

THIS CASE IS NOT A FINAL ORDER OF THE REVIEW COMMISSION AS IT IS PENDING
COMMISSION REVIEW



UNITED STATES OF AMERICA
OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

SECRETARY OF LABOR,
Complainant,

v.

SEVERO GUZMAN VALVERDE d/b/a TREE
CARE MARIETTA LLC,
Respondent.

Docket No. **26-0300**

DEFAULT JUDGMENT

Respondent failed to timely file an answer to the Complainant's complaint. Thereafter, the Court entered a Show Cause Order providing Respondent with an opportunity to show cause by filing with the Court no later than 5:00 p.m. (ET) on Thursday, April 02, 2026, a written statement as to the reason(s) why Respondent should not be declared to be in default for failing to file and serve an answer, or in the alternative, within the same timeframe filing with the Court an answer and corporate disclosure, if required. The Court also notified Respondent in the Show Cause Order that a sample Answer and Certificate of Service form was available on the Commission's website under the "Sample Documents" tab.

Respondent failed to comply with the Court's order to show cause. The Court's Show Cause Order provided notice to Respondent that pursuant to Commission Rule 101(a):

When any party has failed to plead or otherwise proceed as provided by these rules or as required by the Commission or Judge, he may be declared to be in default either on the initiative of the Commission or Judge, after having been afforded an opportunity to show cause why he should not be declared to be in default, or on the motion of a party. Thereafter, the Commission or Judge, in their discretion, may enter a decision against the defaulting party or strike any pleading or document not filed in accordance with these rules.

29 CFR § 2200.101(a). The Court's Show Cause Order also advised Respondent that the "failure to timely respond to and comply with the Show Cause Order shall, without further notice or an opportunity for an evidentiary hearing, result in the entry of a default judgment against Respondent, dismissal of its notice of contest, the affirmance of the citation(s), and the assessment of the proposed penalties." Accordingly,

IT IS HEREBY ORDERED THAT Respondent is declared to be in **DEFAULT**, its notice of contest is **DISMISSED**, the relief sought in the citation and notification of proposed penalty is **AFFIRMED**, and Respondent is **ASSESSED** and directed to pay to the Secretary of Labor the amount of the penalty proposed in the notification of proposed penalty.

SO ORDERED.

/s/_____

JOHN B. GATTO, Judge

Dated: April 14, 2026
Washington, D.C.