

U.S. Department of Labor

Administrative Review Board
200 Constitution Ave. NW
Washington, DC 20210-0001



In the Matter of:

VASANTH GOVINDARAJAN,

ARB CASE NO. 2020-0032

PROSECUTING PARTY,

ALJ CASE NO. 2020-LCA-00001

v.

DATE: March 17, 2021

N2 SERVICES, INC.

RESPONDENT.

Before: James D. McGinley, *Chief Administrative Appeals Judge*, and Thomas H. Burrell, *Administrative Appeals Judge*

ORDER DISMISSING COMPLAINT

PER CURIAM. The Administrative Review Board (ARB or Board) received a petition for review on February 18, 2020, from Vasanth Govindarajan (Complainant). On March 11, 2020, the ARB issued a Notice of Intent to Review and Briefing Schedule.

The Briefing Schedule noted that Complainant had not served his petition for review on N2 Services, Inc. (Respondent). Thus, the Briefing Schedule cautioned Complainant that he “must serve all further filings on the Respondent. If the requirement is not met, the Board may dismiss the petition for review.” On March 14, 2020, Complainant filed his opening brief, but the Complainant did not serve his

brief on Respondent in accordance with the requirements of the Board's Briefing Schedule.¹

Accordingly, on March 9, 2021, the Board issued an Order to Show Cause, which required Complainant to demonstrate why his case should not be dismissed for failure to serve his opening brief on Respondent. On March 10, 2021, Complainant submitted his response to the Order to Show Cause. While we are cognizant of the issues Complainant raised in his response, we cannot ignore that Complainant failed to explain why he did not serve Respondent in accordance with the Briefing Schedule's requirements.

The Board has the "authority to effectively manage its docket" and "require compliance with Board briefing orders," which "is necessary to achieve orderly and expeditious disposition of cases."² Thus, the Board can "issue sanctions, including dismissal, for a party's failure to comply with the Board's orders and briefing requirements."³

Complainant has not provided good cause to excuse his failure to serve his opening brief in accordance with the Briefing Schedule's requirements. Accordingly, this case is **DISMISSED**.

SO ORDERED.

¹ In addition, Complainant's failure to serve his opening brief on Respondent violated the Immigration and Nationality Act's provisions under 20 C.F.R. § 655.845(g), which require parties to serve "[c]opies of all documents filed with the Board ... upon all other parties involved in the proceeding."

² *McCray v. Auto. Component Carrier, LLC*, ARB No. 2016-0050, ALJ No. 2011-STA-00053, slip op. 1-2 (ARB Aug. 4, 2016) (inner quotations omitted); *see also Link v. Wabash R.R. Co.*, 370 U.S. 626, 630-31 (1962).

³ *Id.*