

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:17-cv-02458-TSC**

NATIONAL WOMEN'S LAW CENTER et al v. OFFICE OF
MANAGEMENT AND BUDGET et al
Assigned to: Judge Tanya S. Chutkan
Case in other court: 19-05130
Cause: 05:551 Administrative Procedure Act

Date Filed: 11/15/2017
Date Terminated: 04/14/2020
Jury Demand: None
Nature of Suit: 899 Administrative
Procedure Act/Review or Appeal of
Agency Decision
Jurisdiction: U.S. Government Defendant

Plaintiff

**NATIONAL WOMEN'S LAW
CENTER**

represented by **Jeffrey B. Dubner**
DEMOCRACY FORWARD
FOUNDATION
1333 H Street NW
Washington, DC 20005
(202) 448-9090
Email: jdubner@democracyforward.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Emily J. Martin
NATIONAL WOMEN'S LAW CENTER
11 Dupont Circle
#800
Washington, DC 20036
202-588-5180
Email: emartin@nwlc.org
ATTORNEY TO BE NOTICED

Javier M. Guzman
DEMOCRACY FORWARD
FOUNDATION
P.O. Box 34553
Washington, DC 20043
(202) 448-9090
Email: jguzman@democracyforward.org
TERMINATED: 01/06/2020

Maya Raghu
NATIONAL WOMEN'S LAW CENTER
11 Dupont Circle, NW
Suite 800
Washington, DC 20036
(202) 588-5180
Fax: (202) 588-5185
Email: mraghu@nwlc.org
ATTORNEY TO BE NOTICED

Robin Frances Thurston
DEMOCRACY FORWARD
FOUNDATION
P.O. Box 34553
Washington, DC 20043
(202) 448-9090
Email: rthurston@democracyforward.org
ATTORNEY TO BE NOTICED

Sunu P. Chandy
NATIONAL WOMEN'S LAW CENTER

11 Dupont Circle
Suite 800
Washington, DC 20036
202-588-5180
Email: schandy@nwlc.org
ATTORNEY TO BE NOTICED

Plaintiff

**LABOR COUNCIL FOR LATIN
AMERICAN ADVANCEMENT**

represented by **Jeffrey B. Dubner**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Emily J. Martin
(See above for address)
ATTORNEY TO BE NOTICED

Javier M. Guzman
(See above for address)
TERMINATED: 01/06/2020

Maya Raghu
(See above for address)
ATTORNEY TO BE NOTICED

Robin Frances Thurston
(See above for address)
ATTORNEY TO BE NOTICED

Sunu P. Chandy
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

**OFFICE OF MANAGEMENT AND
BUDGET**

represented by **Rachael Lynn Westmoreland**
U.S. DEPARTMENT OF JUSTICE
Civil Division, Federal Programs Branch
1100 L St, NW
Washington, DC 20005
202-514-1280
Email: rachael.westmoreland@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Stuart Justin Robinson
U.S. DEPARTMENT OF JUSTICE
Civil Division, Federal Programs Branch
450 Golden Gate Ave
Suite 7-5395
San Francisco, CA 94102
(415) 436-6635
Fax: (415) 436-6632
Email: stuart.j.robinson@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Tamra Tyree Moore
U.S. DEPARTMENT OF JUSTICE
Civil Division, Federal Programs Branch
1100 L Street, NW
Washington, DC 20005

(202) 305-8628
Fax: (202) 616-8460
Email: tamra.moore@usdoj.gov
TERMINATED: 09/27/2019

Defendant

JOHN MICHAEL MULVANEY
*Director, Office of Management and
Budget*

represented by **Rachael Lynn Westmoreland**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Stuart Justin Robinson
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Tamra Tyree Moore
(See above for address)
TERMINATED: 09/27/2019

Defendant

NEOMI RAO
*Administrator, Office of Information and
Regulatory Affairs*

represented by **Rachael Lynn Westmoreland**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Stuart Justin Robinson
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Tamra Tyree Moore
(See above for address)
TERMINATED: 09/27/2019

Defendant

**U.S. EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION**

represented by **Rachael Lynn Westmoreland**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Stuart Justin Robinson
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Tamra Tyree Moore
(See above for address)
TERMINATED: 09/27/2019

Defendant

VICTORIA A. LIPNIC
*Acting Chair, U.S. Equal Employment
Opportunity Commission*

represented by **Rachael Lynn Westmoreland**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Stuart Justin Robinson
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Tamra Tyree Moore

(See above for address)
TERMINATED: 09/27/2019

Movant

**DIRECTEMPLOYERS
ASSOCIATION, INC.**

represented by **Edward Lee Isler**
ISLER DARE, P.C.
1945 Old Gallows Road
Suite 650
Vienna, VA 22182
(703) 748-2690
Fax: (703) 748-2695
Email: eisler@islerdare.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Madalyn K. Doucet
HUNTON ANDREWS KURTH LLP
2200 Pennsylvania Avenue, NW
Washington, DC 20037
(202) 955-1577
Email: MDoucet@hunton.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jay J. Wang
FOX, WANG & MORGAN, P.C.
315 University Avenue
Los Gatos, CA 95030
408-844-2350
Fax: 408-844-2351
PRO HAC VICE
ATTORNEY TO BE NOTICED

John C. Fox
FOX, WANG & MORGAN, P.C.
315 University Avenue
Los Gatos, CA 95030
408-844-2350
Fax: 408-844-2351
PRO HAC VICE
ATTORNEY TO BE NOTICED

Micah Ephram Ticatch
ISLER DARE, P.C.
1945 Old Gallows Road
Suite 650
Vienna, VA 22182
(703) 748-2690
Fax: (703) 748-2695
Email: mticatch@islerdare.com
ATTORNEY TO BE NOTICED

Movant

**AMERICAN SOCIETY OF
EMPLOYERS**

represented by **Edward Lee Isler**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jay J. Wang
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

John C. Fox

(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Micah Ephram Ticatch
(See above for address)
ATTORNEY TO BE NOTICED

Movant

**CHAMBER OF COMMERCE OF
THE UNITED STATES OF
AMERICA**
1616 H Street NW
Washington, DC 20062
202-463-5337
*Chamber of Commerce of the United
States of America, et al.*

represented by **Lawrence Z. Lorber**
SEYFARTH SHAW, LLP
975 F Street, NW
Washington, DC 20004
(202) 463-2400
Fax: (202) 828-5393
Email: llorber@seyfarth.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Annette Tyman
SEYFARTH SHAW, LLP
233 S. Wacker Drive
Suite 8000
Chicago, IL 60606
(312) 460-5943
Fax: 312-460-7000
Email: atyman@seyfarth.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Camille A. Olson
SEYFARTH SHAW, LLP
233 S. Wacker Drive
Suite 8000
Chicago, IL 60606
(312) 460-5831
Fax: 312-460-7000
Email: colson@seyfarth.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Richard B. Lapp
SEYFARTH SHAW, LLP
233 S. Wacker Drive
Suite 8000
Chicago, IL 60606
(312) 460-5000
Fax: (312) 460-7000
Email: rlapp@seyfarth.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Movant

HR POLICY ASSOCIATION

represented by **Lawrence Z. Lorber**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Movant

**ASSOCIATED BUILDERS AND
CONTRACTORS**

represented by **Lawrence Z. Lorber**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Movant

**ASSOCIATED GENERAL
CONTRACTORS OF AMERICA**

represented by **Lawrence Z. Lorber**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Movant

**CENTER FOR WORKPLACE
COMPLIANCE**

represented by **Lawrence Z. Lorber**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Movant

**INSTITUTE FOR WORKPLACE
EQUALITY**

represented by **Lawrence Z. Lorber**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Movant

**NATIONAL ASSOCIATION OF
MANUFACTURERS**

represented by **Lawrence Z. Lorber**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Movant

**NATIONAL FEDERATION OF
INDEPENDENT BUSINESS**

represented by **Lawrence Z. Lorber**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Movant

