

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:

Each Case Pending Before the USDA
Office of Administrative Law Judges

**BLANKET ORDER EXTENDING FILING DEADLINES OCCURRING
DURING FURLOUGH IN ALL CASES PENDING BEFORE
USDA ADMINISTRATIVE LAW JUDGES**

The United States Department of Agriculture Office of Administrative Law Judges, including the undersigned and the Office of the Hearing Clerk, and the Office of General Counsel, have been on furlough since December 22, 2018, except for certain excepted “emergency” matters not relevant for present purposes, except for the authority for me to issue this blanket order, due to the lapse in federal government funding. It is not known when funding and activities will resume.

For these reasons, it is appropriate to extend all the deadlines for the filing of any document required to be filed with the Office of the Hearing Clerk in cases pending before the Office of Administrative Law Judges that occur during this period of furlough to ten business days after the end of the furlough period.¹ This extension pertains only to filing deadlines. Other procedural dates, such as, but not limited to, scheduled hearings, will be addressed case-by-case in the particular dockets.

¹ Note that the blanket extension provided in this order applies only to cases currently pending before USDA Administrative Law Judges. It does not apply to any other USDA proceedings or any court proceedings. For instance, the extension provided in this order does not apply to proceedings pending before the USDA Judicial Officer. It does not apply to any court appeals of USDA Judicial Officer/Administrative Law Judge decisions. It does not apply to cases with the USDA National Appeals Division. Parties intending to rely on the extension provided in this order are advised to be very careful to assure that it applies to their case.

WHEREFORE, through this order I extending all deadlines for filing any document required to be filed with the Office of the Hearing Clerk in cases pending before the Office of Administrative Law Judges that occur during this period of furlough to ten business days after the end of the furlough period.

Until the furlough is ended, any urgent contact with my office should be made by email or phone through Steven Placek at steven.placek@oha.usda.gov and 703--339-1656. Such contacts will not be considered official filings. Filings should continue to be sent to the Hearing Clerk, but will not be actually filed or reviewed until the furlough is ended. We appreciate receiving courtesy copies of any filings or communications to Marilyn.Kennedy@usda.gov, but anything sent to that email address may not be reviewed until the furlough is ended.

This order shall be posted as soon as possible to the Office of Administrative Law Judges web site as an effort to make the extension provided herein as widely known as possible, and may be sent to parties in individual cases. Because employees are furloughed, it is impractical to send this order to every party in every cases, at least as of this time.

Issued this 11th day of January 11, 2019 in Washington, D.C.



Channing D. Strother
Chief Administrative Law Judge

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