



**Issue Date: 14 August 2017**

CASE NO.: 2017-OFC-00006

*In the Matter of:*

**OFFICE OF FEDERAL CONTRACT  
COMPLIANCE PROGRAMS, U.S.  
DEPARTMENT OF LABOR,**  
*Plaintiff,*

vs.

**ORACLE AMERICA, INC.,**  
*Defendant.*

**ORDER ALLOWING MOTIONS TO COMPEL  
AND ALLOWING ALLEGATION OF CONTINUING LIABILITY**

This matter arises under Executive Order 11246 (30 Fed.Reg. 12319), as amended, and associated regulations at 41 C.F.R. Chapter 60. It is currently set for hearing in San Francisco, California, on June 26, 2018.

The court held a telephonic conference with counsel for the parties on August 14, 2017. Attorneys Laura C. Bremer, Marc A. Pilotin, Ian H. Eliasoph, and Norman Garcia appeared for the Plaintiff. Attorneys Warrington S. Parker, III, and Erin M. Connell appeared for the defendant. The court, having considered the submissions of the parties and discussed the matter with counsel, orders:

1. Plaintiff may bring a Motion to Compel responses to its Requests for Production No. 83 (seeking employee contact information) and its Requests for Production Nos. 71, 72, 78, 79, 80, 87, and 88. The motion may include a request for an Order of the court fixing a deadline for production of documents.

2. Defendant may bring a Motion to Compel responses to its requests for production of documents served on February 8, 2017; its special interrogatories served on June 12, 2017; and its 30(b)(6) deposition notice served on May 31, 2017.

3. Moving parties must file their moving papers with the court and serve them on opposing counsel no later than August 18, 2017. Opposing parties must

file and serve their opposition no later than August 25, 2017. Moving papers and opposing papers are limited to twenty pages in length.

4. The court allows Plaintiff, at the hearing, to argue discrimination on the part of the Defendant ongoing to the time of the hearing and continuing. But “OFCCP must obtain all evidence and data it will use to prove its allegations of ongoing discrimination prior to the close of fact discovery. *See* 5/10/17 Order after Scheduling Conference at 2 (setting fact discovery cutoff)” (OFCCP’s Response to Order to Show Cause Re: Date of Non-Compliance, p. 5).

SO ORDERED.

CHRISTOPHER LARSEN  
Administrative Law Judge