



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
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SANDRA M. McCONNELL, et. al.)	EEOC Nos. 520-2010-00280X
a/k/a VELVA B.)	520-2019-00271X
)	Agency No. 4B-140-0062-06
Class Agent,)	
)	
v.)	Administrative Judge
)	Monique J. Roberts-Draper
LOUIS DeJOY, Postmaster General,)	
United States Postal Service,)	
)	Date: January 24, 2024
Agency.)	

ORDER

PLEASE TAKE NOTICE THAT during a conference held on December 11, 2023, the undersigned Judge instructed the parties to confer and file a stipulation with the names of claimants whom they jointly agree have claims that are ready for damages hearings. These claims were to be free from any procedural and/or jurisdictional issues that would render them inappropriate for immediate adjudication (i.e., partially accepted claims, untimely claims, non-class member claims, etc.). The submission was due January 22, 2024.

On January 22, 2024, attorney Jessica Lukasiewicz emailed an Excel spreadsheet to the undersigned Judge indicating in her cover email that the “parties . . . conferred and submit the attached list [and] have removed: (1) individuals argued to be untimely by the USPS, (2) individuals who have withdrawn from the action, (3) partially accepted, and (4) individuals identified as deceased.” However, in a separate email, the Postal Service (USPS) stated that, in its “view”, “the spreadsheet includes claims which still contain a variety of dispositive defects or issues that ordinarily would be resolved before trial and is not waiving its right to raise those issues.”

These conflicting statements clearly demonstrate that the USPS failed to provide the Commission with the unambiguous stipulation it ordered. **THEREFORE, the Postal Service is hereby ORDERED to identify by name and case number each claim listed on the spreadsheet submitted on January 22, 2024, that purportedly suffers from one or more “dispositive defect,” identifying the specific defect(s) at issue for each claim, and the underlying rationale for its contentions. Failure to timely provide this information, in the absence of any specific challenges/defenses that were previously raised, will be deemed a waiver of any future challenges/defenses that could have been raised as to each claim. Such waiver does not extend to the Postal Service’s right to challenge the nature and amount of specific relief as to each of the claims in question.**

This submission is due February 5, 2024. NO EXTENTIONS WILL BE GIVEN.

It is SO ORDERED

A handwritten signature in black ink, reading "Monique J. Roberts-Draper". The signature is written in a cursive style with a light blue background behind it.

Monique J. Roberts-Draper
Administrative Judge

CERTIFICATE OF SERVICE

For timeliness purposes, it will be presumed that this ORDER was received immediately upon electronic transmission. I certify this ORDER was sent to the following parties on January 24, 2024.

Counsel via E-mail only

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