(2016)
United States v. Jalisco's Bar and Grill, Inc.	11 OCAHO	1224		(2014)

United States v. Jula888, LLC d/b/a Para Tacos La Chilanga 12 OCAHO 1286 (2016)
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. Niche, Inc. 11 OCAHO 1250 (2015)
United States v. Pegasus Family Restaurant, Inc. 12 OCAHO 1293 (2016)
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. Safe-Air of Illinois, Inc. 12 OCAHO 1270 (2016)
United States v. Senox Corporation 11 OCAHO 1219 (2014)
United States v. SKZ Harvesting, Inc. 11 OCAHO 1266 (2016)
United States v. Solutions Group International, LLC 12 OCAHO 1288 (2016)
United States v. Speedy Gonzalez Construction, Inc. 11 OCAHO 1243 (2015)
United States v. St. Croix Personnel Services, Inc. 12 OCAHO 1289 (2016)
United States v. Symmetric Solutions, Incorporated d/b/a Minerva Indian Cuisine 10 OCAHO 1209 (2014)

Penalties Should Deter Future Violations Without Being Unduly Punitive

United States v. Buffalo Transportation, Inc. 11 OCAHO 1263 (2015)
United States v. Clean Sweep Janitor Service 11 OCAHO 1226 (2014)
United States v. Crescent City Meat Company, Inc. 11 OCAHO 1223 (2014)
United States v. Homestead Metal Recycling Corp. 11 OCAHO 1251 (2015)
United States v. Horno MSJ, Ltd., Company 11 OCAHO 1247 (2015)
United States v. Ideal Transportation Co., Inc. 12 OCAHO 1290 (2016)
United States v. Kenneth McPeek Racing Stables, Inc. 11 OCAHO 1249 (2015)
United States v. Niche, Inc. 11 OCAHO 1250 (2015)
United States v. Safe-Air of Illinois, Inc. 12 OCAHO 1270 (2016)
United States v. Solutions Group International, LLC 12 OCAHO 1288 (2016)
United States v. Speedy Gonzalez Construction, Inc. 11 OCAHO 1243 (2015)

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

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

Penalties Should Not Be Disproportionate to Employer's Revenue

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

Penalties Should Promote Future Compliance Without Being Unduly Punitive

United States v. 3679 Commerce Place, Inc. 12 OCAHO 1296 (2017)

United States v. International Packaging, Inc. 12 OCAHO 1275 (2016)

United States v. Pegasus Family Restaurant, Inc. 12 OCAHO 1293 (2016)

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

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

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

United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles 12 OCAHO 1281 (2016)

United States v. Pegasus Family Restaurant, Inc. 12 OCAHO 1293 (2016)

United States v. Solutions Group International, LLC 12 OCAHO 1288 (2016)

United States v. St. Croix Personnel Services, Inc. 12 OCAHO 1289 (2016)

Principal Goal Is To Enhance Probability of Future Compliance

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

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

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

Proportionality is Critical in Setting Penalties

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

United States v. Metropolitan Warehouse, Inc. 10 OCAHO 1207 (2013)

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

United States v. Safe-Air of Illinois, Inc. 12 OCAHO 1270 (2016)

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

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

Purpose is to Deter Repeat Violations and Encourage Others to Comply

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

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

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

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 (2016)

Reasonableness Based On Record As Whole and Statutory Factors in Particular

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

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

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

Referring to Discrepancies or Suspect Documents Does Not Alone Prove Employee is Unauthorized

United States v. Frimmel Management, LLC d/b/a Uncle Sam's 12 OCAHO 1271 b (2016)

Seriousness of Violation Depends on Degree of Deviation From Verification Requirements

United States v. Frimmel Management, LLC d/b/a Uncle Sam's 12 OCAHO 1271 b (2016)

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 (2016)

United States v. Muniz Concrete & Contracting, Inc. 12 OCAHO 1278 (2016)

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

United States v. Cawoods Produce, Inc. 12 OCAHO 1280 (2016)

United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles 12 OCAHO 1281 (2016)

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 (2016)
United States v. Golden Employment Group, Inc. 12 OCAHO 1277 (2016)
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. Ideal Transportation Co., Inc. 12 OCAHO 1290 (2016)
United States v. International Packaging, Inc. 12 OCAHO 1275 (2016)
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga 12 OCAHO 1286 (2016)
United States v. Mott Thoroughbred Stables, Inc. 11 OCAHO 1233 (2014)
United States v. Muniz Concrete & Contracting, Inc. 12 OCAHO 1278 (2016)
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. Safe-Air of Illinois, Inc. 12 OCAHO 1270 (2016)
United States v. Senox Corporation 11 OCAHO 1219 (2014)
United States v. SKZ Harvesting, Inc. 11 OCAHO 1266 (2016)
United States v. Solutions Group International, LLC 12 OCAHO 1288 (2016)
United States v. Speedy Gonzalez Construction, Inc. 11 OCAHO 1243 (2015)
Should Deter Future Violations Without Being Unduly Punitive

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

United States v. Jula888, LLC d/b/a Para Tacos La Chilanga 12 OCAHO 1286 (2016)
Size of Business Did Not Necessitate Further Mitigation of Civil Penalty

United States v. M & D Masonry 10 OCAHO 1215 (2014)
Social Security Mismatch Does Not Establish That a Particular Individual is Unauthorized for Employment

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

Statute Does Not Prohibit Consideration of Unenumerated Factors

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

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

Statute Does Not Require That a Factor Found Not to Be Aggravating Must Be Found to Be Mitigating

United States v. International Packaging, Inc. 12 OCAHO 1275 (2016)

United States v. Metropolitan Enterprises, Inc. 12 OCAHO 1297 (2017)

Statute Does Not Require That Equal Weight Be Given Each of the Five Statutory Factors

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

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

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. Liberty Packaging, Inc. 11 OCAHO 1245 (2015)

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

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

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

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

United States v. 3679 Commerce Place, Inc. 12 OCAHO 1296 (2017)

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

United States v. Cawoods Produce, Inc. 12 OCAHO 1280 (2016)

United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles 12 OCAHO 1281 (2016)

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 (2016)

United States v. Golden Employment Group, Inc. 12 OCAHO 1277 (2016)

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

United States v. Ideal Transportation Co., Inc. 12 OCAHO 1290 (2016)
United States v. International Packaging, Inc. 12 OCAHO 1275 (2016)
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga 12 OCAHO 1286 (2016)
United States v. Kenneth McPeek Racing Stables, Inc. 11 OCAHO 1249 (2015)
United States v. Metropolitan Enterprises, Inc. 12 OCAHO 1297 (2017)
United States v. Muniz Concrete & Contracting, Inc. 12 OCAHO 1278 (2016)
United States v. Pegasus Family Restaurant, Inc. 12 OCAHO 1293 (2016)
United States v. PM Packaging, Inc., and PM Corporate Group, Inc., d/b/a PM Packaging 11 OCAHO 1253 (2015)
United States v. Safe-Air of Illinois, Inc. 12 OCAHO 1270 (2016)
United States v. SKZ Harvesting, Inc. 11 OCAHO 1266 (2016)
United States v. Solutions Group International, LLC 12 OCAHO 1288 (2016)
United States v. Wave Green, Inc. d/b/a Golden Farm Market 11 OCAHO 1267 (2016)

Statute Does Not Require That Equal Weight Be Given to Each Required Penalty Factor

Margarita Garcia Ocana v. El Dorado Stone, LLC 11 OCAHO 1244 (2015)
United States v. Clean Sweep Janitor Service 11 OCAHO 1226 (2014)
United States v. Crescent City Meat Company, Inc. 11 OCAHO 1223 (2014)
United States v. Romans Racing Stables, Inc. 11 OCAHO 1230 (2014)
United States v. Speedy Gonzalez Construction, Inc. 11 OCAHO 1243 (2015)

Statute Does Not Rule Out Consideration of Unenumerated Factors

Margarita Garcia Ocana v. El Dorado Stone, LLC 11 OCAHO 1244 (2015)
United States v. Homestead Metal Recycling Corp. 11 OCAHO 1251 (2015)
United States v. Liberty Packaging, Inc. 11 OCAHO 1245 (2015)
United States v. Mott Thoroughbred Stables, Inc. 11 OCAHO 1233 (2014)
United States v. Speedy Gonzalez Construction, Inc. 11 OCAHO 1243 (2015)

Statute Does Not Specify Factors ALJ Must Consider in Setting Penalty for Knowing Hire Violation

United States v. Muniz Concrete & Contracting, Inc. 12 OCAHO 1278 (2016)

Statutory Fine Factors Only for Paperwork Violations Not Knowing Hire or Continuing to Employ

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

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

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

Suspicion Alone is Insufficient to Aggravate Paperwork Penalty Based On Unauthorized Workers

United States v. 3679 Commerce Place, Inc. 12 OCAHO 1296 (2017)

United States v. Pegasus Family Restaurant, Inc. 12 OCAHO 1293 (2016)

There Is No Sole Permissible Method for Calculating Penalties

United States v. 3679 Commerce Place, Inc. 12 OCAHO 1296 (2017)

United States v. International Packaging, Inc. 12 OCAHO 1275 (2016)

United States v. Metropolitan Enterprises, Inc. 12 OCAHO 1297 (2017)

United States v. Pegasus Family Restaurant, Inc. 12 OCAHO 1293 (2016)

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

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

There Must Be Rational Relationship Between Magnitude of Offense and Penalty

United States v. Safe-Air of Illinois, Inc. 12 OCAHO 1270 (2016)

Violations Evaluated on a Continuum Because Not All Violations are Equally Serious

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

Weight of Each Statutory Factor Depends on Facts of Each Case

United States v. 3679 Commerce Place, Inc. 12 OCAHO 1296 (2017)

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

United States v. Metropolitan Enterprises, Inc. 12 OCAHO 1297 (2017)

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

United States v. Cawoods Produce, Inc. 12 OCAHO 1280 (2016)

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United States v. Muniz Concrete & Contracting, Inc. 12 OCAHO 1278 (2016)

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

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United States v. Armando Alvarez-Suarez 6 OCAHO 862 (1996)

United States v. Hardeep Singh 3 OCAHO 520 (1993)

United States v. Maria Sourovova 8 OCAHO 1020 (1998)

United States v. Mireya Pedraza-Guzman 5 OCAHO 792 (1995)

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United States v. H&H Saguaro Specialists 10 OCAHO 1147 (2012)

A Birth Certificate is Not a Valid List B Document That Establishes Identity

United States v. Monadnock Mountain Spring Water, Inc. 10 OCAHO 1193 (2013)

Completion of I-9 after Notice of Inspection

United States v. Ideal Transportation Co., Inc. 12 OCAHO 1290 (2016)

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

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

United States v. Corporate Loss Prevention Associates, Ltd.	6	OCAHO	908	(1997)
United States v. David Jenkins	5	OCAHO	743	(1995)
United States v. Diversified Technology and Services of Virginia, Inc.	9	OCAHO	1095	(2003)
United States v. DJ Drywall, Inc.	10	OCAHO	1136	(2010)
United States v. El Paso Hospitality, Inc.	5	OCAHO	737	(1995)
United States v. Giamblis Enterprises	5	OCAHO	817	(1995)
United States v. Hosung Cleaning Corporation d/b/a Sun Cleaner	4	OCAHO	670	(1994)
United States v. Jonel, Inc.	7	OCAHO	967	(1997)
United States v. Karnival Fashion, Inc.	5	OCAHO	769	(1995)
United States v. LFW Dairy Corporation	10	OCAHO	1129	(2009)
United States v. Mesabi Bituminous, Inc.	5	OCAHO	801	(1995)
United States v. New China Buffet Restaurant	10	OCAHO	1133	(2010)
United States v. R&M Fashion, Inc.	6	OCAHO	826	(1995)
United States v. Seven Elephants Distributing Corp.	10	OCAHO	1173	(2013)
United States v. Tri-Component Product Corporation	5	OCAHO	821	(1995)
United States v. Vogue Pleating, Stitching & Embroidery Corporation	5	OCAHO	782	(1995)
United States v. Walden Station, Inc.	8	OCAHO	1053	(2000)

