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AUG 29 2017

August 29, 2017

VIA HAND DELIVERY

Office of Administrative Law Judges
San Francisco, Ca

Administrative Law Judge Christopher Larsen
United States Department of Labor
Office of Administrative Law Judges
Federal Building
90 Seventh Street, Room 4-815
San Francisco, CA 94103-1516

Re: *OFCCP v Oracle America, Inc.*
OALJ Case No. 2017-OFC-00006

Dear Judge Larsen:

I write to address the misstatements made in OFCCP's letter to you dated August 28, 2017 (yesterday). In that letter, OFCCP states that Oracle failed to comply with your honor's May 10, 2017 order by filing a brief without first meeting and conferring with the Court. OFCCP further asks that the Court summarily deny Oracle's proposed motion on that basis.

Contrary to the statements made by OFCCP, the record before the Court confirms that Oracle did not fail to comply with your honor's May 10, 2017 order. Instead, Oracle's August 28, 2017 correspondence expressly acknowledges the Court's May 10 order, and asks the Court to schedule a hearing to meet and confer about Oracle's proposed motion. Oracle's correspondence further confirms that Oracle already met and conferred with OFCCP about the proposed motion, and OFCCP opposes it. Only if the Court deems a meet and confer call unnecessary does Oracle request, in the alternative, that the proposed motion be deemed filed.

OFCCP's allegation that the proposed motion is a delay tactic is untrue. The motion does not delay the case in any regard. As to the merits of the proposed motion, the parties obviously disagree on the underlying legal issues it addresses. But it is an inaccurate statement of law to state, as OFCCP does, that the issue of the scope of liability is "dictated by binding precedent." It is not, as illustrated by the proposed motion itself.

Oracle respectfully renews its request for a telephonic hearing with the Court to discuss its proposed motion, and requests that the Court deny OFCCP's request that the proposed motion be summarily denied.

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John Christopher Larsen
August 29, 2017
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Respectfully submitted,

A handwritten signature in cursive script that reads "Erin M. Connell".

Erin M. Connell, Esq.

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