

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

June 17, 2024

US TECH WORKERS, ET AL.,)	
Complainant,)	
)	
v.)	8 U.S.C. § 1324b Proceeding
)	OCAHO Case No. 2024B00070
)	
NORTHWESTERN MEMORIAL)	
HEALTHCARE, D/B/A NORTHWEST)	
MEDICINE,)	
Respondent.)	
_____)	

Appearances: John M. Miano, JD, for Complainant
Michael P. Palmer, Esq., for Respondent

ORDER ON SECOND AGREED MOTION FOR EXTENSION OF TIME

This case arises under the antidiscrimination provisions of the Immigration and Nationality Act, as amended, 8 U.S.C. § 1324b. Complainant, US Tech Workers, et al., filed a complaint against Respondent, Northwestern Memorial HealthCare, d/b/a Northwest Medicine, on March 19, 2024, alleging citizenship discrimination in hiring.

The Court previously granted Respondent an extension of time to file an answer to the Complaint until June 17, 2024, finding that Respondent had shown good cause for the extension of time. *See US Tech Workers v. Northwestern Med.*, 19 OCAHO no. 1566a (2024).¹ Presently before the Court is Respondent’s June 14, 2024, Second Agreed Motion for Extension of Time, through which Respondent requests an additional week to file an answer to the Complaint, citing “extensive

¹ Citations to OCAHO precedents reflect the volume number and the case number of the particular decision, followed by the specific page in that volume where the decision begins. Pinpoint citations to OCAHO precedents subsequent to Volume 8, where the decision is not reprinted in a bound volume, are to pages within the original issuances; the beginning page number of an unbound case will always be 1, and is accordingly omitted from the citation. Published decisions may be accessed in the Westlaw database “FIM-OCAHO,” or in the LexisNexis database “OCAHO,” or on the website at <http://www.justice.gov/eoir/OcahoMain/ocahosibpage.htm#PubDecOrders>.

work and travel obligations,” the need for additional time to assess the allegations in the Complaint, and Complainant’s assent to the extension. Second Mot. Extension 2.

“OCAHO rules do not provide specific standards for granting extensions, but the standard routinely applied is good cause.” *Tingling v. City of Richmond*, 13 OCAHO no. 1324c, 2 (2021) (citations omitted). Good cause requires “a demonstration of good faith on the part of the party seeking an enlargement of time and some reasonable basis for noncompliance with the time specified in the rule.” *Id.* (citations omitted).

The Court finds that Respondent has shown good cause for an additional week to file an answer to the Complaint in this matter. The Court considers Respondent’s counsel’s enumerated work and travel obligations, the short period of time requested, and Complainant’s assent in reaching this conclusion. *See, e.g., United States v. Space Expl. Techs. Corp.*, 18 OCAHO no. 1499, 7 (2023) (finding good cause for extension of answer deadline where the motion was agreed, it was the first requested extension, and the request for 30 days was unlikely to substantially impact the proceedings).

Respondent’s Second Agreed Motion for Extension of Time is GRANTED, and Respondent’s answer deadline is EXTENDED until June 24, 2024.

SO ORDERED.

Dated and entered on June 17, 2024.

Honorable Jean C. King
Chief Administrative Law Judge