

H-2B class action motion delayed

Kyla P Mora , kmora@guampdn.com Published 12:20 p.m. ChT July 14, 2017 | Updated 12:20 p.m. ChT July 14, 2017



(Photo: PDN file photo)

Rulings on motions for preliminary injunction and discovery in the lawsuit filed by a dozen local businesses over H-2B temporary work visa denials are expected around Aug. 1, attorney Jennifer Davis said today.

The original lawsuit, filed in October 2016, alleged U.S. Citizenship and Immigration Services had inappropriately changed its policy, leading to near-complete denial of Guam H-2B visa applications.

The lawsuit sought to have the alleged change declared unlawful and requested a preliminary injunction to provide immediate relief by granting pending visa applications.

In January, the defendants filed a motion to dismiss. The motion is still pending.

At a lawsuit status hearing today, U.S. District Court Magistrate Judge Joaquin V.E. Manibusan Jr. approved a motion to continue dispositive motions.

"If there is a motion filed that can dismiss the case, like a motion for summary judgment or motion to dismiss, there is a deadline," Davis said. "The judge's ruling here pushes that deadline back."

Manibusan also delayed ruling on class-action certification until Chief Judge Frances Tydingco-Gatewood can review the motion.

The next status hearing is scheduled for Thursday, Aug. 24 at 8:30 a.m.

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