Document Abuse

Daniel DeNardo v. WH Smith USA Travel	9	OCAHO	1080	(2002)
Gloria Ondina-Mendez v. Sugar Creek Packing Company	9	OCAHO	1085	(2002)
United States v. Diversified Technology and Services of Virginia, Inc.	9	OCAHO	1095	(2003)

Document Fraud

United States v. Monica Zapata-Cosio	5	OCAHO	822	(1995)
United States v. Mourad Abu Remileh	5	OCAHO	724	(1995)

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

United States v. International Packaging, Inc. 12 OCAHO 1275 (2016)

Employee's Failure to Check a Box in Section 1 Attesting to Status is a Serious Violation

United States v. Frimmel Management, LLC d/b/a Uncle Sam's 12 OCAHO 1271 b (2016)

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

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

United States v. Monadnock Mountain Spring Water, Inc. 10 OCAHO 1193 (2013)

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

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

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

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

Employer Is Permitted, But Not Required, To Copy Employee Documents Presented for Form I-9

United States v. International Packaging, Inc. 12 OCAHO 1275 (2016)

Employer Must Attest to Examination of Section 2 Documents

United States v. Golden Employment Group, Inc. 12 OCAHO 1274 (2016)

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

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

Employer Must Ensure Employee Completes and Signs Form I-9 Section 1 On Date of Hire

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

Employer's Completion of Section 3 In Lieu of Section 2 Constitutes Substantive Violation

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

Employer's Failure to Ensure Employee Properly Completes Form I-9 Section 1 is Serious Violation

United States v. Frimmel Management, LLC d/b/a Uncle Sam's 12 OCAHO 1271 b (2016)

United States v. Quickstuff, LLC, Its Member Maria Castillo, and A&C Staffing, LLC 11 OCAHO 1265 (2015)
Employer's Failure to Sign Form I-9 Section 2 Is A Very Serious Violation

United States v. Frimmel Management, LLC d/b/a Uncle Sam's 12 OCAHO 1271 b (2016)
United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 (2016)
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United States v. Pegasus Family Restaurant, Inc. 12 OCAHO 1293 (2016)
United States v. SKZ Harvesting, Inc. 11 OCAHO 1266 (2016)
Employers Not At Liberty to Create Own Alternative Employment Eligibility Verification Systems

United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167) 11 OCAHO 1258 (2015)
United States v. Ideal Transportation Co., Inc. 12 OCAHO 1290 (2016)
Failure to Attest to Examination of Section 2 Documents is Serious Substantive Violation

United States v. Senox Corporation 11 OCAHO 1219 (2014)
Failure to Complete and Sign Section 2 of Form I-9 Is Both Substantive and Serious Violation

United States v. Hartmann Studios, Inc. 11 OCAHO 1255 (2015)
Failure to Complete I-9 Within Three Business Days is Serious Violation

United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167) 11 OCAHO 1258 (2015)
Failure to Complete or Sign Form I-9 Section 2 Employer Verification Constitutes Substantive Violation

United States v. Durable, Inc. 11 OCAHO 1229 (2014)
Failure to Ensure Employee Checks Box Attesting to Immigration Status is Serious Violation

United States v. Pegasus Family Restaurant, Inc. 12 OCAHO 1293 (2016)
Failure to Ensure Employee Enters Alien Number in Section 1 Constitutes Serious Violation

United States v. Durable, Inc. 11 OCAHO 1229 (2014)
United States v. Hartmann Studios, Inc. 11 OCAHO 1255 (2015)
United States v. Horno MSJ, Ltd., Company 11 OCAHO 1247 (2015)
Failure to Ensure Employee Signs Form I-9 Section 1 Is A Serious Violation

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 (2016)
United States v. Hartmann Studios, Inc. 11 OCAHO 1255 (2015)
United States v. Pegasus Family Restaurant, Inc. 12 OCAHO 1293 (2016)
Failure to Ensure Employee Timely Completes Section 1 Constitutes Serious Violation

United States v. Durable, Inc. 11 OCAHO 1229 (2014)
Failure to Enter Required Document Information in Section 2 Constitutes Serious Violation

United States v. Durable, Inc. 11 OCAHO 1229 (2014)
Failure to Identify Issuing Authority In Form I-9 Section 2 Is A Serious Violation

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 (2016)
Failure to Prepare Form I-9 Among Most Serious Paperwork Violations

United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167) 11 OCAHO 1258 (2015)
United States v. Muniz Concrete & Contracting, Inc. 12 OCAHO 1278 (2016)
Failure to Prepare Form I-9 Subverts the Purpose of the Employment Verification Requirements

United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167) 11 OCAHO 1258 (2015)
Failure to Properly Complete Section 2 of the Form I-9 is a Serious Violation

United States v. Durable, Inc. 11 OCAHO 1229 (2014)
Failure to Reverify Employment Authorization Document Before Expiration Date Constitutes Violation

United States v. Frimmel Management, LLC d/b/a Uncle Sam's 12 OCAHO 1271 b (2016)
United States v. Hartmann Studios, Inc. 11 OCAHO 1255 (2015)
United States v. Niche, Inc. 11 OCAHO 1250 (2015)
Failure to Timely Prepare Form I-9 Is A Serious Violation

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 (2016)
Form I-9 Timely Prepared If Section 1 Completed at Hire and Section 2 Within Three Days of Hire

United States v. Cawoods Produce, Inc. 12 OCAHO 1280 (2016)
United States v. Muniz Concrete & Contracting, Inc. 12 OCAHO 1278 (2016)
United States v. Senox Corporation 11 OCAHO 1219 (2014)
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United States v. St. Croix Personnel Services, Inc. 12 OCAHO 1289 (2016)
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United States v. Alberta Sosa, Inc. 6 OCAHO 831 (1996)
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 908 (1997)
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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. Harran Transportation Company, Inc. 6 OCAHO 857 (1996)
United States v. Leticia Cruz-Mandoza 5 OCAHO 750 (1995)
United States v. LFW Dairy Corporation 10 OCAHO 1129 (2009)
United States v. Maria Teresa De Jesus Morales-Martinez 5 OCAHO 727 (1995)
United States v. Northern Michigan Fruit Company 4 OCAHO 667 (1994)
United States v. Ricardo Calderon, Inc. 6 OCAHO 832 (1996)
United States v. Simon Osagie Iyawe 5 OCAHO 744 (1995)

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

United States v. Metropolitan Enterprises, Inc. 12 OCAHO 1297 (2017)

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

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

No Substitute for Proper Completion of Form I-9

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

United States v. Ideal Transportation Co., Inc. 12 OCAHO 1290 (2016)

Retention Requirement for Former Employees

United States v. March Construction, Inc. 10 OCAHO 1158 (2012)

United States v. Metropolitan Enterprises, Inc. 12 OCAHO 1297 (2017)

Submission of Form I-9 Completed After Service of NOI Does Not Cure Failure to Timely Prepare

United States v. Ideal Transportation Co., Inc. 12 OCAHO 1290 (2016)

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

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 (2016)

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

United States v. Muniz Concrete & Contracting, Inc. 12 OCAHO 1278 (2016)

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

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

FOURTH AMENDMENT

Consent

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

DHS's Identification of Respondent for an Enforcement Audit Not Suppressible in OCAHO Proceedings

United States v. Frimmel Management, LLC d/b/a Uncle Sam's	12 OCAHO	1271		(2016)
United States v. Frimmel Management, LLC d/b/a Uncle Sam's	12 OCAHO	1271	b	(2016)

Evidence Obtained Through Egregious Actions by DHS Officials May Be Suppressed

United States v. Frimmel Management, LLC d/b/a Uncle Sam's	12 OCAHO	1271		(2016)

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United States v. Frimmel Management, LLC d/b/a Uncle Sam's	12 OCAHO	1271	b	(2016)
United States v. Israel Velasquez-Tabir	6 OCAHO	909		(1997)
United States v. Julio Carpio-Lingan	6 OCAHO	909		(1997)

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United States v. C&K Metals, Inc. a/k/a Leach Cast & Steel, Inc.	6 OCAHO	845		(1996)
United States v. David Jenkins	5 OCAHO	743		(1995)

Identity of a Respondent in Civil Proceesings is Never Itself Suppressible

United States v. Frimmel Management, LLC d/b/a Uncle Sam's	12 OCAHO	1271		(2016)
United States v. Frimmel Management, LLC d/b/a Uncle Sam's	12 OCAHO	1271	b	(2016)

Identity of Sovereign Who Seizes Evidence Relevant in Assessing Deterrent Effect of Exclusion

United States v. Frimmel Management, LLC d/b/a Uncle Sam's	12 OCAHO	1271	a	(2016)

Suppression of Evidence Should Provide Substantial Deterrent to Unlawful Police Action at Issue

United States v. Frimmel Management, LLC d/b/a Uncle Sam's	12 OCAHO	1271		(2016)

United States v. Frimmel Management, LLC d/b/a Uncle Sam's 12 OCAHO 1271 b (2016)

GOOD CAUSE

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Kevin Raffay v. Western Digital 10 OCAHO 1159 (2012)

United States v. David Ley Salido d/b/a David Ley Salido Rockwall Subcontractor 1 OCAHO 81 (1989)

United States v. Lee Moyle, Owner d/b/a Moyle Mink Farm 1 OCAHO 187 (1990)

United States v. Michael's Greek Village, Limited and Michael Lotsis, Jointly and Severally 1 OCAHO 86 (1989)

United States v. Nu Line Fashions, Inc. 1 OCAHO 147 (1990)

United States v. Shine Auto Service 1 OCAHO 70 (1989)

United States v. Shine Auto Service 1 OCAHO 94 (1989)

United States v. YES Industries d/b/a Soft Touch Carwash 1 OCAHO 35 (1988)

United States v. Zeferino Castillo, Individually 3 OCAHO 505 (1993)

GOOD FAITH

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

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

Absence of Good Faith Where Employer Fails to Ascertain and Conform Conduct to Legal Obligations

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

Certification(s)

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United States v. Allen Holdings, Inc. 9 OCAHO 1059 (2000)

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)

Deliberate Falsification of Information in Section 2 of Form I-9 Does Not Indicate Good Faith

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

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

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

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

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

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

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

United States v. Continental Sports Corporation 5 OCAHO 799 (1995)

United States v. De Luca's Market 8 OCAHO 1039 (1999)

United States v. Fairfield Jersey, Inc. 9 OCAHO 1072 (2001)

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

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Good Faith Affirmative Defense Only Available for Technical/Procedural Violations

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

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

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

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

Good Faith Standard has Subjective Components

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

It Is Not Objectively Reasonable to Knowingly Create False Attestations in Section 2 of Form I-9

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

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

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

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

United States v. Pegasus Family Restaurant, Inc. 12 OCAHO 1293 (2016)

Requires Assessment of Whether Employer Honestly Exercised Reasonable Care and Diligence

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

GOOD FAITH DEFENSE

Defense Only Available for Technical or Procedural - Not Substantive - Violations

United States v. Dr. Robert Schaus, D.D.S. 11 OCAHO 1239 (2014)
United States v. International Packaging, Inc. 12 OCAHO 1275 (2016)
Good Faith Affirmative Defense Only Available for Technical/Procedural Violations

