

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

December 14, 2022

UNITED STATES OF AMERICA,	)	
Complainant,	)	
	)	
v.	)	8 U.S.C. § 1324b Proceeding
	)	OCAHO Case No. 2022A00058
	)	
ROYAL OAK BREWING, CO.	)	
Respondent.	)	
_____	)	

Appearances: Theresa M. Bross, Esq., for Complainant  
Michael D. Weaver, Esq., for Respondent

ORDER OF DISMISSAL

This case arises under the Immigration and Nationality Act (INA), as amended, 8 U.S.C. § 1324a. Complainant, the U.S. Department of Homeland Security, Immigration and Customs Enforcement (ICE), filed a complaint with the Office of the Chief Administrative Hearing Officer on September 23, 2022. Complainant alleges that Respondent, Royal Oak Brewing Co., failed to prepare and/or present the Employment Eligibility Verification Form (Form I-9) for seven individuals and failed to ensure that fifty-eight individuals properly completed Section 1 of the Form I-9 and/or failed to properly complete Section 2 or 3 of the Form I-9, in violation of § 1324a(a)(1)(B).<sup>1</sup>

On December 5, 2022, the parties filed a Notice of Settlement and Joint Motion to Dismiss along with an executed settlement agreement. The parties jointly attest that they have reached a full settlement in this matter, and jointly request dismissal of this case.

Pursuant to 28 C.F.R. § 68.14(a)(2),<sup>2</sup> when the parties have entered into a settlement agreement, they shall “[n]otify the Administrative Law Judge that the parties have reached a full settlement

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<sup>1</sup> Respondent did not timely answer the complaint, and on November 21, 2022, the Court issued an Order to Show Cause ordering Respondent to file an answer and show good cause for its failure to timely file an answer.

<sup>2</sup> OCAHO Rules of Practice and Procedure, 28 C.F.R. pt. 68 (2022).

and have agreed to dismissal of the action. Dismissal of the action shall be subject to the approval of the Administrative Law Judge, who may require the filing of the settlement agreement.”

The parties have complied with the requirements of 28 C.F.R. § 68.14(a)(2) by filing their Joint Motion to Dismiss and attaching the executed settlement agreement. Because the parties have jointly requested dismissal and because the Court finds they have complied with the regulatory requirements for dismissal, the Joint Motion to Dismiss is GRANTED and the case is hereby DISMISSED without prejudice.

SO ORDERED.

Dated and entered on December 14, 2022.

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Honorable Jean C. King  
Chief Administrative Law Judge