

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

CASSANDRA MONTY,)	
Complainant,)	
)	8 U.S.C. § 1324b Proceeding
v.)	
)	OCAHO Case No. 2021B00036
USA2GO QUICK STORES,)	
Respondent.)	
)	

Appearances: Cassandra Monty, pro se Complainant
Jenna H. Sheena, Esq., for Respondent
Sam Shirazi, Esq., for the United States

ORDER ON STATUS CONFERENCE

This action arises under the unfair immigration-related employment practices provisions of the Immigration and Nationality Act (INA), as amended by the Immigration Reform and Control Act of 1986 (IRCA), 8 U.S.C. § 1324b. On June 2, 2021, Complainant, Cassandra Monty, filed a complaint alleging that Respondent, USA2GO Quick Stores, violated § 1324b. Following service of the Notice of Case Assignment (NOCA) and an extension of time to answer, Respondent filed its answer to the complaint on September 7, 2021.

On May 5, 2022, Respondent filed a Motion for Summary Decision. On June 2, 2022, Attorney Sam Shirazi, a Trial Attorney with the United States Department of Justice, Civil Rights Division, Immigrant and Employee Rights Section (IER), filed a Notice of Appearance in this matter on behalf of the United States pursuant to 28 U.S.C. § 517 and 28 C.F.R. § 68.33(f).¹ IER then filed a Notice of Filing of Statement of Interest or, in the Alternative, Motion for Leave to File.

On July 15, 2022, the Court issued an Order Issuing Stay of Proceedings.

On March 7, 2024, the Court issued an Order Scheduling Status Conference, setting a status conference for April 23, 2024 at 10:30am Eastern Time “to discuss amendment to the scheduling order, the prehearing conference, and the hearing in this matter.”

¹ OCAHO Rules of Practice and Procedure, 28 C.F.R. pt. 68 (2022).

On March 19, 2024, Attorney Shirazi from IER filed correspondence with the Court. Attorney Shirazi inquires whether his presence is needed or desired at the status conference, given that he does not represent either the Complainant or Respondent and is not a party to this case.

The Court issues this order to clarify the purpose of the status conference. The Court intends to use the time with the parties in the status conference to primarily discuss scheduling and the status of the stay of proceedings and Respondent's Motion for Summary Decision. Given that Attorney Shirazi's appearance on behalf of the United States has been limited to the Notice of Filing of Statement of Interest, the Court will not require his attendance at the conference, although he is free to attend if interested.

SO ORDERED

Dated and entered on March 27, 2024.

Honorable John A. Henderson
Administrative Law Judge