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 (2016)
Good Faith Defense At 8 U.S.C.1324a(a)(3) Applies Only to Knowing Hire Violations

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 (2016)
Good Faith Defense Does Not Apply to Substantive Violations

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Adnan Niaz Mir v. Federal Bureau of Prisons 3 OCAHO 577 (1993)

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United States v. Esther Flores-Martinez 4 OCAHO 647 (1994)

United States v. Esther Flores-Martinez 4 OCAHO 698 (1994)

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

Hearsay Is Freely Admissible in Administrative Proceeding if Probative and Reliable

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United States v. Jula888, LLC d/b/a Para Tacos La Chilanga 12 OCAHO 1286 (2016)

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

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

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In re Investigation of Wal-Mart Distribution Center, Subpoena 5 OCAHO 788 (1995)

United States v. Robison Fruit Ranch, Inc. 4 OCAHO 594 (1994)

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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

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

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

Opposing Party Bears Burden of Persuasion

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Opposing Party Must Specify Objections and Demonstrate That Objections Are Justified

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United States v. Alberto Noriega-Perez	5 OCAHO	811	(1995)
United States v. Diversified Technology and Services of Virginia, Inc.	9 OCAHO	1098	(2003)
United States v. Workrite Uniform Company, Inc.	5 OCAHO	755	(1995)
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Anthony F. Lundy v. OOCL, Inc.	1 OCAHO	196	(1990)
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Maria Lourdes Castillo v. Hotel Casa Marina (Marriott)	3	OCAHO	508	(1993)
Mr. Doron Tal v. M. L. Energia, Inc.	3	OCAHO	519	(1993)
Stephen A. Lewis v. Ogden Services	2	OCAHO	375	(1991)
Troncoso v. Ferlin Service Industries	1	OCAHO	110	(1989)
United States v. Abel Galvez-Malgarejo	4	OCAHO	684	(1994)
United States v. Armando Alvarez-Suarez	4	OCAHO	655	(1994)
United States v. Armando Alvarez-Suarez	4	OCAHO	699	(1994)
United States v. Auburn University	4	OCAHO	658	(1994)
United States v. Broadcasters Unlimited, Inc. d/b/a KGRE AM Radio	4	OCAHO	719	(1994)
United States v. Bubble Fashions Company, Inc. d/b/a Hi-Tide Fashions	2	OCAHO	355	(1991)
United States v. Diamond Construction, Inc.	3	OCAHO	451	(1992)
United States v. Elena Finishing, Inc.	1	OCAHO	132	(1990)
United States v. Flat Knitting Mills Company, Inc.	2	OCAHO	317	(1991)
United States v. Hosung Cleaning Corporation d/b/a Sun Cleaner	4	OCAHO	681	(1994)
United States v. John Morales d/b/a Riverside Insulation	1	OCAHO	197	(1990)
United States v. M.C.S.M. Inc. d/b/a Tre Fratelly Restaurant	3	OCAHO	544	(1993)
United States v. McDonnell Douglas Corporation	4	OCAHO	616	(1994)
United States v. Mireya Pedraza-Guzman	5	OCAHO	792	(1995)
United States v. Nu Look Cleaners of Pembroke Pines, Inc.	1	OCAHO	292	(1991)
United States v. Nu Look Cleaners of Pembroke Pines, Inc.	2	OCAHO	318	(1991)
United States v. Redi-Cut Foods, Inc.	4	OCAHO	659	(1994)
United States v. Sea Dart Trading Corporation	2	OCAHO	336	(1991)
United States v. South Bay Auto Detail	1	OCAHO	68	(1989)
United States v. William D. Boatright and Hanie Boatright d/b/a BNB Kennels	4	OCAHO	634	(1994)

United States v. Zeferino Castillo, Individually 3 OCAHO 505 (1993)

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Elodia Guzman v. Yakima Fruit & Cold Storage 9 OCAHO 1066 (2001)

Guy Santiglia v. Sun Microsystems, Inc. 9 OCAHO 1110 (2004)

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

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. Jula888, LLC d/b/a Para Tacos La Chilanga 12 OCAHO 1286 (2016)

United States v. Yin Tien Chen, Individually and Winning Orchards, LLC 9 OCAHO 1092 (2003)

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United States v. Diversified Technology and Services of Virginia, Inc. 9 OCAHO 1098 (2003)

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Josh Kupferberg v. Oklahoma City Veterans Affairs Medical Center 4 OCAHO 689 (1994)

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United States v. Workrite Uniform Company, Inc. 5 OCAHO 755 (1995)

PAPERWORK REQUIREMENT(S)/VIOLATION(S)

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

United States v. Golden Employment Group, Inc. 12 OCAHO 1274 (2016)

Admission(s)

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United States v. WSC Plumbing, Inc. 9 OCAHO 1062 (2000)

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United States v. Barnett Taylor, LLC, d/b/a Burger King 10 OCAHO 1155 (2012)

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)

All Substantive Violations Are Potentially Serious

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United States v. Ketchikan Drywall Services, Inc. 10 OCAHO 1139 (2011)

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United States v. New China Buffet Restaurant 10 OCAHO 1133 (2010)

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

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. Jabil Circuit, Inc. 10 OCAHO 1146 (2012)

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United States v. New China Buffet Restaurant 10 OCAHO 1133 (2010)
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United States v. A&J Kyoto Japanese Restaurant, Inc. 10 OCAHO 1186 (2013)
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United States v. Corporate Loss Prevention Associates, Ltd. 6 OCAHO 886 (1996)
Continuing Violation(s)

United States v. Curran Engineering Company, Inc. 7 OCAHO 975 (1997)
United States v. Rupson of Hyde Park, Inc. d/b/a Super 8 Motel, Hyde Park 7 OCAHO 940 (1997)
United States v. WSC Plumbing, Inc. 9 OCAHO 1071 (2001)
Affirmative Defense(s)
United States v. WSC Plumbing, Inc. 9 OCAHO 1061 (2000)
Copying and Attaching Verification Documents Without Properly Completing Form I-9

United States v. Super 8 Motel & Villella Italian Restaurant 10 OCAHO 1191 (2013)
Copying Employment Eligibility Documents Doesn't Excuse Employer's Failure to Complete Section 2

Ketchikan Drywall Services, Inc. v. Immigration and Customs Enforcement; Office of the Chief Administrative Hearing Officer 10 OCAHO 1201 (2013)
United States v. A&J Kyoto Japanese Restaurant, Inc. 10 OCAHO 1186 (2013)
United States v. Platinum Builders of Central Florida, Inc. 10 OCAHO 1199 (2013)
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United States v. International Packaging, Inc. 12 OCAHO 1275 (2016)
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Creation of False Section 2 Attestations Is Substantive Violation

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

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United States v. Alliance Construction, Inc. 7 OCAHO 983 (1998)

Defense(s)

United States v. Alberta Sosa, Inc. 4 OCAHO 720 (1994)

United States v. American Terrazzo Corporation d/b/a John Delallo Foods 6 OCAHO 877 (1996)

United States v. Anthony Borrelli and Sons, Inc. 8 OCAHO 1027 (1999)

United States v. Chi Ling, Inc. d/b/a Chi Ling Chinese Restaurant 5 OCAHO 723 (1995)

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

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

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

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

United States v. Enrique Reyes d/b/a King's Produce 4 OCAHO 592 (1994)

United States v. Exim, Inc. and Jaime Monardes, Individually 4 OCAHO 604 (1994)

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

United States v. Local Building & Remodeling of International Falls 3 OCAHO 567 (1993)

United States v. Manuel Orozco-Minjares 4 OCAHO 606 (1994)

United States v. Northern Michigan Fruit Company 4 OCAHO 667 (1994)

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

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

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

United States v. WSC Plumbing, Inc. 9 OCAHO 1062 (2000)

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

United States v. International Packaging, Inc. 12 OCAHO 1275 (2016)

Employee's Failure to Check a Box in Section 1 Attesting to Status is a Serious Violation

United States v. Frimmel Management, LLC d/b/a Uncle Sam's	12 OCAHO	1271 b	(2016)
United States v. Hartmann Studios, Inc.	11 OCAHO	1255	(2015)
United States v. Horno MSJ, Ltd., Company	11 OCAHO	1247	(2015)
United States v. Quickstuff, LLC, Its Member Maria Castillo, and A&C Staffing, LLC	11 OCAHO	1265	(2015)

Employee's Failure to Complete Citizenship Attestation Constitutes Serious Substantive Violation

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

Employees Must Attest to Specific Category of Employment Eligibility in Which They Fit

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

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

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

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

United States v. Cawoods Produce, Inc.	12 OCAHO	1280	(2016)
United States v. Super 8 Motel & Villella Italian Restaurant	10 OCAHO	1191	(2013)

Employer Must Complete Form I-9 Section 2 Within 3 Business Days of Employee's First Day of Work

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)

Employer Must Ensure Employee Completes and Signs Form I-9 Section 1 On Date of Hire

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. Cafe Camino Real, Inc.	2	OCAHO	307	(1991)
United States v. Diversified Technology and Services of Virginia, Inc.	9	OCAHO	1095	(2003)
United States v. Exim, Inc. and Jaime Monardes, Individually	3	OCAHO	591	(1993)
United States v. Giannini Landscaping, Inc.	3	OCAHO	573	(1993)
United States v. New Peking, Inc. d/b/a New Peking Chinese Restaurant	2	OCAHO	329	(1991)
United States v. Oscar Chacon, Sr.	3	OCAHO	578	(1993)
United States v. PPJV, Inc. d/b/a Publishers Press	2	OCAHO	354	(1991)
United States v. Rosario Strano d/b/a Strano Farms	3	OCAHO	492	(1993)
United States v. Wood 'N Stuff	3	OCAHO	574	(1993)
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United States v. 4431, Inc. t/a Candlelight Inn	4	OCAHO	611	(1994)
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. China Wok Restaurant, Inc., a Nebraska Corporation	4	OCAHO	608	(1994)
United States v. Corporate Loss Prevention Associates, Ltd.	6	OCAHO	908	(1997)
United States v. David Jenkins	5	OCAHO	743	(1995)
United States v. El Paso Hospitality, Inc.	5	OCAHO	737	(1995)
United States v. Enrique Reyes d/b/a King's Produce	4	OCAHO	592	(1994)
United States v. Giamblis Enterprises	5	OCAHO	817	(1995)
United States v. GRS, Inc. d/b/a Gasket Engineering	4	OCAHO	627	(1994)
United States v. Hosung Cleaning Corporation d/b/a Sun Cleaner	4	OCAHO	670	(1994)
United States v. Karnival Fashion, Inc.	5	OCAHO	769	(1995)
United States v. Manuel Orozco-Minjares	4	OCAHO	606	(1994)
United States v. R&M Fashion, Inc.	6	OCAHO	826	(1995)
United States v. Tri-Component Product Corporation	5	OCAHO	821	(1995)
United States v. Vogue Pleating, Stitching & Embroidery Corporation	5	OCAHO	782	(1995)
Generally				
United States v. Chef Rayko, Inc. d/b/a Chef Rayko's Cucina Italiana	5	OCAHO	794	(1995)

Employer's Failure to Ensure Employee Attests to Status in Section 1 is a Substantive Violation

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

Employer's Failure to Ensure Employee Properly Completes Form I-9 Section 1 is Serious Violation

United States v. Frimmel Management, LLC d/b/a Uncle Sam's	12 OCAHO	1271	b	(2016)
United States v. Golf International d/b/a Desert Canyon Golf	11 OCAHO	1222		(2014)
United States v. Kenneth McPeek Racing Stables, Inc.	11 OCAHO	1249		(2015)
United States v. Quickstuff, LLC, Its Member Maria Castillo, and A&C Staffing, LLC	11 OCAHO	1265		(2015)

