

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

November 2, 2022

DANIELA VIOLANTE,	)	
Complainant,	)	
	)	
v.	)	8 U.S.C. § 1324b Proceeding
	)	OCAHO Case No. 2022B00040
	)	
THE GIANT FOOD COMPANY LLC,	)	
D/B/A GIANT FOOD,	)	
Respondent.	)	
_____	)	

Appearances: Daniela Violante, pro se Complainant  
Schaun Henry, Esq., and Thompson Lozier, Esq., for Respondent

ORDER OF DISMISSAL

This case arises under the employment discrimination provisions of the Immigration and Nationality Act, as amended, 8 U.S.C. § 1324b. On August 11, 2022, upon the parties’ request and after discussion at a prehearing conference, this Court referred the case to the Office of the Chief Administrative Officer Settlement Officer program. On October 26, 2022, the parties filed a Joint Notice of Settlement and Request for Dismissal (Joint Motion to Dismiss). The parties jointly attest that they reached a full settlement, and jointly request dismissal of this case.

Pursuant to 28 C.F.R. § 68.14(a)(2),<sup>1</sup> when the 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.”

The parties have complied with the requirements of 28 C.F.R. § 68.14(a)(2) with their Joint Motion to Dismiss. While the Court may require filing of the settlement agreement, this Court declines to require such a filing in this case.<sup>2</sup> See § 68.14(a)(2).

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

<sup>2</sup> The parties’ filing refers to an attached settlement agreement; however, the parties did not attach that document.

Because the parties have jointly requested dismissal and because the Court finds they have complied with the regulatory requirements for dismissal, the Joint Motion to Dismiss is GRANTED and the case is hereby DISMISSED without prejudice.

SO ORDERED.

Dated and entered on November 2, 2022.

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Honorable Jean C. King  
Chief Administrative Law Judge