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Office of Administrative Law Judges
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Re: OFCCP v Oracle America, Inc.
OALJ Case No. 2017-OFC-00006

Dear Judge Larsen:

On behalf of Oracle America, Inc. ("Oracle"), we are filing today two motions, including (1) a motion for summary judgment or, in the alternative, to stay the proceedings for failure to conciliate, and (2) a motion for a protective order re: confidential information. As you will see from the arguments made in the first motion, Oracle's position is that this matter should not be in litigation at all because OFCCP did not comply with the administrative prerequisite of engaging in reasonable conciliation efforts prior to filing its complaint. Oracle simultaneously has filed the motion for a protective order because counsel for OFCCP has stated in correspondence that if Oracle did not do so by today's date, OFCCP would file a motion to compel responses to its discovery requests. As we have previously stated to counsel for OFCCP, Oracle's engagement in discovery, including the filing of today's motion for a protective order, is without prejudice to Oracle's position that OFCCP's complaint should be dismissed all together for failure to conciliate, or in the alternative, this matter should be stayed pending reasonable conciliation efforts.

Respectfully submitted,

Erin M. Connell

Enclosures

cc: Gary R. Siniscalco, Esq.
Laura C. Bremer, Esq., Attorney for OFCCP
Marc A. Pilotin, Esq., Attorney for OFCCP