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

United States v. Frimmel Management, LLC d/b/a Uncle Sam's	12 OCAHO	1271	b	(2016)
United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12 OCAHO	1276		(2016)
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. Horno MSJ, Ltd., Company	11 OCAHO	1247		(2015)
United States v. Pegasus Family Restaurant, Inc.	12 OCAHO	1293		(2016)

Employers Must Prepare and Retain Forms I-9 for Employees Hired After November 6, 1986

United States v. Cawoods Produce, Inc.	12 OCAHO	1280		(2016)
United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12 OCAHO	1281		(2016)
United States v. Frimmel Management, LLC d/b/a Uncle Sam's	12 OCAHO	1271	b	(2016)
United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12 OCAHO	1276		(2016)
United States v. Golden Employment Group, Inc.	12 OCAHO	1274		(2016)
United States v. Hair U Wear, LLC	11 OCAHO	1268		(2016)
United States v. Ideal Transportation Co., Inc.	12 OCAHO	1290		(2016)
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12 OCAHO	1286		(2016)
United States v. Muniz Concrete & Contracting, Inc.	12 OCAHO	1278		(2016)

United States v. Solutions Group International, LLC 12 OCAHO 1288 (2016)

United States v. St. Croix Personnel Services, Inc. 12 OCAHO 1289 (2016)

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

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

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

United States v. Ideal Transportation Co., Inc. 12 OCAHO 1290 (2016)

Examing Copies of Employee Documents Insufficient Where Law Requires Examination of Originals

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

Factors

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

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

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

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

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

Failure to Complete Employment Eligibility Verification Form I-9 Constitutes Serious Violation

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

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

Failure to Complete I-9 Form for Employee Who Works Fewer Than Three Business Days

United States v. Golden Employment Group, Inc. 12 OCAHO 1274 (2016)

Failure to Complete I-9 Within Three Business Days

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

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

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

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

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

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

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

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

Failure to Ensure Employee Checks Box Attesting to Immigration Status is Serious Violation

United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles 12 OCAHO 1281 (2016)

United States v. Pegasus Family Restaurant, Inc. 12 OCAHO 1293 (2016)

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

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

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

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

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 (2016)

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

United States v. Pegasus Family Restaurant, Inc. 12 OCAHO 1293 (2016)

Failure to Ensure Employee Signs Form I-9 Section 1 is a Substantive Failure

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

Failure to Ensure Employee Signs, Lists Immigration Status and A Number on I-9 Are Serious Violations

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

Failure to Identify Issuing Authority In Form I-9 Section 2 Is A Serious Violation

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 (2016)

Failure to Prepare

United States v. American Terrazzo Corporation d/b/a John Delallo Foods 6 OCAHO 877 (1996)

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

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

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

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

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

United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles 12 OCAHO 1281 (2016)

United States v. Frimmel Management, LLC d/b/a Uncle Sam's 12 OCAHO 1271 b (2016)

United States v. Golden Employment Group, Inc. 12 OCAHO 1277 (2016)

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

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

United States v. Ideal Transportation Co., Inc. 12 OCAHO 1290 (2016)

United States v. International Packaging, Inc. 12 OCAHO 1275 (2016)

United States v. Jula888, LLC d/b/a Para Tacos La Chilanga 12 OCAHO 1286 (2016)

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

United States v. Muniz Concrete & Contracting, Inc. 12 OCAHO 1278 (2016)

United States v. Pegasus Family Restaurant, Inc. 12 OCAHO 1293 (2016)

United States v. Safe-Air of Illinois, Inc. 12 OCAHO 1270 (2016)

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

United States v. Buffalo Transportation, Inc. 11 OCAHO 1263 (2015)
United States v. Clean Sweep Janitor Service 11 OCAHO 1226 (2014)
United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167) 11 OCAHO 1258 (2015)
United States v. Keegan Varitey, LLC 11 OCAHO 1238 (2014)
Failure to Prepare I-9 Among Most Serious Paperwork Violations

United States v. Buffalo Transportation, Inc. 11 OCAHO 1263 (2015)
United States v. Kenneth McPeek Racing Stables, Inc. 11 OCAHO 1249 (2015)
United States v. Mott Thoroughbred Stables, Inc. 11 OCAHO 1233 (2014)
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. Solutions Group International, LLC 12 OCAHO 1288 (2016)
United States v. Speedy Gonzalez Construction, Inc. 11 OCAHO 1243 (2015)
Failure to Present Forms I-9 Within Three Days of Government's Request

United States v. A&J Kyoto Japanese Restaurant, Inc. 10 OCAHO 1186 (2013)
United States v. Golden Employment Group, Inc. 12 OCAHO 1274 (2016)
United States v. The Red Coach Restaurant, Inc. 10 OCAHO 1195 (2013)
Failure to Present Timely Prepared I-9 Forms is a Serious Violation

Margarita Garcia Ocana v. El Dorado Stone, LLC 11 OCAHO 1244 (2015)
United States v. Kenneth McPeek Racing Stables, Inc. 11 OCAHO 1249 (2015)
United States v. Liberty Packaging, Inc. 11 OCAHO 1245 (2015)
Failure to Properly Complete Employer Verification in Section 2 Constitutes Substantive Violation

United States v. Golf International d/b/a Desert Canyon Golf 10 OCAHO 1214 (2014)
United States v. Super 8 Motel & Villella Italian Restaurant 10 OCAHO 1191 (2013)

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

United States v. Cawoods Produce, Inc.	12 OCAHO	1280		(2016)
United States v. Horno MSJ, Ltd., Company	11 OCAHO	1247		(2015)
United States v. Speedy Gonzalez Construction, Inc.	11 OCAHO	1243		(2015)

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

United States v. Golf International d/b/a Desert Canyon Golf	11 OCAHO	1222		(2014)
United States v. Kenneth McPeek Racing Stables, Inc.	11 OCAHO	1249		(2015)

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

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

Failure to Properly Verify Documents in Form I-9 Section 2 Is Serious and Substantive Violation

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

Failure to Reverify Employment Authorization Document Before Expiration Date Constitutes Violation

United States v. Frimmel Management, LLC d/b/a Uncle Sam's	12 OCAHO	1271	b	(2016)
United States v. Hartmann Studios, Inc.	11 OCAHO	1255		(2015)

Failure to Timely Prepare Form I-9 Is A Serious Violation

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12 OCAHO	1276		(2016)
United States v. Hair U Wear, LLC	11 OCAHO	1268		(2016)
United States v. Homestead Metal Recycling Corp.	11 OCAHO	1251		(2015)

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

United States v. Dr. Robert Schaus, D.D.S.	11 OCAHO	1239		(2014)
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. 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)
For Employee Rehired Within 3 Years, Previous I-9 Can Be Used In Lieu of Completing a New I-9

United States v. Buffalo Transportation, Inc. 11 OCAHO 1263 (2015)
Form I-9

United States v. DJ Drywall, Inc. 10 OCAHO 1136 (2010)
United States v. LFW Dairy Corporation 10 OCAHO 1129 (2009)
United States v. New China Buffet Restaurant 10 OCAHO 1133 (2010)
Form I-9 Section 2 Is the Heart of the Employment Eligibility Verification Process

Margarita Garcia Ocana v. El Dorado Stone, LLC 11 OCAHO 1244 (2015)
United States v. Cawoods Produce, Inc. 12 OCAHO 1280 (2016)
United States v. Frimmel Management, LLC d/b/a Uncle Sam's 12 OCAHO 1271 b (2016)
United States v. Liberty Packaging, Inc. 11 OCAHO 1245 (2015)
Form I-9 Timely Prepared If Section 1 Completed at Hire and Section 2 Within Three Days of Hire

United States v. St. Croix Personnel Services, Inc. 12 OCAHO 1289 (2016)
Forms I-9 May Be So Deficient That Violations Are Tantamount to Total Failure to Prepare an I-9

United States v. Cawoods Produce, Inc. 12 OCAHO 1280 (2016)
Generally

United States v. Aegis Fashion, Inc. 1 OCAHO 239 (1990)
United States v. Anders Kampe d/b/a Kampe Motors, Ltd. 3 OCAHO 462 (1992)
United States v. Applied Computer Technology 2 OCAHO 367 (1991)
United States v. Bayley's Quality Seafoods, Inc. 1 OCAHO 238 (1990)

United States v. Big Bear Market	1	OCAHO	48	(1989)
United States v. Broadway Tire, Inc.	2	OCAHO	310	(1991)
United States v. Buckingham Limited Partnership d/b/a Mr. Wash	1	OCAHO	151	(1990)
United States v. Burns and Intra-Continental Enterprises	4	OCAHO	679	(1994)
United States v. Business Teleconsultants, Ltd.	3	OCAHO	536	(1993)
United States v. Business Teleconsultants, Ltd.	3	OCAHO	565	(1993)
United States v. Cafe Camino Real, Inc.	2	OCAHO	307	(1991)
United States v. Charo's Corporation d/b/a Charo's Restaurant	2	OCAHO	369	(1991)
United States v. Charo's Corporation d/b/a Charo's Restaurant	3	OCAHO	467	(1992)
United States v. Christie Automotive Products	2	OCAHO	361	(1991)
United States v. Collins Food International, Inc. d/b/a Sizzler Restaurant	1	OCAHO	67	(1989)
United States v. Corporate Loss Prevention Associates, Ltd.	6	OCAHO	908	(1997)
United States v. Curran Engineering Company, Inc.	7	OCAHO	975	(1997)
United States v. David Day d/b/a David Day Masonry	3	OCAHO	575	(1993)
United States v. Diamond Construction, Inc.	3	OCAHO	456	(1992)
United States v. DJ Drywall, Inc.	10	OCAHO	1136	(2010)
United States v. Dubois Farms, Inc.	1	OCAHO	242	(1990)
United States v. Dubois Farms, Inc.	2	OCAHO	376	(1991)
United States v. Eagles Groups, Inc. d/b/a Golden Eagle Services	2	OCAHO	342	(1991)
United States v. Ebrahim Banafsheha	3	OCAHO	525	(1993)
United States v. Ed Valencia & Sons, Inc. d/b/a Valladares	2	OCAHO	316	(1992)
United States v. Eduardo Gutierrez, Individually and d/b/a Diamond Tires and Wheels	3	OCAHO	554	(1993)
United States v. Eduardo Gutierrez, Individually and d/b/a Diamond Tires and Wheels	3	OCAHO	554	(1993)
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. Four Seasons Earthworks, Inc.	10	OCAHO	1150	(2012)
United States v. Gerald Hollendorfer	1	OCAHO	175	(1990)
United States v. Giamblis Enterprises	5	OCAHO	817	(1995)

United States v. Giannini Landscaping, Inc.	3	OCAHO	573	(1993)
United States v. Goldenfield Corporation d/b/a Rodeway Inn	2	OCAHO	321	(1991)
United States v. Hilario Rodriguez, Jr.	1	OCAHO	276	(1990)
United States v. Honeybake Farms, Inc.	2	OCAHO	311	(1991)
United States v. Interdynamics, Inc.	3	OCAHO	433	(1992)
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. Johnny Ng Lim and Christina Lim Go d/b/a The New Orient	3	OCAHO	499	(1993)
United States v. Juan V. Acevedo	1	OCAHO	95	(1989)
United States v. Kangaroo Express of Pueblo	3	OCAHO	581	(1993)
United States v. Land Coast Insulation, Inc.	2	OCAHO	379	(1991)
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. Manos & Associates, Inc. d/b/a The Bread Basket Restaurant	1	OCAHO	130	(1989)
United States v. Mario Saikhon, Inc.	1	OCAHO	279	(1990)
United States v. Mark Steven Carter d/b/a Dixie Industrial Service Company	7	OCAHO	931	(1997)
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. Nevada Lifestyles, Inc. d/b/a Commercial Drapery Cleaners	3	OCAHO	518	(1993)
United States v. New China Buffet Restaurant	10	OCAHO	1133	(2010)
United States v. New El Rey Sausage Company	1	OCAHO	785	(1989)
United States v. Noel Plastering & Stucco, Inc.	3	OCAHO	427	(1992)
United States v. Oscar Chacon, Sr.	3	OCAHO	578	(1993)
United States v. Park Sunset Hotel	3	OCAHO	525	(1993)
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)