NATIONAL RETAIL FEDERATION

represented by **Lawrence Z. Lorber**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Movant

RESTAURANT LAW CENTER

represented by **Lawrence Z. Lorber**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Movant

**RETAIL LITIGATION CENTER,
INC.,**

represented by **Lawrence Z. Lorber**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Movant

**SOCIETY FOR HUMAN RESOURCE
MANAGEMENT**

represented by **Lawrence Z. Lorber**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
11/15/2017	<u>1</u>	COMPLAINT against ALL DEFENDANTS (Filing fee \$ 400 receipt number 0090-5206576) filed by NATIONAL WOMEN'S LAW CENTER, LABOR

		COUNCIL FOR LATIN AMERICAN ADVANCEMENT. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons, # <u>3</u> Summons, # <u>4</u> Summons, # <u>5</u> Summons, # <u>6</u> Summons, # <u>7</u> Summons, # <u>8</u> Summons)(Guzman, Javier) (Entered: 11/15/2017)
11/15/2017		Case Assigned to Judge Tanya S. Chutkan. (md) (Entered: 11/19/2017)
11/19/2017	<u>2</u>	SUMMONS (7) Issued Electronically as to VICTORIA A. LIPNIC, JOHN MICHAEL MULVANEY, OFFICE OF MANAGEMENT AND BUDGET, NEOMI RAO, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice of Consent) (md) (Entered: 11/19/2017)
11/27/2017	<u>3</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Robin F. Thurston, :Firm– Democracy Forward Foundation, :Address– P.O. Box 34553, Washington, DC 20043. Phone No. – (202) 448–9090. Filing fee \$ 100, receipt number 0090–5221881. Fee Status: Fee Paid. by LABOR COUNCIL FOR LATIN AMERICAN ADVANCEMENT, NATIONAL WOMEN'S LAW CENTER (Attachments: # <u>1</u> Declaration, # <u>2</u> Text of Proposed Order)(Guzman, Javier) (Entered: 11/27/2017)
11/28/2017	<u>4</u>	CERTIFICATE OF SERVICE by LABOR COUNCIL FOR LATIN AMERICAN ADVANCEMENT, NATIONAL WOMEN'S LAW CENTER . (Attachments: # <u>1</u> Declaration)(Guzman, Javier) (Entered: 11/28/2017)
11/29/2017		NOTICE OF ERROR re <u>4</u> Certificate of Service; emailed to jguzman@democracyforward.org, cc'd 1 associated attorneys -- The PDF file you docketed contained errors: 1. Incorrect event used, 2. Please refile document, 3. Incorrect event used; Refile using appropriate events on the Service of Process menu as to the U.S. Attorney, U.S. Attorney General, and Federal Defendants. (znmw,) (Entered: 11/29/2017)
11/29/2017	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 11/27/2017. Answer due for ALL FEDERAL DEFENDANTS by 1/26/2018. (Attachments: # <u>1</u> Declaration)(Guzman, Javier) (Entered: 11/29/2017)
11/29/2017	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 11/27/2017., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. VICTORIA A. LIPNIC served on 11/24/2017; JOHN MICHAEL MULVANEY served on 11/27/2017; OFFICE OF MANAGEMENT AND BUDGET served on 11/27/2017; NEOMI RAO served on 11/27/2017; U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION served on 11/24/2017. (See Docket Entry <u>5</u> to view document). (znmw) (Entered: 11/30/2017)
12/04/2017		MINUTE ORDER: Granting <u>3</u> Motion for Leave to Appear Pro Hac Vice. Attorney Robin F. Thurston is hereby admitted pro hac vice to appear in this matter on behalf of Plaintiffs. Signed by Judge Tanya S. Chutkan on 12/4/17. (DJS) (Entered: 12/04/2017)
01/05/2018	<u>7</u>	NOTICE of Appearance by Jeffery B. Dubner on behalf of LABOR COUNCIL FOR LATIN AMERICAN ADVANCEMENT, NATIONAL WOMEN'S LAW CENTER (Guzman, Javier) Modified attorney on 1/8/2018 (znmw). (Entered: 01/05/2018)
01/08/2018		NOTICE OF ERROR re <u>7</u> Notice of Appearance; emailed to jguzman@democracyforward.org, cc'd 4 associated attorneys -- The PDF file you docketed contained errors: 1. In the future, appearing attorney shall file own appearance using his assigned ECF login; Do not refile. (znmw,) (Entered: 01/08/2018)
01/25/2018	<u>8</u>	MOTION for Extension of Time to <i>Respond to Complaint</i> by VICTORIA A. LIPNIC, JOHN MICHAEL MULVANEY, OFFICE OF MANAGEMENT AND BUDGET, NEOMI RAO, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (Attachments: # <u>1</u> Text of Proposed Order)(Moore, Tamra) (Entered: 01/25/2018)
01/29/2018	<u>9</u>	RESPONSE re <u>8</u> MOTION for Extension of Time to <i>Respond to Complaint</i> filed by LABOR COUNCIL FOR LATIN AMERICAN ADVANCEMENT, NATIONAL WOMEN'S LAW CENTER. (Thurston, Robin) (Entered: 01/29/2018)
01/30/2018	<u>10</u>	REPLY to opposition to motion re <u>8</u> MOTION for Extension of Time to <i>Respond to Complaint</i> filed by VICTORIA A. LIPNIC, JOHN MICHAEL MULVANEY,

		OFFICE OF MANAGEMENT AND BUDGET, NEOMI RAO, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (Moore, Tamra) (Entered: 01/30/2018)
01/30/2018		MINUTE ORDER: Granting in part and denying in part <u>8</u> Motion for Extension of Time to File Answer. Defendant shall answer or otherwise respond to the complaint by 2/13/18. Signed by Judge Tanya S. Chutkan on 1/30/18. (DJS) (Entered: 01/30/2018)
01/31/2018		Set/Reset Deadlines: Defendant shall answer or otherwise respond to the complaint by 2/13/18. (jth) (Entered: 01/31/2018)
02/13/2018	<u>11</u>	MOTION to Dismiss for Lack of Jurisdiction , MOTION to Dismiss <i>for Failure to State a Claim</i> by VICTORIA A. LIPNIC, JOHN MICHAEL MULVANEY, OFFICE OF MANAGEMENT AND BUDGET, NEOMI RAO, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (Attachments: # <u>1</u> Memorandum in Support of Defendants' Motion to Dismiss Plaintiffs' Complaint, # <u>2</u> Exhibit A, # <u>3</u> Text of Proposed Order)(Moore, Tamra) (Entered: 02/13/2018)
02/21/2018	<u>12</u>	NOTICE of Appearance by Maya Raghu on behalf of LABOR COUNCIL FOR LATIN AMERICAN ADVANCEMENT, NATIONAL WOMEN'S LAW CENTER (Raghu, Maya) (Entered: 02/21/2018)
02/21/2018	<u>13</u>	NOTICE of Appearance by Emily J. Martin on behalf of LABOR COUNCIL FOR LATIN AMERICAN ADVANCEMENT, NATIONAL WOMEN'S LAW CENTER (Martin, Emily) (Entered: 02/21/2018)
02/22/2018	<u>14</u>	NOTICE of Appearance by Rachael Lynn Westmoreland on behalf of All Defendants (Westmoreland, Rachael) (Entered: 02/22/2018)
02/22/2018	<u>15</u>	NOTICE of Appearance by Sunu P. Chandy on behalf of LABOR COUNCIL FOR LATIN AMERICAN ADVANCEMENT, NATIONAL WOMEN'S LAW CENTER (Chandy, Sunu) (Entered: 02/22/2018)
02/27/2018	<u>16</u>	Memorandum in opposition to re <u>11</u> MOTION to Dismiss for Lack of Jurisdiction MOTION to Dismiss <i>for Failure to State a Claim</i> filed by LABOR COUNCIL FOR LATIN AMERICAN ADVANCEMENT, NATIONAL WOMEN'S LAW CENTER. (Attachments: # <u>1</u> Text of Proposed Order)(Thurston, Robin) (Entered: 02/27/2018)
03/02/2018	<u>17</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>11</u> MOTION to Dismiss for Lack of Jurisdiction MOTION to Dismiss <i>for Failure to State a Claim</i> by VICTORIA A. LIPNIC, JOHN MICHAEL MULVANEY, OFFICE OF MANAGEMENT AND BUDGET, NEOMI RAO, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (Attachments: # <u>1</u> Text of Proposed Order)(Moore, Tamra) (Entered: 03/02/2018)
03/06/2018		MINUTE ORDER: Granting <u>17</u> Consent Motion for Extension of Time to File Response/Reply. Defendant's reply due March 9, 2018. Signed by Judge Tanya S. Chutkan on 3/6/18. (DJS) (Entered: 03/06/2018)
03/07/2018		Set/Reset Deadlines: Defendant reply due by 3/9/2018. (tb) (Entered: 03/07/2018)
03/09/2018	<u>18</u>	REPLY to opposition to motion re <u>11</u> MOTION to Dismiss for Lack of Jurisdiction MOTION to Dismiss <i>for Failure to State a Claim</i> filed by VICTORIA A. LIPNIC, JOHN MICHAEL MULVANEY, OFFICE OF MANAGEMENT AND BUDGET, NEOMI RAO, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (Moore, Tamra) (Entered: 03/09/2018)
04/19/2018	<u>19</u>	MOTION to Compel <i>Compliance with Local Civil Rule 7(n)</i> by LABOR COUNCIL FOR LATIN AMERICAN ADVANCEMENT, NATIONAL WOMEN'S LAW CENTER (Attachments: # <u>1</u> Text of Proposed Order)(Thurston, Robin) (Entered: 04/19/2018)
05/03/2018	<u>20</u>	Memorandum in opposition to re <u>19</u> MOTION to Compel <i>Compliance with Local Civil Rule 7(n)</i> filed by VICTORIA A. LIPNIC, JOHN MICHAEL MULVANEY, OFFICE OF MANAGEMENT AND BUDGET, NEOMI RAO, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (Moore, Tamra) (Entered: 05/03/2018)

