

**U.S. Department of Labor**

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**Issue Date: 20 July 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 ON PENDING DISCOVERY DISPUTES**

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.

By letter dated July 14, 2017, Plaintiff seeks the court's permission to bring a Motion to Compel 1) production of certain documents and 2) a schedule for production of those and other documents. By letter dated July 17, 2017, Oracle contends the parties continue to discuss all issues except one – the production of personal contact information for all current and former employees in certain subdivisions of the company, as to which Oracle will not compromise. Oracle proposes the court allow discussion between the parties to continue to a date certain, and then schedule a telephone conference with counsel to discuss outstanding issues.

Having considered the reports and arguments of the parties, the court orders:

1. The parties must, in good faith, attempt to resolve all outstanding issues between themselves on or before August 4, 2017. The parties may wish to consider their positions on providing personal information about employees in the light of Judge Berlin's decision issued July 14, 2017, in *OFCCP v. Google, Inc.*, 2017-OFC-00004.

2. Unless the parties have reached complete agreement on all outstanding issues, no later than August 8, 2017, each party must submit a concise statement to the court, by letter, summarizing its position on any unresolved issue or issues, and the position of the opposing party on that issue or issues.

3. The parties must confer with the court by telephone on August 14, 2017, at 11:00 a.m. to discuss the unresolved issues and whether further briefing is necessary. To facilitate this conference, the parties must, no later than 4:00 p.m. on August 7, 2017, provide telephone numbers to the court where the participants can be reached for the August 14 conference.

SO ORDERED.

CHRISTOPHER LARSEN  
Administrative Law Judge