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Attorneys for Defendant
LUSH HANDMADE COSMETICS, LLC

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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

U.S. EQUAL EMPLOYMENT
 OPPORTUNITY COMMISSION,

Plaintiff,

vs.

LUSH HANDMADE COSMETICS LLC,
 f/k/a LUSH COSMETICS LLC,

Defendant.

Case No.: 5:24-cv-06859-PCP

**STIPULATION TO STAY PENDING
 DEADLINES AND DISMISS WITH
 PREJUDICE**

Complaint Filed: September 30, 2024

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STIPULATION TO DISMISS EEOC LITIGATION

Plaintiff U.S. Equal Employment Opportunity Commission (EEOC) and Defendant Lush Handmade Cosmetics, LLC (Lush) (together, the “parties”) hereby stipulate to stay pending deadlines and dismiss with prejudice the EEOC’s claims against the Lush in this action. In support of this stipulation, EEOC states the following.

1. On January 20, 2025, President Trump issued an Executive Order titled “Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government.” (“the Order”)

2. On January 29, 2025, the Office of Personnel Management issued “Initial Guidance Regarding President Trump’s Executive Order Defending Women” directing that all federal employees must comply with and take actions to effectuate the Order. (“OPM Guidance”)

3. The EEOC’s continued litigation of the claims in this action may be inconsistent with the Order and the OPM Guidance.

For the foregoing reasons, the parties respectfully request that the Court stay pending deadlines and dismiss with prejudice the EEOC’s claims on the following terms:

A. Stay the current deadlines pending dismissal of the EEOC’s claims, as follows:

Event	Current Deadline
Deadline to exchange Initial Disclosures	February 14, 2025
Deadline to file Joint Case Management Statement	February 18, 2025
Initial Case Management Conference, 1 P.M., Ct. Rm. 8, 4 th Floor	March 4, 2025

B. Dismissal of the EEOC’s complaint shall be effective 30 days after the Court’s Order on this Stipulation, to permit the Charging Party and the aggrieved individuals an opportunity to seek private counsel and intervene in this action. *See* 42 U.S.C. §2000e-5(f)(1) (“The person or persons aggrieved shall have the right to intervene in

a civil action brought by the Commission . . .”). Nothing about this stipulation limits or deprives Lush of any defenses it may have to any claim or intervention by the Charging Party and the aggrieved individuals.

C. Each party to this action shall bear its own fees and costs with respect to the dismissed EEOC claims.

Respectfully submitted,

Dated: February 14, 2025

Christopher Lage
Deputy General Counsel

/s/ Roberta L. Steele
Roberta L. Steele
Regional Attorney, San Francisco District Office

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Dated: February 14, 2025

BY: /s/ Eric S. Dreiband

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LOCAL RULE 5-1(I)(3) ATTESTATION

I, Raymond T. Cheung, am the ECF User whose ID and password are being used to file the foregoing document. In compliance with Local Rule 5-1(i)(3), I hereby attest that counsel for Defendant concurred in this filing on February 14, 2025.

Dated: February 14, 2025

BY: /s/ Raymond T. Cheung