05/10/2018	<u>21</u>	REPLY to opposition to motion re <u>19</u> MOTION to Compel <i>Compliance with Local Civil Rule 7(n)</i> filed by LABOR COUNCIL FOR LATIN AMERICAN ADVANCEMENT, NATIONAL WOMEN'S LAW CENTER. (Dubner, Jeffrey) (Entered: 05/10/2018)
09/13/2018		MINUTE ORDER: Denying without prejudice <u>19</u> Motion to Compel compliance with Local Rule 7(n). Given that there is a pending Motion to Dismiss, this case is not yet in a posture where compliance with Rule 7(n) is necessary. Signed by Judge Tanya S. Chutkan on 9/13/18. (DJS) (Entered: 09/13/2018)
10/31/2018	<u>22</u>	MOTION for Summary Judgment by LABOR COUNCIL FOR LATIN AMERICAN ADVANCEMENT, NATIONAL WOMEN'S LAW CENTER (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Affidavit Link Decl., # <u>3</u> Affidavit Johnson Decl., # <u>4</u> Affidavit Sanchez Decl., # <u>5</u> Text of Proposed Order)(Thurston, Robin) (Entered: 10/31/2018)
11/14/2018	<u>23</u>	MOTION to Stay re <u>22</u> MOTION for Summary Judgment by VICTORIA A. LIPNIC, JOHN MICHAEL MULVANEY, OFFICE OF MANAGEMENT AND BUDGET, NEOMI RAO, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Text of Proposed Order)(Westmoreland, Rachael) (Entered: 11/14/2018)
11/15/2018		MINUTE ORDER: The Government's <u>23</u> Motion to Stay is GRANTED in part and DENIED in part. The Government shall compile the Administrative Record and respond to Plaintiffs' <u>22</u> Motion for Summary Judgment by December 6, 2018. Signed by Judge Tanya S. Chutkan on 11/15/2018. (lctsc3) (Entered: 11/15/2018)
11/20/2018		Set/Reset Deadlines: Response due by 12/6/2018. (tb) (Entered: 11/20/2018)
12/04/2018	<u>24</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>22</u> MOTION for Summary Judgment by VICTORIA A. LIPNIC, JOHN MICHAEL MULVANEY, OFFICE OF MANAGEMENT AND BUDGET, NEOMI RAO, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (Attachments: # <u>1</u> Text of Proposed Order)(Moore, Tamra) (Entered: 12/04/2018)
12/04/2018		MINUTE ORDER: Defendants' <u>24</u> Consent Motion for Extension of Time to Respond to Plaintiffs' Motion for Summary Judgment is GRANTED. Defendants shall file their Opposition to Plaintiffs' Motion for Summary Judgment and Cross-Motion for Summary Judgment by December 20, 2018. Plaintiffs shall file their Reply in Support of Plaintiffs' Motion for Summary Judgment and Opposition to Defendants' Cross-Motion for Summary Judgment by January 14, 2019. Defendants shall file their Reply in Support of Defendants' Cross-Motion for Summary Judgment by January 22, 2019. Signed by Judge Tanya S. Chutkan on 12/4/2018.(lctsc3) (Entered: 12/04/2018)
12/06/2018	<u>25</u>	ADMINISTRATIVE RECORD <i>List of Certified Contents</i> by VICTORIA A. LIPNIC, JOHN MICHAEL MULVANEY, OFFICE OF MANAGEMENT AND BUDGET, NEOMI RAO, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (Attachments: # <u>1</u> Exhibit A)(Westmoreland, Rachael) (Entered: 12/06/2018)
12/07/2018		Set/Reset Deadlines: Cross Motion due by 12/20/2018. Response to Cross Motion due by 1/14/2019. Reply to Cross Motion due by 1/22/2019. Response to Motion for Summary Judgment due by 12/20/2018. Reply to Motion for Summary Judgment due by 1/14/2019. (tb) (Entered: 12/07/2018)
12/20/2018	<u>26</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>22</u> MOTION for Summary Judgment by VICTORIA A. LIPNIC, JOHN MICHAEL MULVANEY, OFFICE OF MANAGEMENT AND BUDGET, NEOMI RAO, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (Attachments: # <u>1</u> Text of Proposed Order)(Westmoreland, Rachael) (Entered: 12/20/2018)
12/20/2018		MINUTE ORDER: Granting Consent Motion <u>26</u> to Extend Deadlines. Defendants' Opposition to Plaintiffs' Summary Judgment Motion and Cross-Motion for Summary Judgment due December 21, 2018. Plaintiffs' Reply in Support of their Motion for Summary Judgment and in Opposition to Defendants' Cross-Motion for Summary Judgment due January 15, 2019. Defendants' Reply in Support of their Cross-Motion for Summary Judgment due January 22, 2019. Signed by Judge Tanya S. Chutkan on 12/20/18. (DJS) (Entered: 12/20/2018)

