



UNITED STATES OF AMERICA
EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
NEW YORK DISTRICT OFFICE

In the matter of:

SANDRA M. McCONNELL, ET AL.,

DATE: October 18, 2024

Class Agent,

Order Extending
Postponement

v.

**LOUIS DEJOY, POSTMASTER GENERAL,
UNITED STATES POSTAL SERVICE,**

Agency.

EEOC Hearing No.: 520-2019-00271X

Agency Case No.: 4B-140-0062-06

ORDER EXTENDING POSTPONEMENT

During the first Initial Conferences held on disputed claims, both parties made repeated reference to numerous concerns about case processing. These unresolved concerns often hampered efficient discussion about record development and hearing preparation. Therefore, on September 19, 2024, the Administrative Judges issued an *Order of Postponement* (“Order”) which postponed hearings through October 18, 2024 so that the Judges could address critical issues affecting case management.

On September 26, 2024, Class Counsel filed an unsolicited response to the Order, addressing two contested procedural issues and raising one new issue. For fairness, the Agency was permitted to file a response. On October 7, 2024, the Agency filed its response to Class Counsel’s three issues, while invoking other of the parties’ ongoing procedural disagreements.

Out of fairness to the parties, it is necessary to extend the postponement of proceedings. The unanticipated briefing which concluded last week, while helpful, raised substantial argument requiring careful consideration. The parties invoke disputes going back at least to 2018 – and the parties deserve a clear resolution on which to get their footing for the remainder of the proceedings. This extension of the postponement again assures the parties: we hear your concerns.

Accordingly, to ensure fairness to all parties involved and to uphold the integrity of the federal EEO process, the next step in Phase 2 is for the Administrative Judges to issue their comprehensive general prehearing order. As stated in the previous Order, the Administrative Judges, based on their intensive discussions with the parties thus far, aim to provide clear direction to ensure the focus is on determining reasonable relief to those deserving without outstanding concern or confusion about the process.

THEREFORE, PLEASE TAKE NOTICE THAT all scheduled initial conferences and damages hearings on disputed claims for relief in the McConnell Class Action are **HEREBY POSTPONED** until further notice from the respective Administrative Judge. It remains that no further briefing will occur unless the Judges otherwise notify the parties.

It is **SO ORDERED**

Date: October 18, 2024

For the Commission:



John Burkhardt
Administrative Judge
U.S. Equal Employment Opportunity Commission
New York District Office
[REDACTED]



Monique J. Roberts-Draper
Administrative Judge
U.S. Equal Employment Opportunity Commission
New York District Office
[REDACTED]



Robert D. Rose
Administrative Judge
U.S. Equal Employment Opportunity Commission
New York District Office
[REDACTED]

CERTIFICATE OF SERVICE

It is assumed the parties received this ORDER immediately upon email transmission. We certify that on Thursday October 18, 2024 this ORDER was sent to the following parties *via* email:

Class Representatives

Jeremy Wright, Esq.
[REDACTED]

Jessica Lukasiewicz, Esq.
[REDACTED]

David Weiser, Esq.
[REDACTED]

J.R. Pritchett, Esq.
[REDACTED]

Steven Brown, Esq.
[REDACTED]

Lynette A. Whitfield, Esq.
[REDACTED]

Agency Representative

Eve Burton, Esq.
[REDACTED]

Sean M. Powers, Esq.
[REDACTED]

Deborah M. Levine, Esq.
[REDACTED]

Eric D. Goulian, Esq.
[REDACTED]

Thea E Potanos, Esq.
[REDACTED]

Mary Jane Wagg-Galvin, Esq.
[REDACTED]

Matthew Bushong, Esq.
[REDACTED]



John Burkhardt
Administrative Judge
U.S. Equal Employment Opportunity Commission
New York District Office
[REDACTED]