

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

ANGEL G. LUEVANO, *et al.*,

Plaintiffs,

v.

CHARLES EZELL, Acting Director, Office
of Personnel Management,

Defendant.

Case No.: 1:79-CV-00271-rbw

Judge Reggie B. Walton

**PLAINTIFFS' MOTION TO STAY DEADLINES PENDING
ONGOING NEGOTIATIONS TO SEEK RESOLUTION OF MATTER**

Plaintiffs Angel G. Luevano and Vicky L. Chapman,¹ on behalf of a class of “All blacks and all Hispanics who have taken the PACE for hire, but not promotion, into entry-level PACE jobs at any time on or after May 19, 1975, or who, during the term of this Decree, take or may take the PACE and/or any alternative examining procedures developed by an agency and/or OPM for hire, but not promotion, into entry-level PACE jobs,” (“Plaintiffs”), Consent Decree ¶ B.3, hereby move this Court for a stay of all deadlines in this matter, pending the outcome of the parties’ ongoing negotiations, and state as follows:

¹ Upon information and belief, I.M.A.G.E. de California, was an unincorporated association that is no longer operational and has ceased to exist. Counsel has also been unable to locate Plaintiff Melody A. Van despite reasonable efforts to do so.

1. On March 10, 2025, Defendant filed a Motion to Terminate the Consent Decree. Dkt. No. 2. Plaintiffs' deadline to respond to Defendant's motion to terminate is June 3, 2025. Apr. 1, 2025 Minute Order.

2. On May 15, 2025, Proposed Defendant-Intervenors filed a Motion to Intervene. Dkt. No. 11. Plaintiffs' deadline to respond to Proposed Defendant-Intervenors' motion to intervene is June 12, 2025. May 28, 2025 Minute Order.

3. Plaintiffs are actively engaged in good-faith discussions with Defendant to reach a resolution of Defendant's pending Motion to Terminate Consent Decree that would be dispositive of the judgment in this case.

4. Plaintiffs' motion to stay all deadlines will not unreasonably delay the case. Defendant's Motion to Terminate the Consent Decree and Proposed Defendant-Intervenors' Motion to Intervene are the only two outstanding motions. Plaintiffs anticipate that these motions will be rendered moot if the parties are able to reach a mutually agreeable resolution of the Motion to Terminate Consent Decree.

5. Defendant is not opposed to this motion.

6. This is Plaintiffs' second request for an extension of their deadline to respond to each of the pending motions.

7. Plaintiffs will provide joint status updates to this Court every two weeks until such time as the Court orders otherwise.

WHEREFORE, Plaintiffs respectfully request that the Court grant this motion and stay all deadlines to allow the parties an opportunity to continue good-faith discussions to reach a resolution of Defendant's Motion to Terminate the Consent Decree.

Dated: June 2, 2025

Respectfully Submitted,

/s/ Kathryn J. Youker

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COUNSEL FOR PLAINTIFFS

CERTIFICATE OF CONFERENCE

On June 2, 2025, I, the undersigned counsel for Plaintiffs, conferred with counsel for Defendant regarding the substance of the foregoing motion, who stated Defendant is not opposed to the motion. While not parties to the case, I additionally conferred with counsel for Proposed Defendant-Intervenors, who stated that Proposed Defendant-Intervenors are opposed to the motion.

/s/ Kathryn J. Youker
Kathryn J. Youker

CERTIFICATE OF SERVICE

I hereby certify that on June 2, 2025, a true and correct copy of the foregoing document was served on all parties entitled to notice via the Court's electronic filing system.

/s/ Kathryn J. Youker
Kathryn J. Youker