12/21/2018		Set/Reset Deadlines: Cross Motion due by 12/21/2018. Response to Cross Motion due by 1/15/2019. Reply to Cross Motion due by 1/22/2019. Response to Motion for Summary Judgment due by 12/21/2018. Reply to Motion for Summary Judgment due by 1/15/2019. (tb) (Entered: 12/21/2018)
12/21/2018	<u>27</u>	MOTION for Summary Judgment by VICTORIA A. LIPNIC, JOHN MICHAEL MULVANEY, OFFICE OF MANAGEMENT AND BUDGET, NEOMI RAO, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Text of Proposed Order)(Moore, Tamra) Modified event title on 12/28/2018 (znmw). (Entered: 12/21/2018)
12/22/2018	<u>28</u>	Memorandum in opposition to re <u>22</u> MOTION for Summary Judgment filed by VICTORIA A. LIPNIC, JOHN MICHAEL MULVANEY, OFFICE OF MANAGEMENT AND BUDGET, NEOMI RAO, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Text of Proposed Order)(Moore, Tamra) (Entered: 12/22/2018)
01/10/2019	<u>29</u>	MOTION to Stay <i>Defendants' Reply Briefing Deadline in Light of Lapse in Appropriations</i> by VICTORIA A. LIPNIC, JOHN MICHAEL MULVANEY, OFFICE OF MANAGEMENT AND BUDGET, NEOMI RAO, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (Westmoreland, Rachael) (Entered: 01/10/2019)
01/15/2019	<u>30</u>	RESPONSE re <u>29</u> MOTION to Stay <i>Defendants' Reply Briefing Deadline in Light of Lapse in Appropriations</i> filed by LABOR COUNCIL FOR LATIN AMERICAN ADVANCEMENT, NATIONAL WOMEN'S LAW CENTER. (Attachments: # <u>1</u> Exhibit A (Order Denying Stay Motion), # <u>2</u> Exhibit B (Order Denying Stay Motion))(Thurston, Robin) (Entered: 01/15/2019)
01/15/2019	<u>31</u>	REPLY to opposition to motion re <u>22</u> MOTION for Summary Judgment <i>and Opposition to Cross-Motion for Summary Judgment</i> filed by LABOR COUNCIL FOR LATIN AMERICAN ADVANCEMENT, NATIONAL WOMEN'S LAW CENTER. (Thurston, Robin) (Entered: 01/15/2019)
01/15/2019	<u>32</u>	RESPONSE re <u>27</u> MOTION for Summary Judgment <i>and Reply in Support of Motion for Summary Judgment (also filed at Dkt. 31)</i> filed by LABOR COUNCIL FOR LATIN AMERICAN ADVANCEMENT, NATIONAL WOMEN'S LAW CENTER. (Thurston, Robin) (Entered: 01/15/2019)
01/15/2019	<u>33</u>	MOTION to Compel <i>Completion of the Administrative Record</i> by LABOR COUNCIL FOR LATIN AMERICAN ADVANCEMENT, NATIONAL WOMEN'S LAW CENTER (Attachments: # <u>1</u> Affidavit Declaration of Lenora M. Lapidus, # <u>2</u> Text of Proposed Order)(Thurston, Robin) (Entered: 01/15/2019)
01/16/2019	<u>34</u>	REPLY to opposition to motion re <u>29</u> MOTION to Stay <i>Defendants' Reply Briefing Deadline in Light of Lapse in Appropriations</i> filed by VICTORIA A. LIPNIC, JOHN MICHAEL MULVANEY, OFFICE OF MANAGEMENT AND BUDGET, NEOMI RAO, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (Westmoreland, Rachael) (Entered: 01/16/2019)
01/17/2019		MINUTE ORDER: In as much as Defendants feel compelled to submit a Reply in Support of their Cross-Motion for Summary Judgment to address arguments not made in their Motion for Summary Judgment <u>27</u> / Opposition to Plaintiffs' Motion for Summary Judgment <u>28</u> , it is ORDERED that the Motion to Stay Defendants' Reply Briefing in Light of Lapse in Appropriations <u>29</u> is DENIED. It is further ORDERED that Plaintiffs shall file supplemental briefing by January 18, 2019 addressing the following questions: 1) If the court grants Plaintiffs' Motion to Compel Completion of the Administrative Record <u>33</u> , how would such a ruling impact the briefing already completed on the cross-motions for summary judgment?; and 2) If the court grants Plaintiffs' Motion to Compel Completion of the Administrative Record <u>33</u> , would Defendants be permitted to comply with the Proposed Order [33-2] considering the lapse in appropriations and representations made by Defendants' counsel? Signed by Judge Tanya S. Chutkan on 01/17/2019. (lctsc3) (Entered: 01/17/2019)
01/18/2019	<u>35</u>	RESPONSE TO ORDER OF THE COURT <i>Filing Plaintiffs' Supplemental Brief Responding to Questions Posed by the Court's January 17, 2019 Minute Order</i> by LABOR COUNCIL FOR LATIN AMERICAN ADVANCEMENT, NATIONAL WOMEN'S LAW CENTER (Attachments: # <u>1</u> Exhibit A)(Thurston, Robin) Modified event title on 1/25/2019 (znmw). (Entered: 01/18/2019)

01/22/2019	<u>36</u>	REPLY re <u>27</u> MOTION for Summary Judgment filed by VICTORIA A. LIPNIC, JOHN MICHAEL MULVANEY, OFFICE OF MANAGEMENT AND BUDGET, NEOMI RAO, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (Moore, Tamra) (Entered: 01/22/2019)
01/29/2019	<u>37</u>	RESPONSE re <u>33</u> MOTION to Compel <i>Completion of the Administrative Record</i> filed by VICTORIA A. LIPNIC, JOHN MICHAEL MULVANEY, NEOMI RAO, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (Moore, Tamra) (Entered: 01/29/2019)
02/05/2019	<u>38</u>	REPLY to opposition to motion re <u>33</u> MOTION to Compel <i>Completion of the Administrative Record</i> filed by LABOR COUNCIL FOR LATIN AMERICAN ADVANCEMENT, NATIONAL WOMEN'S LAW CENTER. (Thurston, Robin) (Entered: 02/05/2019)
02/05/2019	<u>39</u>	JOINT APPENDIX by LABOR COUNCIL FOR LATIN AMERICAN ADVANCEMENT, NATIONAL WOMEN'S LAW CENTER. (Attachments: # <u>1</u> Appendix, # <u>2</u> Appendix)(Thurston, Robin) (Entered: 02/05/2019)
02/07/2019	<u>40</u>	ORDER: Plaintiffs' Motion to Compel Completion of the Administrative Record <u>33</u> is GRANTED in part. By 8:00 p.m. on February 8, 2019 the parties shall file supplemental briefing stating their positions on the court's conducting an in camera review of the disputed e-mails referenced in the Mancini and Lipnic declarations. These pleadings shall be no longer than five pages. See Order for more details. Signed by Judge Tanya S. Chutkan on 2/7/19. (lctsc3) Modified on 2/8/2019 (tb). (Entered: 02/07/2019)
02/08/2019		Set/Reset Deadlines: Supplemental Briefing due by 8:00 pm. on 2/8/2019. (tb) (Entered: 02/08/2019)
02/08/2019	<u>41</u>	RESPONSE TO ORDER OF THE COURT re <u>40</u> Order on Motion to Compel, filed by LABOR COUNCIL FOR LATIN AMERICAN ADVANCEMENT, NATIONAL WOMEN'S LAW CENTER. (Thurston, Robin) (Entered: 02/08/2019)
02/08/2019	<u>42</u>	RESPONSE TO ORDER OF THE COURT re <u>40</u> Order on Motion to Compel, filed by VICTORIA A. LIPNIC, JOHN MICHAEL MULVANEY, OFFICE OF MANAGEMENT AND BUDGET, NEOMI RAO, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (Moore, Tamra) (Entered: 02/08/2019)
02/11/2019		MINUTE ORDER: By 3:00 p.m. on February 13, 2019, Defendants shall submit the following documents for an <i>in camera</i> inspection: (1) an April 14, 2017 e-mail between Deputy Administrator Mancini and Acting Chair Lipnic; (2) an April 19, 2017 e-mail between Deputy Administrator Mancini and Acting Chair Lipnic; (3) a July 14, 2017 e-mail between Deputy Administrator Mancini and EEOC Chief of Staff Paretti; and (4) an August 28, 2017 e-mail between Deputy Administrator Mancini and EEOC Chief of Staff Paretti. These documents shall be delivered to the Clerk of the Court in a sealed envelope and labeled "For In Camera Inspection." Signed by Judge Tanya S. Chutkan on 2/11/2019. (lctsc1) (Entered: 02/11/2019)
02/15/2019	<u>43</u>	ORDER: The April 14, 2017 e-mails and the July 14, 2017 e-mails shall be added to the administrative record. Defendants shall turn over these e-mails to Plaintiffs by 5:00 p.m. today, February 15, 2019. See Order for more details. Signed by Judge Tanya S. Chutkan on 2/15/2019. (lctsc3) (Entered: 02/15/2019)
02/15/2019		Set/Reset Deadlines: Defendants to turn over e-mails to plaintiffs by 5:00 p.m. on 2/15/2019. (tb) (Entered: 02/15/2019)
02/21/2019		MINUTE ORDER: By February 25, 2019 the parties shall meet and confer and file an updated Joint Appendix. The e-mails now in the administrative record, ECF No. 43, shall be added as the last entries to the current Joint Appendix, ECF No. 39. Signed by Judge Tanya S. Chutkan on 2/21/2019. (lctsc3). (Entered: 02/21/2019)
02/22/2019		Set/Reset Deadlines: Attorney Meet and Confer Conference and file update Joint Appendix due by 2/25/2019. (tb) (Entered: 02/22/2019)
02/25/2019	<u>44</u>	JOINT APPENDIX by LABOR COUNCIL FOR LATIN AMERICAN ADVANCEMENT, NATIONAL WOMEN'S LAW CENTER. (Attachments: # <u>1</u> Appendix, # <u>2</u> Appendix)(Dubner, Jeffrey) Modified on 2/27/2019 (ztd). Modified on

