

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

VASANA LEUTHPHOVA,)	
Complainant,)	
)	
v.)	8 U.S.C. § 1324b Proceeding
)	OCAHO Case No. 2023B00044
)	
PRINTFUL, INC.,)	
Respondent.)	
)	

Appearances: Vasana Leuthphova, pro se Complainant
Vanessa N. Garrido, Esq. and Stephen H. Smalley, Esq., for Respondent

FINAL ORDER OF DISMISSAL

This case arises under the antidiscrimination provisions of the Immigration and Nationality Act (INA), as amended, 8 U.S.C. § 1324b. On February 17, 2023, Complainant, Vasana Leuthphova, filed a complaint against Respondent, Printful, Inc. Complainant alleges that Respondent discriminated against her on account of her citizenship status in violation of 8 U.S.C. § 1324b(a)(1) and engaged in unfair documentary practices, in violation of 8 U.S.C. § 1324b(a)(6). Respondent filed an Answer on April 6, 2023.

On October 12, 2023, Respondent filed Respondent’s Motion to Dismiss, or in the Alternative Motion for Summary Decision and Memorandum of Law in Support of Respondent’s Motion. Complainant did not file a response. On December 26, 2023, the Court issued an Order Vacating Case Deadlines, pending an order on the Motion to Dismiss.

On March 6, 2024, Respondent filed a letter to the Court notifying the undersigned that Respondent was engaged in settlement discussions with Complainant through the U.S. Department of Justice Civil Rights Division. Respondent requested a stay of proceedings during the settlement talks. On March 27, 2024, the Court issued an Order Issuing a Stay of Proceedings.

On March 28, 2024, the parties filed a Joint Notice of Settlement Agreement, including the settlement agreement as an exhibit. The notice indicates that “the Parties have reached a full settlement and have agreed to dismissal with prejudice of this action pursuant to 28 CFR § 68.14(a)(2).” Joint Notice 1.

When parties have entered into a settlement agreement, they “shall . . . [n]otify the Administrative Law Judge that the parties have reached a full settlement 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.” 28 C.F.R. § 68.14(a)(2).

Having reviewed the filed submissions in this matter, the Court finds that the parties’ Joint Notice of Settlement Agreement complies with the requirements of 28 C.F.R. § 68.14(a)(2) and accordingly GRANTS the motion.

Because the parties have jointly requested dismissal with prejudice and have complied with the regulatory requirements for dismissal pursuant to 28 C.F.R. § 68.14(a)(2), this case is DISMISSED with prejudice.

The Court accordingly DENIES AS MOOT Respondent’s pending Motion to Dismiss, given that the parties have settled this action and the case is dismissed.

SO ORDERED.

Dated and entered on April 18, 2024.

John A Henderson
Administrative Law Judge

Appeal Information

This order shall become the final agency order unless modified, vacated, or remanded by the Attorney General. Provisions governing the Attorney General's review of this order are set forth at 28 C.F.R. pt. 68. Within sixty days of the entry of an Administrative Law Judge's final order, the Attorney General may direct the CAHO to refer any final order to the Attorney General for review, pursuant to 28 C.F.R. § 68.55.

Any person aggrieved by the final order has sixty days from the date of entry of the final order to petition for review in the United States Court of Appeals for the circuit in which the violation is alleged to have occurred or in which the employer resides or transacts business. See 8 U.S.C. § 1324b(i)(1); 28 C.F.R. § 68.57. A petition for review must conform to the requirements of Rule 15 of the Federal Rules of Appellate Procedure.