

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

June 8, 2023

UNITED STATES OF AMERICA,)	
Complainant,)	
)	
v.)	8 U.S.C. § 1324a Proceeding
)	OCAHO Case No. 2023A00052
)	
ALICE HOTEL GROUP LLC,)	
Respondent.)	
_____)	

Appearances: Ariel Chino, Esq., for Complainant
Ranjit Singh Lidhar, Esq., for Respondent

ORDER SUMMARIZING PREHEARING CONFERENCE

This case arises under the employer sanctions provisions of 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 (OCAHO), alleging that Respondent, Alice Hotel Group LLC, failed to ensure the employee properly completed Section 1 and/or failed to properly complete Section 2 or 3 of the Form I-9 for thirty-four individuals in violation of § 1324a(a)(1)(B). On May 16, 2023, Respondent, through counsel, filed an answer.

On June 7, 2023, the Court held a telephonic prehearing conference pursuant to 28 C.F.R. § 68.13. Ariel Chino appeared on behalf of Complainant and Ranjit Singh Lidhar appeared on behalf of Respondent.

The Court first discussed OCAHO's e-filing pilot program.¹ The parties confirmed receipt of e-filing instructions and registration forms. The undersigned advised the parties to contact the Court if they need replacement forms.²

¹ See Office of the Chief Administrative Hearing Officer Electronic Filing Pilot Program, 79 Fed. Reg. 31143 (May 30, 2014), available at https://www.justice.gov/eoir/pages/attachments/2015/03/24/79fedreg31143_05-30-2014.pdf (last accessed June 7, 2023).

² The parties may also find the registration form at <https://www.justice.gov/sites/default/files/>

The Court next discussed the OCAHO's Settlement Officer Program. This program is a no-cost, voluntary alternative dispute resolution program. The settlement discussions are subject to the confidentiality provisions of 5 U.S.C. § 574. If the parties reach a settlement, 28 C.F.R. § 68.14 applies.³ Both parties must submit written consent to refer this case to the Program.⁴ The parties can ask for a referral to the program up to 30 days prior to a hearing. Both parties expressed interest in the Program.

The Court next discussed the case schedule. The Court and the parties concluded 60 days would be sufficient time to complete discovery, and the undersigned noted that if the case were referred to the Settlement Officer Program, the deadlines would be stayed during the referral period.

The undersigned then set the following case schedule:

Discovery closes and discovery motions due: August 5, 2023

Dispositive motions due: September 4, 2023

Responses to dispositive motions due: October 4, 2023

Tentative hearing date: December 2023/January 2024

Hearing location: McAllen, TX

SO ORDERED.

Dated and entered on June 8, 2023.

Honorable Andrea R. Carroll-Tipton
Administrative Law Judge

pages/attachments//2015/11/30/registration-form-and-certification.pdf (last accessed June 7, 2023).

³ OCAHO Rules of Practice and Procedure, 28 C.F.R. pt. 68 (2022).

⁴ Further details are available at: <https://www.justice.gov/eoir/eoir-policy-manual/iv/4/7>; *see also* EOIR Policy Memorandum 20-16 describing the policies and procedures for use of settlement officers in OCAHO cases (<https://www.justice.gov/eoir/page/file/1300746/download>).