		3/14/2019 (znmw). (Entered: 02/25/2019)
02/26/2019		ENTERED IN ERROR.....NOTICE OF ERROR re <u>44</u> Joint Appendix; emailed to jdubner@democracyforward.org, cc'd 9 associated attorneys -- The PDF file you docketed contained errors: 1. Please refile document, 2. The document is electronically filed by Jeffrey Dubner and signed by Tamra Moore. The signatures should match. (ztd,) Modified to enter in error on 3/14/2019; disregard error notice. (znmw). (Entered: 02/26/2019)
03/04/2019	<u>45</u>	MEMORANDUM OPINION: Regarding Defendants' Motion to Dismiss <u>11</u> , Plaintiffs' Motion for Summary Judgment <u>22</u> , and Defendants' Motion for Summary Judgment <u>27</u> . Signed by Judge Tanya S. Chutkan on 3/4/2019. (lctsc3) (Entered: 03/04/2019)
03/04/2019	<u>46</u>	ORDER denying Defendants' Motion to Dismiss <u>11</u> , granting Plaintiffs' Motion for Summary Judgment <u>22</u> , and denying Defendants' Motion for Summary Judgment <u>27</u> . Signed by Judge Tanya S. Chutkan on 3/4/2018. (lctsc3) (Entered: 03/04/2019)
03/18/2019	<u>47</u>	MOTION for Hearing <i>Request for Status Conference</i> by LABOR COUNCIL FOR LATIN AMERICAN ADVANCEMENT, NATIONAL WOMEN'S LAW CENTER (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Thurston, Robin) Modified event title on 3/19/2019 (znmw). (Entered: 03/18/2019)
03/18/2019		MINUTE ORDER: The court will hold a status conference on March 19, 2019 at 11:30 a.m. Signed by Judge Tanya S. Chutkan on 3/18/2019. (lctsc3) (Entered: 03/18/2019)
03/18/2019		Set/Reset Hearings: Status Conference set for 3/19/2019, at 11:30 AM, in Courtroom 9, before Judge Tanya S. Chutkan. (kt) (Entered: 03/18/2019)
03/19/2019		Minute Entry for proceedings held before Judge Tanya S. Chutkan: Status Conference held on 3/19/2019. Defendants' submissions due by 4/3/2019; Plaintiffs' Response due by 4/8/2019. (Court Reporter: Elizabeth Saint Loth.) (kt) Modified on 3/19/2019 to correct apostrophe typo (kt). (Entered: 03/19/2019)
04/01/2019	<u>48</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- John C. Fox, :Firm- Fox, Wang & Morgan P.C., :Address- 315 University Avenue, Los Gatos, CA 95030, Phone No. - 408-844-2350. Fax No. - 408-844-2351 Filing fee \$ 100, receipt number 0090-6031985. Fee Status: Fee Paid. by DirectEmployers Association, Inc. (Attachments: # <u>1</u> Declaration Declaration of John C. Fox In Support Of Motion for Admission Pro Hac Vice, # <u>2</u> Text of Proposed Order Proposed Order Granting Motion for Admission of Attorney Pro Hac Vice)(Doucet, Madalyn) Modified to add address on 4/1/2019 (ztd). (Entered: 04/01/2019)
04/01/2019	<u>49</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Jay J. Wang, :Firm- Fox, Wang & Morgan P.C., :Address- 315 University Ave., Los Gatos, CA 95030. Phone No. - 408-844-2350. Fax No. - 408-844-2351 Filing fee \$ 100, receipt number 0090-6032199. Fee Status: Fee Paid. by DirectEmployers Association, Inc. (Attachments: # <u>1</u> Declaration of Jay J. Wang In Support Of Motion for Admission Pro Hac Vice, # <u>2</u> Text of Proposed Order Granting Motion for Admission of Attorney Pro Hac Vice)(Doucet, Madalyn) . (Entered: 04/01/2019)
04/01/2019	<u>50</u>	MOTION for Leave to File <i>Amici Curiae Brief</i> by DirectEmployers Association, Inc., AMERICAN SOCIETY OF EMPLOYERS (Attachments: # <u>1</u> Exhibit Amici Brief, # <u>2</u> Exhibit Corporate Disclosure Statement for DirectEmployers Association, Inc., # <u>3</u> Exhibit Corporate Disclosure for American Society fo Employers)(Isler, Edward) (Entered: 04/01/2019)
04/01/2019	<u>51</u>	NOTICE of Appearance by Edward Lee Isler on behalf of AMERICAN SOCIETY OF EMPLOYERS, DirectEmployers Association, Inc. (Isler, Edward) (Entered: 04/01/2019)
04/01/2019	<u>52</u>	NOTICE of Appearance by Micah Ephram Ticatch on behalf of AMERICAN SOCIETY OF EMPLOYERS, DirectEmployers Association, Inc. (Ticatch, Micah) (Entered: 04/01/2019)
04/01/2019	<u>53</u>	NOTICE of Proposed Order by AMERICAN SOCIETY OF EMPLOYERS, DirectEmployers Association, Inc. re <u>50</u> MOTION for Leave to File <i>Amici Curiae Brief</i> (Isler, Edward) (Entered: 04/01/2019)

