

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. 94A00028
LA CASONA, INC., d.b.a.,)
LA CASONA)
MEXICAN RESTAURANT,)
Respondent.)
_____)

ORDER GRANTING JOINT MOTION FOR
DECISION ON WRITTEN SUBMISSIONS

On November 29, 1994 Complainant and Respondent filed a Joint Motion for Decision on Written Submissions in which they moved that "this matter proceed to decision upon the filed pleadings and written submission of affidavits and briefs."

As grounds for this motion the parties jointly represent that the only issue left to be resolved in this case is the appropriateness of the civil money penalty to be assessed against Respondent. Further, the parties state that as such the case does not require an evidentiary hearing.

Additionally, the parties request that they be allowed "a period of time to permit the submission of written materials."

As only the appropriateness of the civil money penalty to be levied against Respondent remains at issue in this case, and in the interest of time and economy to both parties and the Court, I hereby GRANT this Joint Motion for Decision on Written Submissions. However, as

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settlement negotiations in regard to the amount of the civil money penalty are ongoing, the time frame for the submission of written materials on that issue will be determined in a future order.

Accordingly, it is hereby ORDERED that:

1. Complainant's and Respondent's Joint Motion for Decision on Written Submissions is GRANTED;
2. The evidentiary hearing in this case, scheduled for December 1, 1994, is canceled as a decision in this matter will be made based on written submissions;
3. Both parties shall file a status report regarding settlement negotiations on or before December 20, 1994, to inform the court of the progress of such negotiations;
4. The time frame for the submission of written materials by both parties will be determined by future order, following the submission of the aforementioned status reports.

SO ORDERED on this 29th day of November , 1994.

ROBERT B. SCHNEIDER
Administrative Law Judge