

**U.S. Department of Labor**

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



**IN THE MATTER OF:**

**HARSHA KUDIGRAM,**

**ARB CASE NO. 2025-0049**

**COMPLAINANT,**

**ALJ CASE NO. 2024-ERA-00008**

**ALJ THEODORE W. ANNOS**

**v.**

**DATE: June 10, 2025**

**CONSTELLATION ENERGY  
GENERATION, LLC,**

**RESPONDENT.**

**Appearances:**

***For the Complainant:***

**Harsha Kudigram; *Pro Se*; Le Claire, Iowa**

***For the Respondent:***

**James D. Thomas, Esq.; *Jackson Lewis P.C.*; Chicago, Illinois**

**Before THOMPSON and BURRELL, Administrative Appeals Judges**

### **DECISION AND ORDER DISMISSING PETITION FOR REVIEW**

This case arises under the employee protection provisions of the Energy Reorganization Act and its implementing regulations.<sup>1</sup> On April 6, 2025, Complainant Harsha Kudigram filed a Petition for Review with the Administrative Review Board (Board) of an Administrative Law Judge's Order Granting Respondent's Motion for Summary Decision and Dismissing Case, issued on March 25, 2025.

On April 10, 2025, the Board issued a Notice of Appeal Acceptance, Electronic Filing Requirements, and Briefing Order (Briefing Order). The Briefing Order ordered Complainant to file an Opening Brief on or before May 8, 2025 (28 days

---

<sup>1</sup> 42 U.S.C. § 5851; 29 C.F.R. Part 24 (2024).

from the Board's Briefing Order). Complainant did not file an Opening Brief as ordered.

Consequently, on May 16, 2025, the Board issued an Order to Show Cause requiring Complainant to explain why the Board should not dismiss this appeal due to Complainant's failure to file an Opening Brief. The Board ordered Complainant to file a response to the Order to Show Cause, as well as a copy of the Opening Brief, by May 30, 2025 (14 calendar days from the Board's Order to Show Cause). The Board cautioned Complainant that if it did "not receive Complainant's (1) written response to [the Order to Show Cause] and (2) Opening Brief with fourteen (14) calendar days of the issuance of [the Order to Show Cause], the Board may dismiss the appeal without further notice to the parties." Nevertheless, Complainant did not file a response or an Opening Brief as ordered.

The Board has the inherent "power to dismiss a case for failure to prosecute in an effort to control its docket and to promote the efficient disposition of its cases."<sup>2</sup> Pursuant to this authority, the Board "may dismiss a complaint in a case in which the complainant failed to comply with the Board's orders."<sup>3</sup>

Complainant failed to file an Opening Brief as ordered by the Board. The Board then gave Complainant the opportunity to explain why Complainant failed to file an Opening Brief, and explicitly warned Complainant that failure to do so could result in dismissal of Complainant's appeal. Given Complainant's failure to respond to, and comply with, the Board's orders, we **DISMISS** Complainant's appeal.

**SO ORDERED.**

**ANGELA W. THOMPSON**  
**Administrative Appeals Judge**

**THOMAS H. BURRELL**  
**Administrative Appeals Judge**

---

<sup>2</sup> *DeVoe v. AMSA Contractors, Inc.*, ARB No. 2025-0011, ALJ No. 2024-STA-00061, slip op at 2 (ARB Jan. 28, 2025) (citation omitted) (dismissing appeal where complainant failed to file opening brief or respond to order to show cause).

<sup>3</sup> *Id.* (citation omitted).