04/03/2019	<u>54</u>	NOTICE of Defendants' Submission in Response to the Court's Questions Raised During the March 19, 2019 Status Conference by VICTORIA A. LIPNIC, JOHN MICHAEL MULVANEY, OFFICE OF MANAGEMENT AND BUDGET, NEOMI RAO, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION re Status Conference,, Set Deadlines, (Attachments: # <u>1</u> Declaration)(Moore, Tamra) (Entered: 04/03/2019)
04/03/2019	<u>55</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Camille Olson, :Firm- Seyfarth Shaw LLP, :Address- 233 S. Wacker Drive. Phone No. - 312-460-5000. Fax No. - 312-460-7000 Filing fee \$ 100, receipt number 0090-6039997. Fee Status: Fee Paid. by CHAMBER OF COMMERCE OF THE UNITED STATES OF AMERICA (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Lorber, Lawrence) (Entered: 04/03/2019)
04/03/2019	<u>56</u>	NOTICE of Appearance by Lawrence Z. Lorber on behalf of CHAMBER OF COMMERCE OF THE UNITED STATES OF AMERICA (Lorber, Lawrence) (Entered: 04/03/2019)
04/04/2019	<u>57</u>	MOTION for Leave to File <i>Amici Curiae Brief</i> by CHAMBER OF COMMERCE OF THE UNITED STATES OF AMERICA (Attachments: # <u>1</u> Exhibit Amici Brief, # <u>2</u> Exhibit Corp Disc Stmt Chamber, # <u>3</u> Exhibit Corp Disc Stmt HR Policy, # <u>4</u> Exhibit Corp Disc Stmt ABC, # <u>5</u> Exhibit Corp Disc Stmt AGC, # <u>6</u> Exhibit Corp Disc Stmt CWC, # <u>7</u> Exhibit Corp Disc Stmt IWE, # <u>8</u> Exhibit Corp Disc Stmt NAM, # <u>9</u> Exhibit Corp Disc Stmt NFIB, # <u>10</u> Exhibit Corp Disc Stmt NRF, # <u>11</u> Exhibit Corp Disc Stmt RLC, # <u>12</u> Exhibit Corp Disc Stmt Retail Litigation, # <u>13</u> Exhibit Corp Disc Stmt SHRM, # <u>14</u> Exhibit Corp Disc Stmt Proposed Order)(Lorber, Lawrence) (Entered: 04/04/2019)
04/04/2019	<u>58</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Annette Tyman, :Firm- Seyfarth Shaw LLP, :Address- 233 S. Wacker Drive. Phone No. - 312-460-5000. Fax No. - 312-460-7000 Filing fee \$ 100, receipt number 0090-6040013. Fee Status: Fee Paid. by CHAMBER OF COMMERCE OF THE UNITED STATES OF AMERICA (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Lorber, Lawrence) (Entered: 04/04/2019)
04/04/2019	<u>59</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Richard Lapp, :Firm- Seyfarth Shaw LLP, :Address- 233 S. Wacker Drive. Phone No. - 312-460-5000. Fax No. - 312-460-7000 Filing fee \$ 100, receipt number 0090-6040014. Fee Status: Fee Paid. by CHAMBER OF COMMERCE OF THE UNITED STATES OF AMERICA (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Lorber, Lawrence) (Entered: 04/04/2019)
04/05/2019	<u>60</u>	RESPONSE re <u>50</u> MOTION for Leave to File <i>Amici Curiae Brief</i> , <u>57</u> MOTION for Leave to File <i>Amici Curiae Brief</i> filed by LABOR COUNCIL FOR LATIN AMERICAN ADVANCEMENT, NATIONAL WOMEN'S LAW CENTER. (Attachments: # <u>1</u> Exhibit A)(Thurston, Robin) (Entered: 04/05/2019)
04/08/2019	<u>61</u>	REPLY to opposition to motion re <u>50</u> MOTION for Leave to File <i>Amici Curiae Brief</i> filed by AMERICAN SOCIETY OF EMPLOYERS, DIRECTEMPLOYERS ASSOCIATION, INC.. (Isler, Edward) (Entered: 04/08/2019)
04/08/2019	<u>62</u>	RESPONSE re <u>54</u> Notice (Other), filed by LABOR COUNCIL FOR LATIN AMERICAN ADVANCEMENT, NATIONAL WOMEN'S LAW CENTER. (Dubner, Jeffrey) (Entered: 04/08/2019)
04/09/2019	<u>63</u>	REPLY re <u>54</u> Notice (Other), filed by VICTORIA A. LIPNIC, JOHN MICHAEL MULVANEY, OFFICE OF MANAGEMENT AND BUDGET, NEOMI RAO, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (Moore, Tamra) (Entered: 04/09/2019)
04/11/2019	<u>64</u>	ORDER granting <u>50</u> and <u>57</u> . The court will hold a Hearing on the parties' Submissions, <u>54</u> , <u>62</u> and <u>63</u> , on April 16, 2019 at 2:00 p.m. See Order for further details and instructions. Signed by Judge Tanya S. Chutkan on 4/11/2019. (lctsc3) (Entered: 04/11/2019)
04/12/2019		Set/Reset Hearings: Hearing on submissions ECF Nos. 54, 62 and 63 now set for 4/16/2019 at 02:00 PM in Courtroom 9 before Judge Tanya S. Chutkan. (tb) (Entered: 04/12/2019)

04/12/2019		MINUTE ORDER: Granting <u>55</u> <u>58</u> <u>59</u> Motions for Leave to Appear Pro Hac Vice. Camille A. Olson, Annette Tyman, and Richard B. Lapp are hereby admitted pro hac vice to appear in this matter on behalf of amici Chamber of Commerce of the United States of America, the HR Policy Association, Associated Builders and Contractors, Associated General Contractors of America, the Center for Workplace Compliance, Institute for Workplace Equality, National Association of Manufacturers, National Federation of Independent Business, National Retail Federation, Restaurant Law Center, Retail Litigation Center, Inc., and Society for Human Resources Management. Signed by Judge Tanya S. Chutkan on 4/12/19. (DJS) (Entered: 04/12/2019)
04/12/2019		MINUTE ORDER: Granting <u>49</u> Motion for Leave to Appear Pro Hac Vice Jay J. Wang is hereby admitted pro hac vice to appear in this matter on behalf of amici DirectEmployers Association, Inc. and the American Society of Employers. Signed by Judge Tanya S. Chutkan on 4/12/19. (DJS) (Entered: 04/12/2019)
04/15/2019	<u>65</u>	RESPONSE by VICTORIA A. LIPNIC, JOHN MICHAEL MULVANEY, OFFICE OF MANAGEMENT AND BUDGET, NEOMI RAO, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION re <u>64</u> Order on Motion for Leave to File,,, (Moore, Tamra) Modified text on 4/16/2019 (ztd). (Entered: 04/15/2019)
04/16/2019		MINUTE ORDER: By 5:00 p.m. on April 22, 2019, the parties may file written summations on the April 16, 2019 Hearing. If a party chooses to file a summation, it shall include a proposed Order and case law supporting its position. Signed by Judge Tanya S. Chutkan on 4/16/2019. (lctsc3) (Entered: 04/16/2019)
04/16/2019		Minute Entry Evidentiary Hearing on the parties' Submissions, 54, 62 and 63 held on 4/16/2019 before Judge Tanya S. Chutkan: Defendant's witness: Samuel Haffer. Arguments heard and taken under advisement. Order to be issued. (Court Reporter Lisa Moreira) (tb) (Entered: 04/17/2019)
04/17/2019	<u>66</u>	TRANSCRIPT OF HEARING ON SUBMISSIONS before Judge Tanya S. Chutkan held on April 16, 2019; Page Numbers: 1–103. Date of Issuance: April 17, 2019. Court Reporter/Transcriber Lisa A. Moreira RDR, CRR, Telephone number (202) 354–3187, Transcripts may be ordered by submitting the Transcript Order Form For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter. NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty–one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov . Redaction Request due 5/8/2019. Redacted Transcript Deadline set for 5/18/2019. Release of Transcript Restriction set for 7/16/2019.(Moreira, Lisa) (Entered: 04/17/2019)
04/22/2019	<u>67</u>	MOTION for Leave to File <i>Instanter A Summation of the April 16, 2019 Hearing</i> by CHAMBER OF COMMERCE OF THE UNITED STATES OF AMERICA (Attachments: # <u>1</u> Exhibit Amici Brief, # <u>2</u> Text of Proposed Order Proposed Order)(Olson, Camille) (Entered: 04/22/2019)
04/22/2019	<u>68</u>	NOTICE of <i>Post–Hearing Summation</i> by LABOR COUNCIL FOR LATIN AMERICAN ADVANCEMENT, NATIONAL WOMEN'S LAW CENTER (Attachments: # <u>1</u> Text of Proposed Order)(Thurston, Robin) (Entered: 04/22/2019)
04/22/2019	<u>69</u>	NOTICE of <i>Defendants' Written Summation</i> by VICTORIA A. LIPNIC, JOHN MICHAEL MULVANEY, OFFICE OF MANAGEMENT AND BUDGET, NEOMI RAO, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION re Evidentiary Hearing, (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Text of Alternative Proposed Order, # <u>3</u> Declaration, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit)(Moore, Tamra) (Entered: 04/22/2019)

