

Siniscalco, Gary R.

From: Eliasoph, Ian - SOL <Eliasoph.Ian@dol.gov>
Sent: Tuesday, January 17, 2017 8:51 AM
To: Connell, Erin M.
Cc: Siniscalco, Gary R.; Bremer, Laura - SOL
Subject: Re: Oracle America, Inc. Redwood Shores

Dear Gary and Erin,

We are disappointed that instead of focusing on the merits of this case, Oracle is attempting to avoid a legitimate filing through obfuscation of the record and intimidation tactics. The claim that this litigation is "sudden" is belied by the fact that the NOV was issued in March, conciliation broke down almost immediately, the Show Cause was issued in early June, and we had a conciliation meeting in early October where we gave Oracle a last chance to provide meaningful additional data to support its position or a meaningful counter-offer. The deadline was in late October. To date, Oracle still has done neither. Moreover, you received a letter from OFCCP on December 6 explicitly saying that the case had been referred for enforcement. Thus, your claim that this case is not ripe or that this litigation was suddenly sprung upon you is hollow and the timeline similarly belies your claim of political bias, as does the fact that OFCCP is pursuing claims against companies from across the political spectrum.

As for a more definite calculation on back wages, we explained in October that our settlement amounts are preliminary because Oracle holds the data we need to perform a more complete back pay analysis. Since Oracle has not provided the data needed, we have no further calculations to discuss. Also, as you know, mitigation is Oracle's burden, so if it seeks to have it included in the back pay, you should have provided that info.

We will send you the complaint as soon as it is filed.
-Ian

From: Connell, Erin M. <econnell@orrick.com>
Sent: Tuesday, January 17, 2017 6:54:22 AM
To: Eliasoph, Ian - SOL
Cc: Siniscalco, Gary R.; Smith, M. Patricia - SOL; Bissell, Katherine - SOL
Subject: Oracle America, Inc. Redwood Shores

Dear Ian,

Please see attached correspondence. Thank you.

Best Regards,

Erin Connell

Erin M. Connell

Partner

EXHIBIT 135
Oracle Designee
8/1/19
Ashley Soevyn CSR# 12019

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