

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

UNITED STATES OF AMERICA,)	
Complainant,)	
)	
v.)	8 U.S.C. § 1324a Proceeding
)	Case No. 98A00015
VALENCA BAR & LIQUORS, INC.,)	
Respondent.)	

THIRD PREHEARING CONFERENCE REPORT AND ORDER
(February 18, 1998)

During the third telephonic prehearing conference, held on February 18, 1998, the parties reported that settlement negotiations were unsuccessful. Accordingly, as discussed and agreed among counsel and the bench, the confrontational evidentiary phase of the hearing is scheduled to be held at a location to be determined in or around Newark, New Jersey on **Friday, May 15, 1998**.

The hearing, tentatively scheduled to begin at 9:00 a.m., EDT, with the first witness to be called at 9:30 a.m., is anticipated to take not more than one day. Complainant contemplates as witnesses, two INS agents; Respondent anticipates one or two employer principals, and two other agents whom Complainant agrees to make available for that purpose.

Counsel agree to attempt to maximize stipulations of fact, including agreement as to authentication of documentary exhibits. Documentary materials should be made available in counterpart copies, one for the other side, and two for the bench (one of which is to be included by the official stenographer in the certified hearing record). Complainant's exhibits will bear an alphabetical prefix, Respondent's a numerical prefix.

A fourth telephonic prehearing conference, in preparation for hearing and by which time documentary materials will have been identified and any stipulations forthcoming, was agreed to by counsel and the bench for 10:00 a.m., EDT, on Wednesday, April 29, 1998. Promptly after the conference, Respondent's counsel advised of his unavailability on that date. Upon coordination with counsel for Complainant, a notice of rescheduling will issue.

SO ORDERED.

Dated and entered this 18th day of February, 1998.

Marvin H. Morse
Administrative Law Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the attached Third Prehearing Conference Report and Order were mailed first class this 18th day of February 1998, addressed as follows:

Counsel for Complainant

Leo P. Weber, Esq.
Immigration and Naturalization Service
P.O. Box 1085
Newark, NJ 07101

Dea Carpenter, Esq.
Immigration and Naturalization Service
425 "I" Street, NW, Room 6100
Washington, DC 20536

Counsel for Respondent

Dominic Kong, Esq.
30 Vesey St., 3rd Floor
New York, NY 10007

Office of the Chief Administrative Hearing Officer
5107 Leesburg Pike, Suite 2519
Falls Church, VA 22041

Debra M. Bush
Legal Technician to Judge Morse
Department of Justice
Office of the Chief Administrative
Hearing Officer
5107 Leesburg Pike, Suite 1905
Falls Church, VA 22041
Telephone No. (703) 305-0861