UNITED STATES DEPARTMENT OF LABOR
OFFICE OF ADMINISTRATIVE LAW JUDGES

OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS, UNITED STATES DEPARTMENT OF LABOR, Plaintiff, v. ORACLE AMERICA, INC., Defendant.	OALJ Case No. 2017-OFC-00006

RECEIVED
MAY 02 2019
Office of Administrative Law Judges
San Francisco, Ca

UNOPPOSED MOTION TO FILE REPLY TO OPPOSITION TO OFCCP'S MOTION FOR PARTIAL SUMMARY JUDGMENT

Pursuant to the Rules of Practice for Administrative Proceedings to Enforce Equal Opportunity Under Executive Order 11246 (OFCCP Rules), Plaintiff Office of Federal Contract Compliance Programs (OFCCP) hereby moves for leave to file a reply to Oracle America, Inc.'s Opposition to OFCCP's Motion for Partial Summary Judgment on OFCCP's conciliation efforts, in accordance with 41 C.F.R. § 60-30.8 and the Court's February 6, 2019 Prehearing Order (Section III.A.2, 4), to be due Friday May 10, 2019. Oracle does not oppose OFCCP's request. *See* Ex. A (Connell Email May 2, 2019). As the applicable procedural rules do not provide for automatic replies, the Parties agreed to request leave of the Court to file replies as necessary. *Id.* The Parties anticipated the need to make such requests with respect to any substantive motions filed. *Id.*

DATED: May 2, 2019

Respectfully submitted,

KATE O'SCANNLAIN
Solicitor of Labor
JANET M. HEROLD
Regional Solicitor
JEREMIAH MILLER
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BY:

LAURA C. BREMER
Senior Trial Attorney

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EXHIBIT A

Bremer, Laura - SOL

From: Connell, Erin M. <econnell@orrick.com>
Sent: Thursday, May 2, 2019 10:23 AM
To: Bremer, Laura - SOL
Cc: Miller, Jeremiah - SOL; Garcia, Norman - SOL; Siniscalco, Gary R.; Kaddah, Jacqueline D.; James, Jessica R. L.
Subject: Re: OFCCP v. Oracle

Laura,
We won't oppose your request, but with the express understanding that if we file a partial summary judgment or other substantive motion, you will not oppose our request for a reply, either. Your description below of our prior agreement on the issue of replies is consistent with how I recall it.
Thanks,
Erin

Sent from my iPhone

On May 2, 2019, at 11:17 AM, Bremer, Laura - SOL <Bremer.Laura@dol.gov> wrote:

> Erin,
>
> When we met and conferred about scheduling issues in January, we decided that we would request replies if we determined that we wanted one after reviewing an opposition brief. We also generally agreed that we would likely want replies for substantive motions, but they would generally not be necessary for discovery motions. Having reviewed Oracle's opposition to OFCCP's partial motion for summary judgment, we plan to request a reply brief due next Friday. Please let me know by 2 p.m. this afternoon whether you agree to our request for a reply brief, so I can include your position in a request to Judge Clark. Thank you.
>
> Laura C. Bremer
> Senior Trial Attorney
> Office of the Solicitor
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CERTIFICATE OF SERVICE

I certify that on this 2nd day of May, 2019, the foregoing PLAINTIFF'S UNOPPOSED MOTION TO FILE REPLY TO ORACLE'S OPPOSITION TO OFCCP'S MOTION FOR PARTIAL SUMMARY JUDGMENT RE CONCILIATION was served upon the following individuals by email at the following addresses:

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U.S. Department of Labor