

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

May 28, 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, Esq., for Complainant  
Michael P. Palmer, Esq., for Respondent

ORDER GRANTING EXTENSION OF TIME

This case arises under the Immigration and Nationality Act (INA), as amended, 8 U.S.C. § 1324b. Complainant, US Tech Workers, filed a complaint with the Office of the Chief Administrative Hearing Officer (OCAHO) on March 19, 2024 against Respondent, Northwestern Memorial HealthCare, d/b/a Northwest Medicine.<sup>1</sup> On May 9, 2024, the Court issued an Order on Agreed Motion for Extension of Time, granting an extension of Respondent’s deadline to answer the complaint until Jun 17, 2024. *US Tech Workers, et al. v. Northwestern Med.*, 19 OCAHO no. 1566 (2024).<sup>2</sup>

<sup>1</sup> The Complaint names Northwestern Medicine, but Respondent indicates that Northwest Medicine is the d/b/a of Northwestern Memorial HealthCare in its Agreed Motion for Extension of Time. The Court has amended the case caption accordingly.

<sup>2</sup> Citations to OCAHO precedents in bound volumes one through eight include the volume and case number of the particular decision followed by the specific page in the bound volume where the decision begins; the pinpoint citations which follow are to the pages, seriatim, of the specific entire volume. Pinpoint citations to OCAHO precedents after volume eight, where the decision has not yet been 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 through the Westlaw database “FIM OCAHO,” the

On May 13, 2024, Complainant filed a Motion to Consolidate and for Leave to File a Consolidated Amended Complaint (Consolidation Motion). On May 23, 2024, Respondent filed an Agreed Motion for Extension of Time, requesting a 14-day extension of time to respond to Complainant's Consolidation Motion until June 6, 2024. Agreed Mot. Extension 1–2. Respondent writes that there is good cause for an extension due to counsel's work and travel obligations during May and June, and an extension would allow sufficient time to assess and respond to the Motion. *Id.* at 2. Respondent writes that Complainant's counsel was made aware of the extension request, had no objection, and that the request was not made for the purpose of delay, and would not prejudice the Complainant. *Id.*

Pursuant to 28 C.F.R. § 68.11(b),<sup>3</sup> a party may file a response to any motion within ten days after a written motion is served, making Respondent's deadline to respond to the Consolidation Motion due May 23, 2024.

“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 extension of the deadline to file a response to Complainant's motion. Given Respondent's explanation regarding work and travel obligations, that Complainant agreed to the motion, and a request for fourteen days is unlikely to substantially impact the proceedings, the extension is GRANTED. *See, e.g., United States v. Space Exploration Techs. Corp.*, 18 OCAHO no. 1499, 7 (2023). Respondent has until June 6, 2024, to respond to Complainant's Motion to Consolidate and for Leave to File a Consolidated Amended Complaint.

SO ORDERED.

Dated and entered on May 28, 2024.

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Honorable Jean C. King  
Chief Administrative Law Judge

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LexisNexis database “OCAHO,” and on the United States Department of Justice's website: <https://www.justice.gov/eoir/office-of-the-chief-administrative-hearing-officer-decisions>.

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