United States v. Ricky Catalano d/b/a Papa Joe's Pizza 7 OCAHO 974 (1997)

United States v. Robert Marnul d/b/a Lamont Street Grill 3 OCAHO 441 (1992)

United States v. Robert Watson d/b/a North State Tile Company 1 OCAHO 253 (1990)

United States v. Ronning Landscaping, Inc. 10 OCAHO 1149 (2012)

United States v. Rosario Strano d/b/a Strano Farms 3 OCAHO 492 (1993)

United States v. SDI Industries, Inc. 3 OCAHO 465 (1992)

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. 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)

United States v. Task Force Security, Inc. d/b/a Task Force Security and Investigations 3 OCAHO 563 (1993)

United States v. Tom & Yu, Inc. t/a Peking Garden Restaurant 3 OCAHO 412 (1993)

United States v. Tuttle's Design Build, Inc. 2 OCAHO 370 (1991)

United States v. Tuttle's Design Build, Inc. 3 OCAHO 422 (1992)

United States v. USA Café 1 OCAHO 42 (1989)

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. Wood 'N Stuff 3 OCAHO 574 (1993)

Good Faith Compliance

Technical or Procedural Verification Failures

United States v. Stanford Sign and Awning, Inc. 10 OCAHO 1145 (2012)

United States v. WSC Plumbing, Inc. 9 OCAHO 1062 (2000)

United States v. WSC Plumbing, Inc. 9 OCAHO 1071 (2001)

Government Refusal of Documents Deprived Employer of Opportunity to Correct Technical Violations

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

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

United States v. Buffalo Transportation, Inc. 11 OCAHO 1263 (2015)
United States v. Dr. Robert Schaus, D.D.S. 11 OCAHO 1239 (2014)
United States v. Metropolitan Enterprises, Inc. 12 OCAHO 1297 (2017)
United States v. SKZ Harvesting, Inc. 11 OCAHO 1266 (2016)
I-9 Retention Requirement for Former Employees

United States v. Dr. Robert Schaus, D.D.S. 11 OCAHO 1239 (2014)
United States v. Leed Construction, Megan Burkholder 11 OCAHO 1237 (2014)
United States v. March Construction, Inc. 10 OCAHO 1158 (2012)
United States v. Two For Seven, LLC d/b/a Black & Blue Restaurant 10 OCAHO 1208 (2014)
I-9s To Be Examined Are Those Presented in Response to NOI, Not I-9s Produced Thereafter

Margarita Garcia Ocana v. El Dorado Stone, LLC 11 OCAHO 1244 (2015)
United States v. Liberty Packaging, Inc. 11 OCAHO 1245 (2015)
Ignorance of Statutory Requirements

United States v. Benjamin P. Raygoza d/b/a Cielito Lindo Restaurant 5 OCAHO 729 (1995)
United States v. DJ Drywall, Inc. 10 OCAHO 1136 (2010)
United States v. LFW Dairy Corporation 10 OCAHO 1129 (2009)
United States v. Onion River Sports, Inc. 4 OCAHO 673 (1994)
Impossibility Not Available As Defense When Destruction of I-9s Is Due To Employer's Own Actions

United States v. Ideal Transportation Co., Inc. 12 OCAHO 1290 (2016)
United States v. SKZ Harvesting, Inc. 11 OCAHO 1266 (2016)
Lack of Issuing Authority for a Driver's License in Section 2 is a Substantive Violation

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)
United States v. DJ Drywall, Inc. 10 OCAHO 1136 (2010)
United States v. Exim, Inc. and Jaime Monardes, Individually 4 OCAHO 604 (1994)
United States v. LFW Dairy Corporation 10 OCAHO 1129 (2009)
United States v. March Construction, Inc. 10 OCAHO 1158 (2012)
United States v. New China Buffet Restaurant 10 OCAHO 1133 (2010)
United States v. Onion River Sports, Inc. 4 OCAHO 673 (1994)
United States v. Skydive Academy of Hawaii Corporation d/b/a Skydive Hawaii 6 OCAHO 848 (1996)

Location

United States v. Dubois Farms, Inc. 2 OCAHO 376 (1991)
United States v. Land Coast Insulation, Inc. 2 OCAHO 379 (1991)

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

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

Mitigation

United States v. 4431, Inc. t/a Candlelight Inn 4 OCAHO 611 (1994)
United States v. Alberta Sosa, Inc. 6 OCAHO 831 (1996)
United States v. Benjamin P. Raygoza d/b/a Cielito Lindo Restaurant 5 OCAHO 729 (1995)
United States v. China Wok Restaurant, Inc., a Nebraska Corporation 4 OCAHO 608 (1994)
United States v. David Jenkins 5 OCAHO 743 (1995)
United States v. Davis Nursery, Inc. 4 OCAHO 694 (1994)
United States v. Draper-King Cole, Inc. 7 OCAHO 933 (1997)
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. LFW Dairy Corporation 10 OCAHO 1129 (2009)

United States v. Mesabi Bituminous, Inc. 5 OCAHO 801 (1995)

United States v. Primera Enterprises, Inc. d/b/a J.B.'s Lounge 4 OCAHO 692 (1994)

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

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

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

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

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

Most Paperwork Violations are Continuous Violations Until Cured or Until Retention Period Expires

United States v. Frimmel Management, LLC d/b/a Uncle Sam's 12 OCAHO 1271 b (2016)

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

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

No Substitute for Proper Completion of Form I-9

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

United States v. Ideal Transportation Co., Inc. 12 OCAHO 1290 (2016)

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

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

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

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

Retention Requirement for Former Employees

United States v. Metropolitan Enterprises, Inc. 12 OCAHO 1297 (2017)

Rules for Completion of I-9 for Employee Who Works Fewer Than Three Business Days

United States v. Golden Employment Group, Inc. 12 OCAHO 1274 (2016)

United States v. Speedy Gonzalez Construction, Inc. 11 OCAHO 1228 (2014)
Section 2 - Expired Documents

United States v. Silverado Stages, Inc. 10 OCAHO 1182 (2013)
Statute Aimed At All Employers, Not Just Traffickers or Those Who Hire Unauthorized Workers

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

United States v. Naim Ojeil & Samoeil Ishk 7 OCAHO 984 (1998)
Systematically Executing False Attestations in Section 2 Is Very Serious Violation

United States v. Employer Solutions Staffing Group II, LLC 11 OCAHO 1242 (2015)
The Longer the Delay In Preparing a Form I-9, The More Serious the Violation

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 (2016)
United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167) 11 OCAHO 1258 (2015)
United States v. Muniz Concrete & Contracting, Inc. 12 OCAHO 1278 (2016)
Timeliness Paperwork Violations Cannot Be Cured

United States v. St. Croix Personnel Services, Inc. 12 OCAHO 1289 (2016)
Untimely Filing

United States v. Naim Ojeil & Samoeil Ishk 7 OCAHO 984 (1998)
Untimely Produced Documents Don't Excuse Substantive Errors in I-9s Presented During Inspection

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

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

PARTIES

Class Action

Guy Santiglia v. Sun Microsystems, Inc. 9 OCAHO 1097 (2003)

Jaime Banuelos v. Transportation Leasing Company 1 OCAHO 156 (1990)

Joan A. Lardy v. United Airlines, Inc. 6 OCAHO 843 (1996)

Jose E. Birisno Briceno-Briceno v. Farmco Farms 4 OCAHO 629 (1994)

Terrence McCaffrey v. LSI Logic Corporation 6 OCAHO 867 (1996)

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

Complaint

United States v. Auburn University 4 OCAHO 646 (1994)

United States v. Workrite Uniform Company, Inc. 5 OCAHO 736 (1995)

Corporation(s)

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

Programmer's Guild, Inc. v. Value Consulting, Inc. 10 OCAHO 1135 (2010)

United States v. Sargetis d/b/a Castle Valley Sales, Inc., a Utah Corporation 3 OCAHO 407 (1992)

Generally

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

Chand Wije v. Barton Springs/Edwards Aquifier C.D. 4 OCAHO 668 (1994)

Linda S. Walker v. United Airlines, Inc. 4 OCAHO 686 (1994)

United States v. McDonnell Douglas Corporation 3 OCAHO 507 (1993)

Hearing(s)

Hernandez v. Farley Candy Company 5 OCAHO 781 (1995)

Individual Capacity

Howard Eugene McNier v. San Francisco State University College of Business 8 OCAHO 1030 (1999)

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

Interpleader of DHS Unwarranted in Case Under 8 U.S.C. Section 1324b

United States v. Louisiana Crane Company, LLC d/b/a Louisiana Crane and Construction 11 OCAHO 1246 (2015)

Intervenor

Hernandez v. Farley Candy Company 5 OCAHO 810 (1995)

Permissive Joinder

Linda S. Walker v. United Airlines, Inc. 4 OCAHO 686 (1994)

United States v. Ronning Landscaping, Inc. 10 OCAHO 1149 (2012)

United States v. WSC Plumbing, Inc. 8 OCAHO 1045 (2000)

Prevailing

Michael Williamson v. Autorama, Inc. 1 OCAHO 174 (1990)

United States v. Auburn University 4 OCAHO 688 (1994)

Settlement

Ashutosh Sharma v. Discover Financial Services, LLC 12 OCAHO 1292 (2016)

Azia Aityahia v. Sabena Airline Training Center, Inc. 9 OCAHO 1122 (2006)

United States v. California Mantel, Inc. 10 OCAHO 1168 (2013)

United States v. New Mexico State Fair 6 OCAHO 898 (1996)

Stipulation

Malek Ebrahim Hatam v. Mr. Nasser Zaghi, Park General, Inc. 1 OCAHO 160 (1990)

United States v. McDonnell Douglas Corporation 2 OCAHO 380 (1991)

Subpoena

In re Investigation of Valley Crest Tree Company, Subpoena 3 OCAHO 579 (1993)

Successorship Liability

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

United States v. Spectrum Technical Staffing Services, Inc., and Personnel Plus, Inc. 12 OCAHO 1291 (2016)

Union(s)

Ramnik M. Trivedi v. Northrop Corporation and Department of Defense 4 OCAHO 600 (1994)

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

PATTERN OR PRACTICE

Civil Money Penalty

United States v. Fairfield Jersey, Inc. 9 OCAHO 1069 (2001)

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

Document Abuse

United States v. Mar-Jac Poultry, Inc. 10 OCAHO 1148 (2012)

Generally

Guy Santiglia v. Sun Microsystems, Inc. 9 OCAHO 1097 (2003)

United States v. A.J. Bart, Inc. 3 OCAHO 538 (1993)

United States v. Agripac, Inc. 8 OCAHO 1012 (1998)

United States v. Fairfield Jersey, Inc. 9 OCAHO 1069 (2001)

United States v. Mesa Airlines 1 OCAHO 74 (1989)

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. Workrite Uniform Company, Inc. 5 OCAHO 755 (1995)

Independent Contractor(s)

United States v. Robison Fruit Ranch, Inc. 4 OCAHO 594 (1994)

Persons Protected

United States v. Rosario Strano and Vito Strano d/b/a Strano Farms 4 OCAHO 601 (1994)

