

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

Jaime Banuelos, et al., Complainants v. Transportation Leasing Company (Former Greyhound Lines, Inc.), Bortisser Travel Service, G.L.I. Holding Company and Subsidiary Greyhound Lines, Inc., Bus Wash, Missouri Corporation, Respondents; 8 U.S.C. § 1324b Proceeding; Case No. 89200314.

**DECISION AND ORDER DISMISSING WITH PREJUDICE
COMPLAINT AGAINST RESPONDENT BORTISSER TRAVEL SERVICE**

On August 21, 1990 I ordered Complainants to file on or before August 31, 1990, a pleading setting forth with specificity

the basis in law and fact for its allegations against Respondent Bortisser. Specifically, I want to know from Complainants exactly how many of them applied to work for Bortisser, the names of the Complainants who applied, what the exact dispositions of their applications for employment were as decided by Bortisser, and how, if at all, Bortisser knowingly and intentionally discriminated against them on account of their citizenship status. In other words, Complainants must be prepared to file with this office any relevant information pertaining to their allegation that Bortisser engaged in an unfair immigration-related employment practice in contravention of section 1324b of Title 8 of the United States Code. Complainants are especially urged to file with this office specific factual affidavits that support the legally conclusory allegations that they have made in their previously filed pleadings.

Complainants have not as of this date filed a pleading in response to my order but, instead, filed a Motion for Special Counsel to Intervene.

The regulations provide for sanctions against a party wherein a party fails to comply with an order of the Administrative Law Judge. 28 C.F.R. § 68.19(c).

As stated above, Complainants did not comply with my order dated August 21, 1990. In view of the fact that Bortisser Travel Service is a defunct corporation with no assets¹ and there is no

\1\ The fact that Bortisser is a defunct corporation with no assets was explained to Complainants in my August 21, 1990, Order.

credible evidence in the record to suggest that Respondent Bortisser knowingly and intentionally discriminated against any of the Complainants because of their national origin or citizenship, I see no reason to further delay disposition of this case with respect to Respondent Bortisser.

I find that Complainants have intentionally disregarded my Order of August 21, 1990, in an attempt to further delay these proceedings for no just or reasonable cause and;

ACCORDINGLY, pursuant to 28 C.F.R. § 68.19(c), I hereby dismiss with prejudice the complaint against Respondent Bortisser.

SO ORDERED: This 10th day of September, 1990, at San Diego, California.

ROBERT B. SCHNEIDER
Administrative Law Judges