04/24/2019		MINUTE ORDER: The Motion for Leave to File of Amici The Chamber of Commerce of the United States of America, et al., <u>67</u> is granted to the extent that it summarizes testimony. Signed by Judge Tanya S. Chutkan on 4/24/2019.(lctsc3) (Entered: 04/24/2019)
04/24/2019		MINUTE ORDER: The court will issue its decision orally on April 25, 2019 at 11:00 a.m. Signed by Judge Tanya S. Chutkan on 4/24/2019. (lctsc3) (Entered: 04/24/2019)
04/24/2019		Set/Reset Hearings: Oral ruling set for 4/25/2019 at 11:00 AM in Courtroom 9 before Judge Tanya S. Chutkan. (tb) (Entered: 04/24/2019)
04/25/2019		Minute Entry: Status Conference (Oral ruling from the bench) held on 4/25/2019 before Judge Tanya S. Chutkan regarding submissions, 54, 62 and 63: Written order forthcoming. (Court Reporter Bryan Wayne) (tb) (Entered: 04/25/2019)
04/25/2019	<u>70</u>	TRANSCRIPT OF 4/25/19 ORAL RULING before Judge Tanya S. Chutkan held on April 25, 2019 Page Numbers: 1–24. Date of Issuance: 4/25/19. Court Reporter: Bryan A. Wayne. Transcripts may be ordered by submitting Transcript Order Form at www.dcd.uscourts.gov. For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (PDF, condensed, CD or ASCII) may be purchased from the court reporter. NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty–one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov. Redaction Request due 5/16/2019. Redacted Transcript Deadline set for 5/26/2019. Release of Transcript Restriction set for 7/24/2019.(Wayne, Bryan) (Entered: 04/25/2019)
04/25/2019	<u>71</u>	ORDER following decision announced in court on April 25, 2019. Signed by Judge Tanya S. Chutkan on 4/25/2019. (lctsc3) (Entered: 04/25/2019)
04/26/2019		Set/Reset Deadlines: Status Report due by 5/3/2019 and continuing every 21 days thereafter. (tb) (Entered: 04/26/2019)
05/03/2019	<u>72</u>	NOTICE OF APPEAL TO DC CIRCUIT COURT as to <u>45</u> Memorandum & Opinion, <u>46</u> Order on Motion for Summary Judgment,, Order on Motion to Dismiss/Lack of Jurisdiction, <u>71</u> Order by VICTORIA A. LIPNIC, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION, OFFICE OF MANAGEMENT AND BUDGET, JOHN MICHAEL MULVANEY, NEOMI RAO. Fee Status: No Fee Paid. Parties have been notified. (Ricketts, Jennifer) (Entered: 05/03/2019)
05/03/2019	<u>73</u>	NOTICE of Filing of EEOC Report by VICTORIA A. LIPNIC, JOHN MICHAEL MULVANEY, OFFICE OF MANAGEMENT AND BUDGET, NEOMI RAO, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (Attachments: # <u>1</u> Exhibit (EEOC Status Report))(Ricketts, Jennifer) (Entered: 05/03/2019)
05/06/2019	<u>74</u>	Transmission of the Notice of Appeal, Order Appealed (Memorandum Opinion), and Docket Sheet to US Court of Appeals. The Court of Appeals docketing fee was not paid because the appeal was filed by the government re <u>72</u> Notice of Appeal to DC Circuit Court,. (ztd) (Entered: 05/06/2019)
05/08/2019		USCA Case Number 19–5130 for <u>72</u> Notice of Appeal to DC Circuit Court, filed by JOHN MICHAEL MULVANEY, OFFICE OF MANAGEMENT AND BUDGET, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION, NEOMI RAO, VICTORIA A. LIPNIC. (ztd) (Entered: 05/08/2019)
05/08/2019	<u>75</u>	NOTICE by VICTORIA A. LIPNIC, JOHN MICHAEL MULVANEY, OFFICE OF MANAGEMENT AND BUDGET, NEOMI RAO, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (Ricketts, Jennifer) (Entered: 05/08/2019)
05/14/2019	<u>76</u>	NOTICE by VICTORIA A. LIPNIC, JOHN MICHAEL MULVANEY, OFFICE OF MANAGEMENT AND BUDGET, NEOMI RAO, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (Wells, Carlotta) (Entered: 05/14/2019)

05/21/2019		MINUTE ORDER: Granting <u>48</u> Motion for Leave to Appear Pro Hac Vice. John C. Fox is hereby admitted pro hac vice to appear in this matter on behalf of amici DirectEmployers Association, Inc. and the American Society of Employers. Signed by Judge Tanya S. Chutkan on 5/21/19. (DJS) (Entered: 05/21/2019)
05/24/2019	<u>77</u>	NOTICE by VICTORIA A. LIPNIC, JOHN MICHAEL MULVANEY, OFFICE OF MANAGEMENT AND BUDGET, NEOMI RAO, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (Attachments: # <u>1</u> Exhibit EEOC Report)(Wells, Carlotta) (Entered: 05/24/2019)
06/14/2019	<u>78</u>	NOTICE by VICTORIA A. LIPNIC, JOHN MICHAEL MULVANEY, OFFICE OF MANAGEMENT AND BUDGET, NEOMI RAO, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION re <u>71</u> Order (Attachments: # <u>1</u> Report of Defendant EEOC)(Moore, Tamra) (Entered: 06/14/2019)
06/14/2019	<u>79</u>	Consent MOTION to Modify <i>Report Schedule</i> by VICTORIA A. LIPNIC, JOHN MICHAEL MULVANEY, OFFICE OF MANAGEMENT AND BUDGET, NEOMI RAO, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (Attachments: # <u>1</u> Text of Proposed Order)(Moore, Tamra) (Entered: 06/14/2019)
06/14/2019		MINUTE ORDER: Defendants' <u>79</u> Consent Motion to Modify Report Schedule is granted. Defendants may file the next reports by July 12, 2019, and July 26, 2019, respectively. Signed by Judge Tanya S. Chutkan on 6/14/2019. (lctsc3) (Entered: 06/14/2019)
06/18/2019		Set/Reset Deadlines: Reports due by 7/12/2019 and 07/26/19. (tb) (Entered: 06/18/2019)
07/12/2019	<u>80</u>	NOTICE of <i>Report of Defendant EEOC</i> by VICTORIA A. LIPNIC, JOHN MICHAEL MULVANEY, OFFICE OF MANAGEMENT AND BUDGET, NEOMI RAO, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION re <u>71</u> Order (Attachments: # <u>1</u> Report of Defendant EEOC)(Moore, Tamra) (Entered: 07/12/2019)
07/26/2019	<u>81</u>	NOTICE of <i>Filing of EEOC Status Report</i> by VICTORIA A. LIPNIC, JOHN MICHAEL MULVANEY, OFFICE OF MANAGEMENT AND BUDGET, NEOMI RAO, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (Attachments: # <u>1</u> Exhibit EEOC Report)(Wells, Carlotta) (Entered: 07/26/2019)
08/16/2019	<u>82</u>	NOTICE of <i>Filing of EEOC Status Report</i> by VICTORIA A. LIPNIC, JOHN MICHAEL MULVANEY, OFFICE OF MANAGEMENT AND BUDGET, NEOMI RAO, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (Attachments: # <u>1</u> Exhibit)(Ricketts, Jennifer) (Entered: 08/16/2019)
08/30/2019	<u>83</u>	NOTICE (<i>of Interim Report</i>) by VICTORIA A. LIPNIC, JOHN MICHAEL MULVANEY, OFFICE OF MANAGEMENT AND BUDGET, NEOMI RAO, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (Attachments: # <u>1</u> Exhibit Interim EEOC Status Report)(Wells, Carlotta) (Entered: 08/30/2019)
09/06/2019	<u>84</u>	NOTICE by VICTORIA A. LIPNIC, JOHN MICHAEL MULVANEY, OFFICE OF MANAGEMENT AND BUDGET, NEOMI RAO, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (Attachments: # <u>1</u> Exhibit EEOC Status Report)(Wells, Carlotta) (Entered: 09/06/2019)
09/12/2019	<u>85</u>	NOTICE by VICTORIA A. LIPNIC, JOHN MICHAEL MULVANEY, OFFICE OF MANAGEMENT AND BUDGET, NEOMI RAO, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (Attachments: # <u>1</u> Exhibit EEOC Federal Register Notice)(Wells, Carlotta) (Entered: 09/12/2019)
09/27/2019	<u>86</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Stuart Justin Robinson on behalf of All Defendants Substituting for attorney Tamra T. Moore (Robinson, Stuart) (Entered: 09/27/2019)
09/27/2019	<u>87</u>	NOTICE of <i>Filing of EEOC Status Report</i> by VICTORIA A. LIPNIC, JOHN MICHAEL MULVANEY, OFFICE OF MANAGEMENT AND BUDGET, NEOMI RAO, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (Attachments: # <u>1</u> EEOC Status Report)(Robinson, Stuart) (Entered: 09/27/2019)