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

Proof

United States v. Rosario Strano and Vito Strano d/b/a Strano Farms 4 OCAHO 601 (1994)

PENALTIES

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

United States v. 3679 Commerce Place, Inc. 12 OCAHO 1296 (2017)

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. International Packaging, Inc. 12 OCAHO 1275 (2016)

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

United States v. Pegasus Family Restaurant, Inc. 12 OCAHO 1293 (2016)

United States v. Safe-Air of Illinois, Inc. 12 OCAHO 1270 (2016)

United States v. Solutions Group International, LLC 12 OCAHO 1288 (2016)

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. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles 12 OCAHO 1281 (2016)

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

United States v. Jula888, LLC d/b/a Para Tacos La Chilanga 12 OCAHO 1286 (2016)

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

Employment of Unauthorized Alien(s)

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

Additional Factors That May Be Considered Are Party's Financials and Leniency to Small Businesses

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

United States v. Cawoods Produce, Inc. 12 OCAHO 1280 (2016)

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 (2016)

Aggravation

United States v. Seven Elephants Distributing Corp. 10 OCAHO 1173 (2013)

ALJ Can Consider Public Policy of Leniency to Small Entities

United States v. 3679 Commerce Place, Inc. 12 OCAHO 1296 (2017)

United States v. Cawoods Produce, Inc. 12 OCAHO 1280 (2016)

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 (2016)

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. Ideal Transportation Co., Inc. 12 OCAHO 1290 (2016)

United States v. International Packaging, Inc. 12 OCAHO 1275 (2016)

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

United States v. Muniz Concrete & Contracting, Inc. 12 OCAHO 1278 (2016)

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

United States v. Pegasus Family Restaurant, Inc. 12 OCAHO 1293 (2016)

United States v. Solutions Group International, LLC 12 OCAHO 1288 (2016)

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

United States v. St. Croix Personnel Services, Inc. 12 OCAHO 1289 (2016)

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. 3679 Commerce Place, Inc.	12 OCAHO	1296		(2017)
United States v. Cawoods Produce, Inc.	12 OCAHO	1280		(2016)
United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12 OCAHO	1281		(2016)
United States v. Frimmel Management, LLC d/b/a Uncle Sam's	12 OCAHO	1271	b	(2016)
United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12 OCAHO	1276		(2016)
United States v. Golden Employment Group, Inc.	12 OCAHO	1277		(2016)
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. Ideal Transportation Co., Inc.	12 OCAHO	1290		(2016)
United States v. International Packaging, Inc.	12 OCAHO	1275		(2016)
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12 OCAHO	1286		(2016)
United States v. Keegan Varitey, LLC	11 OCAHO	1238		(2014)
United States v. Metropolitan Enterprises, Inc.	12 OCAHO	1297		(2017)
United States v. Muniz Concrete & Contracting, Inc.	12 OCAHO	1278		(2016)
United States v. Pegasus Family Restaurant, Inc.	12 OCAHO	1293		(2016)
United States v. Safe-Air of Illinois, Inc.	12 OCAHO	1270		(2016)
United States v. Solutions Group International, LLC	12 OCAHO	1288		(2016)
United States v. St. Croix Personnel Services, Inc.	12 OCAHO	1289		(2016)
United States v. Wave Green, Inc. d/b/a Golden Farm Market	11 OCAHO	1267		(2016)

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

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

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

United States v. Durable, Inc. 11 OCAHO 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)

United States v. Metropolitan Enterprises, Inc. 12 OCAHO 1297 (2017)

Bad Faith Found Where Employer Appeared to Intentionally Subvert Purposes of Section 1324a(b)

United States v. Jula888, LLC d/b/a Para Tacos La Chilanga 12 OCAHO 1286 (2016)

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. Liberty Packaging, Inc. 11 OCAHO 1245 (2015)

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

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

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

Challenge to ICE Formula Inapposite Where Final Penalty Arrived at Independently by ALJ

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

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

United States v. Jerry Estopy and Manuel Bortoni, d/b/a Estopy Farms 11 OCAHO 1256 (2015)

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

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

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)

Difference in Seriousness of Violations May Be Reflected in the Final Penalty

United States v. Cawoods Produce, Inc. 12 OCAHO 1280 (2016)

United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles 12 OCAHO 1281 (2016)

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 (2016)

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

United States v. Muniz Concrete & Contracting, Inc. 12 OCAHO 1278 (2016)

United States v. St. Croix Personnel Services, Inc. 12 OCAHO 1289 (2016)

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

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

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

Double Jeopardy

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

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)

Employment of Unauthorized Aliens

United States v. Forsch Polymer Corporation 10 OCAHO 1156 (2012)

United States v. Nebeker, Inc. 10 OCAHO 1165 (2013)

Enhancement Factor Based on Whether Specific Individual was Unauthorized

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

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

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

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

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

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

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

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

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

Excessive Money Penalties

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Factors

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

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

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

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

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

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

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

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

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

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

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

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

United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles 12 OCAHO 1281 (2016)

United States v. Golden Employment Group, Inc. 12 OCAHO 1277 (2016)

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. Ideal Transportation Co., Inc. 12 OCAHO 1290 (2016)

United States v. International Packaging, Inc. 12 OCAHO 1275 (2016)

United States v. Jula888, LLC d/b/a Para Tacos La Chilanga 12 OCAHO 1286 (2016)

United States v. Pegasus Family Restaurant, Inc. 12 OCAHO 1293 (2016)

United States v. Safe-Air of Illinois, Inc. 12 OCAHO 1270 (2016)

United States v. Solutions Group International, LLC 12 OCAHO 1288 (2016)

United States v. St. Croix Personnel Services, Inc. 12 OCAHO 1289 (2016)

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

Failure to Prepare Form I-9 Generally Warrants Higher Penalty Than Do Errors or Omissions on Form

United States v. Golden Employment Group, Inc. 12 OCAHO 1277 (2016)

United States v. International Packaging, Inc. 12 OCAHO 1275 (2016)

Failure to Prepare I-9 Among Most Serious Paperwork Violations

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

United States v. Cawoods Produce, Inc. 12 OCAHO 1280 (2016)

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

United States v. PM Packaging, Inc., and PM Corporate Group, Inc., d/b/a PM Packaging 11 OCAHO 1253 (2015)
United States v. Romans Racing Stables, Inc. 11 OCAHO 1230 (2014)
United States v. Speedy Gonzalez Construction, Inc. 11 OCAHO 1243 (2015)
Failure to Properly Complete I-9 Less Serious Than Failure to Prepare or Present I-9

United States v. Speedy Gonzalez Construction, Inc. 11 OCAHO 1243 (2015)
Failure to Show That Certain Individuals Were Unauthorized Does Not Require Mitigation

United States v. Romans Racing Stables, Inc. 11 OCAHO 1232 (2014)
Failure to Timely Prepare Form I-9 Is A Serious Violation

United States v. St. Croix Personnel Services, Inc. 12 OCAHO 1289 (2016)
Forms I-9 May Be So Deficient That Violations Are Tantamount to Total Failure to Prepare an I-9

United States v. Cawoods Produce, Inc. 12 OCAHO 1280 (2016)
United States v. Wave Green, Inc. d/b/a Golden Farm Market 11 OCAHO 1267 (2016)
Generally

United States v. Adolfo Martinez, Jr., Individually d/b/a AAAA Roofing 3 OCAHO 494 (1993)
United States v. Armando Alvarez-Suarez 4 OCAHO 655 (1994)
United States v. Business Teleconsultants, Ltd. 3 OCAHO 565 (1993)
United States v. Cristina Galeas 5 OCAHO 790 (1995)
United States v. David Day d/b/a David Day Masonry 3 OCAHO 575 (1993)
United States v. DJ Drywall, Inc. 10 OCAHO 1136 (2010)
United States v. Exim, Inc. and Jaime Monardes, Individually 3 OCAHO 591 (1993)
United States v. Giannini Landscaping, Inc. 3 OCAHO 573 (1993)
United States v. Gloria Fashions, Inc. 6 OCAHO 887 (1996)
United States v. Hardeep Singh 3 OCAHO 520 (1993)

United States v. Ice Castles Daycare Too, Inc. 10 OCAHO 1142 (2011)
United States v. Johnny Ng Lim and Christina Lim Go d/b/a The New Orient 3 OCAHO 499 (1993)
United States v. Kangaroo Express of Pueblo 3 OCAHO 581 (1993)
United States v. Ketchikan Drywall Services, Inc. 10 OCAHO 1139 (2011)
United States v. Kim Dong Hui t/a Chestnut Gourmet Restaurant 3 OCAHO 479 (1992)
United States v. La Casona d/b/a La Casona Mexican Restaurant 4 OCAHO 712 (1994)
United States v. Landscapes By Susanna 3 OCAHO 556 (1993)
United States v. Local Building & Remodeling of International Falls 3 OCAHO 567 (1993)
United States v. Mark Steven Carter d/b/a Dixie Industrial Service Company 7 OCAHO 931 (1997)
United States v. Minaco Fashions, Inc. 3 OCAHO 587 (1993)
United States v. Monroe Novelty Co., Inc. d/b/a Monroe Novelties Corporation 7 OCAHO 986 (1998)
United States v. New China Buffet Restaurant 10 OCAHO 1133 (2010)
United States v. Nicolas Tinoco-Medina 6 OCAHO 890 (1996)
United States v. Orlando Diaz-Rosas 4 OCAHO 702 (1994)
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United States v. Oscar Eduardo Villatoro-Guzman 4 OCAHO 652 (1994)
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. 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. Satarain, Individually 3 OCAHO 557 (1993)
United States v. Silver Cloud Investments, Inc. d/b/a Silver Clouds Restaurant 3 OCAHO 509 (1993)
United States v. Task Force Security, Inc. d/b/a Task Force Security and Investigations 4 OCAHO 625 (1994)
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. 3679 Commerce Place, Inc. 12 OCAHO 1296 (2017)
United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 (2016)

United States v. Hartmann Studios, Inc. 11 OCAHO 1255 (2015)
United States v. International Packaging, Inc. 12 OCAHO 1275 (2016)
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga 12 OCAHO 1286 (2016)
United States v. Pegasus Family Restaurant, Inc. 12 OCAHO 1293 (2016)
United States v. SKZ Harvesting, Inc. 11 OCAHO 1266 (2016)
United States v. Solutions Group International, LLC 12 OCAHO 1288 (2016)

Good Faith Defense

United States v. DJ Drywall, Inc. 10 OCAHO 1136 (2010)
United States v. LFW Dairy Corporation 10 OCAHO 1129 (2009)
United States v. Morgan's Mexican & Lebanese Foods, Inc. 8 OCAHO 1013 (1998)

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

United States v. Cawoods Produce, Inc. 12 OCAHO 1280 (2016)
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United States v. Homestead Metal Recycling Corp. 11 OCAHO 1251 (2015)
United States v. Keegan Varitey, LLC 11 OCAHO 1238 (2014)
United States v. Kenneth McPeek Racing Stables, Inc. 11 OCAHO 1249 (2015)
United States v. Niche, Inc. 11 OCAHO 1250 (2015)
United States v. Safe-Air of Illinois, Inc. 12 OCAHO 1270 (2016)

