



**UNITED STATES OF AMERICA
EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
PHILADELPHIA DISTRICT OFFICE**

801 Market Street, Suite 1000
Philadelphia, PA 19107
Website: www.eeoc.gov

DOERING MEYER AND RYAN GIBSON,
Class Agents,

V.

SECRETARY, U.S. DEPARTMENT OF STATE,
Agency.

EEOC No. 31-2015-00092X

Agency Nos. DOS-F-034-07
DOS-F-091-08

Administrative Judge R. Colin Power

January 13, 2023

**ORDER GRANTING CLASS AGENTS' UNOPPOSED MOTION TO GRANT
PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT AGREEMENT**

On December 30, 2022, the Class Agents filed an Unopposed Motion to Grant Preliminary Approval of Class Action Settlement Agreement (the Motion). The Motion was submitted along with the Settlement Agreement, Exhibits 1-8 to the Settlement Agreement (which include, among other things, the proposed Notice of Resolution of Class Action (Exhibit 2) and the proposed Plan for Distribution of Settlement Funds (Exhibit 3)), in addition to declarations and exhibits in support of the Motion. On January 10, 2023, the parties submitted amendments to Exhibits 2 and 3 of the Motion. The parties jointly requested that the Administrative Judge grant preliminary approval of the Settlement Agreement in this matter.

A Preliminary Approval Hearing was held on January 11, 2023. Upon review and consideration of the Motion, and the entire record in this matter, the Motion is hereby **GRANTED**. The Commission preliminarily finds that the Settlement Agreement appears fair, adequate, and reasonable to the class as a whole, in compliance with 29 C.F.R. §1614.204(g)(4), based upon the authorities cited and reasons articulated within in the Motion.

The parties are hereby **ORDERED** to further amend Exhibits 2 and 3, consistent with the Administrative Judge's directives issued during the Preliminary Approval Hearing on January 11, 2023, and to resubmit the amended Exhibits for approval of the Administrative Judge by **January 20, 2023**.

It is **ORDERED** that no later than **February 10, 2023**, the settlement administrator shall send out the approved Notice of Resolution of Class Action (Exhibit 2 to the Settlement Agreement), providing notice of resolution to all identified Class Members (Exhibit 1 to the Settlement Agreement) by certified mail to the most recent address and email addresses provided by Class Counsel. Class Counsel shall also publish this notice on Class Counsel's website. In accordance with 29 C.F.R. §1614.204(g)(4), the Agency will also send this notice of the resolution to all Class Members in the same manner as notification of the acceptance of the class complaint, and to the Administrative Judge.

After the notice is sent, the Administrative Judge shall review and consider any petitions to vacate filed within 30 days, as instructed in the notice. Class Agents shall file a motion seeking final approval of the Settlement Agreement on or before **March 13, 2023**. The Administrative Judge will hold a fairness

hearing on March 15, 2023, at 2:00 p.m. (EST) to make a final determination if the resolution is fair, adequate and reasonable to the class as a whole. If the Administrative Judge so determines, then the resolution shall bind all Class Members.

Failure to comply with this Order, without good cause, may be grounds for sanctions pursuant to 29 C.F.R. § 1614.109.

It is so ORDERED.

For the Commission:

A handwritten signature in black ink, appearing to read "R. Colin Power", written over a horizontal line.

R. Colin Power
Administrative Judge
R.Colin.Power@eeoc.gov
(267) 589-9729

CERTIFICATE OF SERVICE

I certify that on January 13, 2023, the foregoing Order was served by electronic issuance to the following:

Class Legal Representatives

Bryan Schwartz, Esq.

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Agency Legal Representative

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R. Colin Power
Administrative Judge