

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

May 29, 2024

ZAJI OBATALA ZAJRADHARA,)	
Complainant,)	
)	
)	
v.)	8 U.S.C. § 1324a Proceeding
)	OCAHO Case No. 2024B00020
)	
BLOSSOM CORPORATION,)	
Respondent.)	
_____)	

Appearances: Zaji Obatala Zajradhara, pro se Complainant
Wei Lin, corporate representative for Respondent

ORDER ISSUING GUIDANCE ON DISCOVERY (MOTIONS TO COMPEL), E-FILING &
OCAHO’S SETTLEMENT OFFICER PROGRAM

This case arises under the antidiscrimination provisions of the Immigration and Nationality Act, as amended, 8 U.S.C. § 1324b. On November 15, 2023, Complainant, Zaji Obatala Zajradhara, filed a complaint with the Office of the Chief Administrative Hearing Officer (OCAHO) against Respondent, Blossom Corporation.

On April 9, 2024, Respondent filed an Answer and a Notice of Appearance.

On April 18, 2024, the Court issued an Order Setting Case Schedule and General Litigation Order, which informed the parties that “[p]ursuant to 28 C.F.R. § 68.6(b), except when the discovery is used as an exhibit for a motion or as evidence during the hearing, copies of Interrogatories, Requests for Production of Documents, Requests for Admissions, Deposition Notices and transcripts, and responses to such should not be sent to the Court.” Order Setting Case Schedule & Gen. Lit. Order 3.

On May 20, 2024, Complainant submitted a filing titled “Laymans’ Response to Answer, Request for (ESI) Discovery Rule 34 and Rule 26(f)” (May 20, 2024 Filing). Complainant writes he has been “trying repeatedly to contact the Respondent, with no success,” and he tried to contact

Respondent's Registered Agent to "assist the court in serving the President of the Company." May 20, 2024 Filing 2. He pastes into his filing an email from June 12, 2022, to Respondent with his resume, and a copy of the Job Vacancy Announcement Detail. *Id.* at 2–5. He requests the Court "not dismiss this matter," and lists initial discovery requests. *Id.* at 5–7. Finally, Complainant writes he is amenable to Electronic Filing, and willing to participate in OCAHO's Settlement Officer Program. *Id.* at 7.

The purpose of Complainant's May 20, 2024 Filing is not clear. Complainant refers to a response to the answer in the title of the document. A Complainant may "file a reply responding to each affirmative defense asserted" in an answer to the complaint. 28 C.F.R. § 68.9(d).¹ However, Complainant's filing does not address affirmative defenses. Instead, Complainant's filing contains a portion of a discovery request. Again, such information need not be filed with the Court. 28 C.F.R. § 68.6(b). This portion of the filing will not be considered. For clarity, Complainant must submit a motion to compel meeting the regulatory requirements if he is requesting action on the part of the Court. 28 C.F.R. § 68.23; *see A.S. v. Amazon Webservices Inc.*, 14 OCAHO no. 1381, 2 (2020) (setting forth the requirements for a motion to compel discovery). Again, per the April 18, 2024 Order, such motions must be filed by July 17, 2024.

Complainant desires entrance into OCAHO's Electronic Filing Pilot Program.² Complainant must complete the forms provided with the April 18, 2024 Order (and enclosed with this Order) to participate. In fact, both parties must do so for the case to be registered in the program.

Complainant also expresses an interest in participating in OCAHO's Settlement Officer Program. This is a free mediation program. Both parties must voluntarily choose to participate and both must consent in writing. *See Policy Memorandum 20-16, Section II.A.1* (August 3, 2020). Absent such a written submission from Respondent, the case cannot be referred.

SO ORDERED.

Dated and entered on May 29, 2024.

Honorable Andrea R. Carroll-Tipton
Administrative Law Judge

¹ OCAHO Rules of Practice and Procedure, 28 C.F.R. pt. 68 (2022).

² *See* 79 Fed. Reg. 31143 (May 30, 2014).