Government Bears the Burden of Proof on Penalty and Aggravating Factors

Margarita Garcia Ocana v. El Dorado Stone, LLC 11 OCAHO 1244 (2015)
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United States v. Buffalo Transportation, Inc. 11 OCAHO 1263 (2015)
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United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles 12 OCAHO 1281 (2016)
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United States v. Frimmel Management, LLC d/b/a Uncle Sam's	12 OCAHO	1271 b	(2016)
United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12 OCAHO	1276	(2016)
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United States v. Hair U Wear, LLC	11 OCAHO	1268	(2016)
United States v. International Packaging, Inc.	12 OCAHO	1275	(2016)
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12 OCAHO	1286	(2016)
United States v. Liberty Packaging, Inc.	11 OCAHO	1245	(2015)
United States v. Metropolitan Enterprises, Inc.	12 OCAHO	1297	(2017)
United States v. Muniz Concrete & Contracting, Inc.	12 OCAHO	1278	(2016)
United States v. Pegasus Family Restaurant, Inc.	12 OCAHO	1293	(2016)
United States v. 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. Solutions Group International, LLC	12 OCAHO	1288	(2016)
United States v. Speedy Gonzalez Construction, Inc.	11 OCAHO	1243	(2015)
United States v. St. Croix Personnel Services, Inc.	12 OCAHO	1289	(2016)
United States v. Wave Green, Inc. d/b/a Golden Farm Market	11 OCAHO	1267	(2016)

Government Must Prove Aggravating Factor by Preponderance of Evidence

Margarita Garcia Ocana v. El Dorado Stone, LLC	11 OCAHO	1244	(2015)
United States v. Clean Sweep Janitor Service	11 OCAHO	1226	(2014)
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. Ideal Transportation Co., Inc.	12 OCAHO	1290	(2016)
United States v. Liberty Packaging, Inc.	11 OCAHO	1245	(2015)
United States v. Speedy Gonzalez Construction, Inc.	11 OCAHO	1243	(2015)

Government Must Prove Existence of Aggravating Factor by Preponderance of Evidence

United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12 OCAHO	1281	(2016)

United States v. Frimmel Management, LLC d/b/a Uncle Sam's 12 OCAHO 1271 b (2016)

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 (2016)

ICE Fine Guidelines Have No Binding Effect on OCAHO

United States v. 3679 Commerce Place, Inc. 12 OCAHO 1296 (2017)

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

United States v. Golden Employment Group, Inc. 12 OCAHO 1277 (2016)

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

United States v. Ideal Transportation Co., Inc. 12 OCAHO 1290 (2016)

United States v. International Packaging, Inc. 12 OCAHO 1275 (2016)

United States v. Jula888, LLC d/b/a Para Tacos La Chilanga 12 OCAHO 1286 (2016)

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

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

United States v. Pegasus Family Restaurant, Inc. 12 OCAHO 1293 (2016)

United States v. Solutions Group International, LLC 12 OCAHO 1288 (2016)

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

Knowing Hire

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

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

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. 3679 Commerce Place, Inc. 12 OCAHO 1296 (2017)

United States v. Cawoods Produce, Inc. 12 OCAHO 1280 (2016)

United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12 OCAHO	1281		(2016)
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United States v. International Packaging, Inc.	12 OCAHO	1275		(2016)
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12 OCAHO	1286		(2016)
United States v. Pegasus Family Restaurant, Inc.	12 OCAHO	1293		(2016)
United States v. Romans Racing Stables, Inc.	11 OCAHO	1232		(2014)
United States v. Solutions Group International, LLC	12 OCAHO	1288		(2016)
United States v. St. Croix Personnel Services, Inc.	12 OCAHO	1289		(2016)
United States v. 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. Kenneth McPeek Racing Stables, Inc.	11 OCAHO	1249		(2015)

Mitigation

United States v. Anchor Seafood Distributors, Inc. d/b/a Anchor Fish Company	5 OCAHO	758		(1995)
United States v. Central Nebraska Packing, Inc.	4 OCAHO	714		(1994)
United States v. Chef Rayko, Inc. d/b/a Chef Rayko's Cucina Italiana	5 OCAHO	803		(1995)
United States v. David Jenkins	5 OCAHO	743		(1995)
United States v. Draper-King Cole, Inc.	7 OCAHO	933		(1997)
United States v. Enrique Reyes d/b/a King's Produce	4 OCAHO	592		(1994)
United States v. Exim, Inc. and Jaime Monardes, Individually	4 OCAHO	604		(1994)
United States v. Hugh Jeffrey Fox d/b/a Frank & Stein	5 OCAHO	756		(1995)
United States v. Kerry J. Vicker d/b/a SNB Cleaning	5 OCAHO	819		(1995)
United States v. Morgan's Mexican & Lebanese Foods, Inc.	8 OCAHO	1013		(1998)
United States v. Orlando Diaz-Rosas	4 OCAHO	702		(1994)
United States v. Oscar Eduardo Villatoro-Guzman	4 OCAHO	652		(1994)
United States v. Randall Kurzon, Individually and Alonza Restaurant Ventures, inc.	4 OCAHO	637		(1994)

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. Williams Produce, Inc.	5 OCAHO	730		(1995)
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. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12 OCAHO	1281		(2016)
United States v. Liberty Packaging, Inc.	11 OCAHO	1245		(2015)
United States v. Muniz Concrete & Contracting, Inc.	12 OCAHO	1278		(2016)
United States v. PM Packaging, Inc., and PM Corporate Group, Inc., d/b/a PM Packaging	11 OCAHO	1253		(2015)
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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. 3679 Commerce Place, Inc.	12 OCAHO	1296		(2017)
United States v. Buffalo Transportation, Inc.	11 OCAHO	1263		(2015)
United States v. Cawoods Produce, Inc.	12 OCAHO	1280		(2016)
United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles	12 OCAHO	1281		(2016)
United States v. Frimmel Management, LLC d/b/a Uncle Sam's	12 OCAHO	1271	b	(2016)
United States v. Hair U Wear, LLC	11 OCAHO	1268		(2016)
United States v. Ideal Transportation Co., Inc.	12 OCAHO	1290		(2016)
United States v. International Packaging, Inc.	12 OCAHO	1275		(2016)
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga	12 OCAHO	1286		(2016)
United States v. Keegan Varitey, LLC	11 OCAHO	1238		(2014)
United States v. Metropolitan Enterprises, Inc.	12 OCAHO	1297		(2017)

United States v. Muniz Concrete & Contracting, Inc. 12 OCAHO 1278 (2016)

United States v. Pegasus Family Restaurant, Inc. 12 OCAHO 1293 (2016)

United States v. Solutions Group International, LLC 12 OCAHO 1288 (2016)

United States v. St. Croix Personnel Services, Inc. 12 OCAHO 1289 (2016)

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

OCAHO Generally Considers a Business With Fewer Than 100 Employees to be a Small Business

United States v. Frimmel Management, LLC d/b/a Uncle Sam's 12 OCAHO 1271 b (2016)

Paperwork Requirement(s)/Violation(s)

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

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

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

United States v. Exim, Inc. and Jaime Monardes, Individually 4 OCAHO 604 (1994)

United States v. Giamblis Enterprises 5 OCAHO 817 (1995)

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

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

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

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

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

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

Employment of Unauthorized Alien(s)

United States v. Mark Steven Carter d/b/a Dixie Industrial Service Company 7 OCAHO 931 (1997)

Factor(s)

United States v. De Luca's Market 8 OCAHO 1039 (1999)

United States v. Mark Steven Carter d/b/a Dixie Industrial Service Company 7 OCAHO 931 (1997)

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

United States v. New China Buffet Restaurant 10 OCAHO 1133 (2010)

United States v. Sunshine Building Maintenance, Inc.	7 OCAHO	997		(1998)
Good Faith Defense				
United States v. Mark Steven Carter d/b/a Dixie Industrial Service Company	7 OCAHO	931		(1997)
United States v. Monroe Novelty Co., Inc. d/b/a Monroe Novelties Corporation	7 OCAHO	986		(1998)
Seriousness of the Violation(s)				
United States v. Mark Steven Carter d/b/a Dixie Industrial Service Company	7 OCAHO	931		(1997)
United States v. Monroe Novelty Co., Inc. d/b/a Monroe Novelties Corporation	7 OCAHO	986		(1998)
Size of Business				
United States v. Mark Steven Carter d/b/a Dixie Industrial Service Company	7 OCAHO	931		(1997)
United States v. Monroe Novelty Co., Inc. d/b/a Monroe Novelties Corporation	7 OCAHO	986		(1998)
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 Equitable Factor Bears Burden of Presenting Supporting Evidence				
United States v. Solutions Group International, LLC	12 OCAHO	1288		(2016)
Party Seeking Consideration of Non-Statutory Factor Bears Burden of Proof				
United States v. 3679 Commerce Place, Inc.	12 OCAHO	1296		(2017)
United States v. Buffalo Transportation, Inc.	11 OCAHO	1263		(2015)
United States v. Frimmel Management, LLC d/b/a Uncle Sam's	12 OCAHO	1271	b	(2016)
United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12 OCAHO	1276		(2016)
United States v. Hair U Wear, LLC	11 OCAHO	1268		(2016)
United States v. Hartmann Studios, Inc.	11 OCAHO	1255		(2015)
United States v. International Packaging, Inc.	12 OCAHO	1275		(2016)
United States v. Keegan Varitey, LLC	11 OCAHO	1238		(2014)
United States v. Metropolitan Enterprises, Inc.	12 OCAHO	1297		(2017)
United States v. Niche, Inc.	11 OCAHO	1250		(2015)
United States v. Pegasus Family Restaurant, Inc.	12 OCAHO	1293		(2016)

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

Penalties Near Maximum Should Be Reserved for Most Egregious Violations

United States v. Buffalo Transportation, Inc. 11 OCAHO 1263 (2015)
United States v. Cawoods Produce, Inc. 12 OCAHO 1280 (2016)
United States v. Clean Sweep Janitor Service 11 OCAHO 1226 (2014)
United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles 12 OCAHO 1281 (2016)
United States v. Frimmel Management, LLC d/b/a Uncle Sam's 12 OCAHO 1271 b (2016)
United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 (2016)
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. Ideal Transportation Co., Inc. 12 OCAHO 1290 (2016)
United States v. International Packaging, Inc. 12 OCAHO 1275 (2016)
United States v. Jalisco's Bar and Grill, Inc. 11 OCAHO 1224 (2014)
United States v. Jula888, LLC d/b/a Para Tacos La Chilanga 12 OCAHO 1286 (2016)
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. M & D Masonry, Inc. 10 OCAHO 1211 (2014)
United States v. Mott Thoroughbred Stables, Inc. 11 OCAHO 1233 (2014)
United States v. Niche, Inc. 11 OCAHO 1250 (2015)
United States v. Pegasus Family Restaurant, Inc. 12 OCAHO 1293 (2016)
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OCAHO Generally Considers a Business With Fewer Than 100 Employees to be a Small Business

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Federal Sovereign Immunity is Generally Presumed Until Established Otherwise

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

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For Knowing Hire Violation, Limitations Period Begins to Run on Date That Employee is Terminated

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Paperwork Violations for Failure to Timely Prepare a Form I-9 Cannot Be Cured

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In re Investigation of Modern Maintenance, Subpoena 2 OCAHO 359 (1990)

In re Investigation of Tropicana Casino & Resort, Subpoena 9 OCAHO 1060 (2000)

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In re Investigation of University of South Florida, Subpoena 8 OCAHO 1055 (2000)

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Relevance of Information Sought

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In Re Investigation of: NHS Human Services 10 OCAHO 1198 (2013)

SUBSTANTIAL COMPLIANCE

Copying and Attaching Documents Without Properly Completing I-9 Isn't Substantial Compliance

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

Creation of False Section 2 Attestations Is Substantive Violation

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United States v. Mark Steven Carter d/b/a Dixie Industrial Service Company 7 OCAHO 931 (1997)

United States v. Minaco Fashions, Inc. 3 OCAHO 587 (1993)

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

United States v. Task Force Security, Inc. d/b/a Task Force Security and Investigations 3 OCAHO 533 (1993)

United States v. Tri-Component Product Corporation 5 OCAHO 821 (1995)

