

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

Jaime Banuelos, et al., Complainants v. Transportation Leasing Company (Former Greyhound Lines, Inc.), Bortisser Travel Service, G.L.I. Holding Company and Subsidiary Greyhound Lines, Inc., Bus Wash, Missouri Corporation, Respondents; 8 U.S.C. § 1324b Proceeding; Case No. 89200314.

**ORDER DENYING COMPLAINANTS' MOTION
FOR THE OFFICE OF SPECIAL COUNSEL TO
INTERVENE CONCERNING BORTISSER TRAVEL SERVICE**

On August 21, 1990, I issued an Order which directed Complainants to file on or before August 31, 1990, a pleading stating with greater specificity the basis in law and fact for its allegations against Respondent Bortisser. I also suggested that Complainants should consider dismissing its Complaint against Respondent Bortisser, because Bortisser was a defunct corporation with no assets and its counsel was seeking attorney fees.

Instead of filing the appropriate pleading, Complainants, on September 4, 1990, filed a Motion for the Office of Special Counsel to Intervene Concerning Respondent Bortisser Travel Service.

On April 23, 1990, I issued an Order that ``any new or supplemental motions must be filed on or before May 7, 1990.''

The regulations require ``that any interested person or private organization, other than an officer of the Immigration and Naturalization Service may petition to intervene as a party in an unfair immigration-related employment case.''. 28 C.F.R. § 68.10. Moreover, the regulations state that ``Special Counsel may intervene as a matter of right at any time.''

It is clear from the record that Complainants' Motion to Intervene is not timely. More importantly, Complainants do not have authority, under the regulations, to file a petition to intervene on behalf of Special Counsel. If Special Counsel were allowed to inter-

vene in this case, they, not Complainants, would have to file the petition to intervene.¹

ACCORDINGLY, Complainants' Motion for the Office of Special Counsel to Intervene is DENIED.

SO ORDERED: This 10th day of September, 1990, at San Diego, California.

ROBERT B. SCHNEIDER
Administrative Law Judge

¹ In view of the fact that Special Counsel denied Complainants' request to prosecute this case on their behalf prior to the filing of this lawsuit and the lack of any evidence in the record proving Respondent Bortisser has discriminated against any of the Complainants, I do not believe it is necessary to contact Special Counsel to determine whether or not they now would want to intervene in this case.