10/08/2019	<u>88</u>	MOTION for Order <i>Determining Completion of Component 2 Data Collection</i> by VICTORIA A. LIPNIC, JOHN MICHAEL MULVANEY, OFFICE OF MANAGEMENT AND BUDGET, NEOMI RAO, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (Attachments: # <u>1</u> Declaration of Samuel C. Haffer, # <u>2</u> Text of Proposed Order)(Robinson, Stuart) (Entered: 10/08/2019)
10/22/2019	<u>89</u>	RESPONSE re <u>88</u> MOTION for Order <i>Determining Completion of Component 2 Data Collection</i> filed by LABOR COUNCIL FOR LATIN AMERICAN ADVANCEMENT, NATIONAL WOMEN'S LAW CENTER. (Thurston, Robin) (Entered: 10/22/2019)
10/28/2019	<u>90</u>	REPLY to opposition to motion re <u>88</u> MOTION for Order <i>Determining Completion of Component 2 Data Collection</i> filed by VICTORIA A. LIPNIC, JOHN MICHAEL MULVANEY, OFFICE OF MANAGEMENT AND BUDGET, NEOMI RAO, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (Attachments: # <u>1</u> Supplemental Declaration of Samuel C. Haffer)(Robinson, Stuart) (Entered: 10/28/2019)
10/29/2019	<u>91</u>	ORDER denying <u>88</u> Motion for Order Determining Completion of Component 2 Data Collection. Defendants shall resume filing status reports on November 1, 2019, and every 21 days thereafter until January 31, 2020. The parties shall file a joint status report on February 7, 2020. See order for further details. Signed by Judge Tanya S. Chutkan on 10/29/19. (lcsd) (Entered: 10/29/2019)
10/30/2019		Set/Reset Deadlines: Defendants shall resume filing status reports on 11/1/2019. Joint Status Report due by 2/7/2020. (tb) (Entered: 10/30/2019)
11/01/2019	<u>92</u>	NOTICE of Filing of EEOC Status Report by VICTORIA A. LIPNIC, JOHN MICHAEL MULVANEY, OFFICE OF MANAGEMENT AND BUDGET, NEOMI RAO, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (Attachments: # <u>1</u> EEOC Status Report)(Robinson, Stuart) (Entered: 11/01/2019)
11/22/2019	<u>93</u>	NOTICE of Filing of EEOC Status Report by VICTORIA A. LIPNIC, JOHN MICHAEL MULVANEY, OFFICE OF MANAGEMENT AND BUDGET, NEOMI RAO, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (Attachments: # <u>1</u> EEOC Status Report)(Robinson, Stuart) (Entered: 11/22/2019)
12/13/2019	<u>94</u>	NOTICE of Filing of EEOC Status Report by VICTORIA A. LIPNIC, JOHN MICHAEL MULVANEY, OFFICE OF MANAGEMENT AND BUDGET, NEOMI RAO, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (Attachments: # <u>1</u> EEOC Status Report)(Robinson, Stuart) (Entered: 12/13/2019)
12/19/2019	<u>95</u>	Second MOTION for Order <i>or, in the alternative</i> , MOTION to Clarify by VICTORIA A. LIPNIC, JOHN MICHAEL MULVANEY, OFFICE OF MANAGEMENT AND BUDGET, NEOMI RAO, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (Attachments: # <u>1</u> Declaration of Samuel C. Haffer, # <u>2</u> Text of Proposed Order)(Robinson, Stuart) (Entered: 12/19/2019)
01/02/2020	<u>96</u>	Memorandum in opposition to re <u>95</u> Second MOTION for Order <i>or, in the alternative</i> MOTION to Clarify filed by LABOR COUNCIL FOR LATIN AMERICAN ADVANCEMENT, NATIONAL WOMEN'S LAW CENTER. (Thurston, Robin) (Entered: 01/02/2020)
01/03/2020	<u>97</u>	NOTICE of Filing of EEOC Status Report by VICTORIA A. LIPNIC, JOHN MICHAEL MULVANEY, OFFICE OF MANAGEMENT AND BUDGET, NEOMI RAO, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (Attachments: # <u>1</u> EEOC Status Report)(Robinson, Stuart) (Entered: 01/03/2020)
01/06/2020	<u>98</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to LABOR COUNCIL FOR LATIN AMERICAN ADVANCEMENT, NATIONAL WOMEN'S LAW CENTER. Attorney Javier M. Guzman terminated. (Guzman, Javier) (Entered: 01/06/2020)
01/09/2020	<u>99</u>	REPLY to opposition to motion re <u>95</u> Second MOTION for Order <i>or, in the alternative</i> MOTION to Clarify filed by VICTORIA A. LIPNIC, JOHN MICHAEL MULVANEY, OFFICE OF MANAGEMENT AND BUDGET, NEOMI RAO, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (Attachments: # <u>1</u> Declaration of Samuel C. Haffer)(Robinson, Stuart) (Entered: 01/09/2020)

01/24/2020	<u>100</u>	NOTICE of Filing of EEOC Status Report by VICTORIA A. LIPNIC, JOHN MICHAEL MULVANEY, OFFICE OF MANAGEMENT AND BUDGET, NEOMI RAO, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (Attachments: # <u>1</u> EEOC Status Report)(Robinson, Stuart) (Entered: 01/24/2020)
02/07/2020	<u>101</u>	Joint STATUS REPORT by VICTORIA A. LIPNIC, JOHN MICHAEL MULVANEY, OFFICE OF MANAGEMENT AND BUDGET, NEOMI RAO, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (Attachments: # <u>1</u> Text of Proposed Order Defendants' Proposed Order, # <u>2</u> Text of Proposed Order Plaintiffs' Proposed Order)(Robinson, Stuart) (Entered: 02/07/2020)
02/10/2020	<u>102</u>	ORDER granting <u>95</u> Motion for Order Determining Completion of Component 2 Data Collection. See order for details. Signed by Judge Tanya S. Chutkan on 2/10/2020. (lcsd) (Entered: 02/10/2020)
02/12/2020	<u>103</u>	NOTICE of Filing of EEOC Status Report by VICTORIA A. LIPNIC, JOHN MICHAEL MULVANEY, OFFICE OF MANAGEMENT AND BUDGET, NEOMI RAO, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (Attachments: # <u>1</u> EEOC Status Report)(Robinson, Stuart) (Entered: 02/12/2020)