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United States v. Fortune East Fashion, Inc. 7 OCAHO 977 (1997)

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United States v. Mark Steven Carter d/b/a Dixie Industrial Service Company 7 OCAHO 931 (1997)

United States v. Ronning Landscaping, Inc. 10 OCAHO 1149 (2012)

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Failure to Complete or Sign Form I-9 Section 2 Employer Verification Constitutes Substantive Violation

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Failure to Ensure Employee Checks Box Attesting to Immigration Status is Serious Violation

United States v. Cawoods Produce, Inc. 12 OCAHO 1280 (2016)
Failure to Ensure Employee Signs Section 1 of Form I-9 Is A Substantive Violation

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 (2016)
Failure to Ensure That Employee Provides Alien or Admission Number Is Substantive Violation

United States v. Cawoods Produce, Inc. 12 OCAHO 1280 (2016)
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)
Failure to Provide Issuing Authority for Form I-9 List B Document Is Substantive Violation

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

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Government Not Required to Provide Notice and Correction Period for Substantive Violations

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United States v. Primera Enterprises, Inc. d/b/a J.B.'s Lounge 4 OCAHO 615 (1994)

United States v. Ricardo Calderon, Inc. 5 OCAHO 805 (1995)

United States v. Spring & Soon Fashion, Inc. 8 OCAHO 1003 (1998)

United States v. Tri-Component Product Corporation 5 OCAHO 821 (1995)

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Corneliu Curuta v. Tomball College	9	OCAHO	1099	(2003)
Dinko Sefic v. Marconi Wireless	9	OCAHO	1123	(2007)
Kenneth Wade Parker, Jr. v. Wild Goose Storage, Inc.	9	OCAHO	1081	(2002)
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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				
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United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co.	12	OCAHO	1276	(2016)
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United States v. Senox Corporation 11 OCAHO 1219 (2014)
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United States v. St. Croix Personnel Services, Inc. 12 OCAHO 1289 (2016)
United States v. Wave Green, Inc. d/b/a Golden Farm Market 11 OCAHO 1267 (2016)

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

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United States v. Muniz Concrete & Contracting, Inc. 12 OCAHO 1278 (2016)
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Blanket Denial of Liability Not Sufficient to Show That Genuine Issues of Material Fact Exist

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United States v. New China Buffet Restaurant 10 OCAHO 1133 (2010)
United States v. Private Brands Company and Private Brand, Inc. 7 OCAHO 941 (1997)
United States v. Walden Station, Inc. 8 OCAHO 1053 (2000)

Completion of False Certification on Form I-9 Does Not Constitute Substantial Compliance

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Krzysztof Zarazinski v. Anglo Fabrics, Company 4 OCAHO 638 (1994)

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)

Evidence

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

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

Corneliu Curuta v. Tomball College 9 OCAHO 1099 (2003)

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Amadeo Gonzalez v. Phoenix Motor Company	3	OCAHO	410	(1992)
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Gabriel Niyi Adepitan v. United States Postal Service	3	OCAHO	416	(1991)
Ghaffar Sepahpour v. Unisys, Inc.	3	OCAHO	500	(1993)
Gurpreet Sodhi v. Maricopa County Special Health Care District	9	OCAHO	1127	(2007)
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Jaime Banuelos v. Transportation Leasing Company	1	OCAHO	255	(1990)
Jenlih John Hsieh v. PMC - Sierra, Inc.	9	OCAHO	1093	(2003)
Jesus Morales v. Cromwell's Tavern Restaurant	3	OCAHO	524	(1993)
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Mr. Doron Tal v. M. L. Energia, Inc.	3	OCAHO	519	(1993)
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United States v. A & B Carpet Steam Cleaning & General Services, Corporation	1	OCAHO	219	(1990)
United States v. Aegis Fashion, Inc.	1	OCAHO	239	(1990)
United States v. Aid Maintenance Company, Inc.	6	OCAHO	893	(1996)
United States v. Alberta Sosa, Inc.	5	OCAHO	739	(1995)
United States v. Alberto Noriega-Perez	5	OCAHO	811	(1995)
United States v. Alvand, Inc. d/b/a 410 Diner	1	OCAHO	296	(1991)
United States v. American McNair, Inc.	1	OCAHO	167	(1990)
United States v. American Terrazzo Corporation d/b/a John Delallo Foods	6	OCAHO	828	(1995)
United States v. Ana Maria Villegas-Valenzuela	5	OCAHO	784	(1995)
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United States v. A-Plus Roofing, Inc.	1	OCAHO	209	(1990)
United States v. Armando Palacio d/b/a La Bahia Restaurant	1	OCAHO	230	(1990)
United States v. Basim Aziz Hanna d/b/a Ferris & Ferris Pizza	1	OCAHO	133	(1990)
United States v. Broadway Tire, Inc.	2	OCAHO	310	(1991)
United States v. Camidor Properties, Inc.	1	OCAHO	299	(1991)
United States v. Charo's Corporation d/b/a Charo's Restaurant	2	OCAHO	305	(1991)
United States v. Chesters Restaurants, Inc. d/b/a La Cabana Restaurant	1	OCAHO	113	(1989)
United States v. China Wok Restaurant, Inc., a Nebraska Corporation	4	OCAHO	608	(1994)
United States v. Citizen's Utilities Company, Inc., Telephone Division	1	OCAHO	109	(1989)
United States v. Continental Sports Corporation	5	OCAHO	799	(1995)
United States v. Covered Bridge Farm Market, Inc. d/b/a Covered Bridge Garden Center	1	OCAHO	135	(1990)

United States v. Cristina Galeas	5	OCAHO	790	(1995)
United States v. Culinary Artistry, Inc. d/b/a Footer's Catering	1	OCAHO	217	(1990)
United States v. Cyrus Kiani d/b/a Copies, Etc.	1	OCAHO	165	(1990)
United States v. De Luca's Market	8	OCAHO	1039	(1999)
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)
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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)
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United States v. Exim, Inc. and Jaime Monardes, Individually	3	OCAHO	591	(1993)
United States v. Felipe De Leon-Valenzuela	7	OCAHO	993	(1998)
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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. James Q. Carlson d/b/a Jimmy On The Spot	1	OCAHO	298	(1991)
United States v. Jennifer Dittman d/b/a Ready Room Restaurant	1	OCAHO	195	(1990)
United States v. Jim Bailey and Charles Fristoe d/b/a B & F Golf Services, Inc.	6	OCAHO	851	(1996)
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United States v. Lambok Sihombing	7	OCAHO	944	(1997)
United States v. Lee Moyle, Owner d/b/a Moyle Mink Farm	1	OCAHO	122	(1990)
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United States v. Louis Padnos Iron & Metal Co., a Corporation	3	OCAHO	414	(1992)
United States v. M.C.S.M. Inc. d/b/a Tre Fratelly Restaurant	3	OCAHO	544	(1993)
United States v. Manca Imports, Inc.	1	OCAHO	267	(1990)
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United States v. Marisol Chavez-Ramirez	5	OCAHO	774	(1995)
United States v. Mark Steven Carter d/b/a Dixie industrial Service Company	6	OCAHO	865	(1996)
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United States v. Neighbors of Hawaii d/b/a Tower of Power	1	OCAHO	262	(1990)
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United States v. Ricky Catalano d/b/a Papa Joe's Pizza	7	OCAHO	974	(1997)
United States v. Robert Marnul d/b/a Lamont Street Grill	3	OCAHO	441	(1992)
United States v. Roberto C. Davila	7	OCAHO	936	(1997)
United States v. Rosario Cuevas d/b/a El Pollo Real	1	OCAHO	273	(1990)
United States v. Sargetis d/b/a Castle Valley Sales, Inc., a Utah Corporation	1	OCAHO	232	(1990)
United States v. Sea Pine Inn, Inc. t/a Sea Pine Inn	1	OCAHO	87	(1989)
United States v. Sergio Alaniz d/b/a Sagunada	1	OCAHO	245	(1990)
United States v. Sergio Alaniz d/b/a Sagunada	1	OCAHO	297	(1991)
United States v. The Beverly Center	5	OCAHO	762	(1995)
United States v. Tom & Yu, Inc. t/a Peking Garden Restaurant	3	OCAHO	412	(1993)
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United States v. Valencia Bar & Liquors, Inc.	7	OCAHO	995	(1998)
United States v. Weldco, Inc. and Weldco Components, Inc. d/b/a Weldco Products	3	OCAHO	483	(1993)
United States v. Weymoor Investments, Limited	1	OCAHO	56	(1989)
United States v. William and Maria Sievert	1	OCAHO	294	(1991)
United States v. Wood 'N Stuff	3	OCAHO	574	(1993)
United States v. Yin Tien Chen, Individually and Winning Orchards, LLC	9	OCAHO	1092	(2003)
Wisniewski v. Douglas County School System	1	OCAHO	29	(1988)
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Hearsay Evidence

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United States v. China Wok Restaurant, Inc., a Nebraska Corporation	4	OCAHO	608	(1994)
United States v. Snack Attack Deli, Inc.	10	OCAHO	1137	(2010)

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

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

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United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 (2016)

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

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

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

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

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United States v. American Terrazzo Corporation d/b/a John Delallo Foods 6 OCAHO 828 (1995)

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

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

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

United States v. Golden Employment Group, Inc. 12 OCAHO 1274 (2016)

United States v. International Packaging, Inc. 12 OCAHO 1275 (2016)

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

Modification(s)

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

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Donna Yvette Miller v. United States Postal Service, Greater South Carolina District Office 12 OCAHO 1284 (2016)
Motion to Dismiss Treated As Motion for Summary Decision Where Evidence Outside Pleadings is Considered

United States v. Split Rail Fence Company, Inc. 11 OCAHO 1216 (2014)
Movant Bears Initial Burden to Demonstrate Absence of Genuine Issue of Material Fact

United States v. East Coast Foods, Inc. d/b/a Roscoe's House of Chicken N Waffles 12 OCAHO 1281 (2016)
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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)
Moving Party Who Bears Burden of Proof At Trial Must Present Sufficient Evidence to Support

United States v. Saidabror Siddikov d/b/a Beyond Cleaning Services 11 OCAHO 1257 (2015)
Nonmoving Party Who Bears Burden of Proof at Trial Must Present Sufficient Evidence to Support Claim

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Nicasio Angulo v. Securitas Security Services USA, Inc. 11 OCAHO 1259 (2015)
Norberto Sagal Torres v. Pacific Continental Textiles, Inc. 10 OCAHO 1203 (2013)
Walter Oswaldo Paz-Martinez v. Securitas Security Services USA, Inc. 11 OCAHO 1260 (2015)
Notice to Pro Se Party

Carlos Aciar v. Rosen's Delicatessen 9 OCAHO 1086 (2002)
Parties Generally Not Put to Burden or Expense of Hearing Absent Genuine, Material Factual Issue

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

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 (2016)
United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167) 11 OCAHO 1258 (2015)
Party Moving for Summary Decision Must Show There Is No Genuine Issue of Material Fact

United States v. Frio County Partners, Inc. d/b/a Jack's Produce Co. 12 OCAHO 1276 (2016)
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Party Opposed Must Provide Specific Facts Showing Genuine Issue of Material Fact for Hearing

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United States v. Holtsville 811 Inc. d/b/a 7-Eleven (Store #39167) 11 OCAHO 1258 (2015)
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United States v. Senox Corporation 11 OCAHO 1219 (2014)
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Walter Oswaldo Paz-Martinez v. Securitas Security Services USA, Inc. 11 OCAHO 1260 (2015)
Party Opposed to Summary Decision May Not Rest on Mere Allegations or Denials in Pleading

United States v. Cawoods Produce, Inc. 12 OCAHO 1280 (2016)
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