

**U.S. Department of Labor**

Office of Administrative Law Judges  
90 Seventh Street, Suite 4-800  
San Francisco, CA 94103-1516

(415) 625-2200  
(415) 625-2201 (FAX)



**Issue Date: 31 July 2019**

CASE NO.: 2017-OFC-00006

*In the Matter of*

OFFICE OF FEDERAL CONTRACT  
COMPLIANCE PROGRAMS,  
U.S. DEPARTMENT OF LABOR,  
Plaintiff,

v.

ORACLE AMERICA, INC.,  
Defendant.

**ORDER DENYING REQUEST FOR EXPEDITED BRIEFING**

On July 30, 2019, Oracle filed a Motion to Compel OFCCP to Comply with the Court's Discovery Orders Regarding Redacted Interview Memoranda and 30(b)(6) Testimony. With its motion, Oracle requests an expedited briefing schedule "such that OFCCP's response be due three days after this Motion is filed." OFCCP has not yet responded to this request.

Oracle's attached memorandum argues that it is prejudiced by any delay in resolving the issues raised in the motion given that written discovery is closed, fact witness discovery is almost concluded, and expert discovery is "in full swing." It claims that the absence of the information at issue here inhibits its ability to prepare expert reports and mount a defense. It adds that I have the discretion under the regulations to expedite the briefing schedule and represents that OFCCP will not be prejudiced because it has already briefed the issues.

While I appreciate the importance of ensuring compliance with prior orders, Oracle's proposed three-day response period is entirely unreasonable. The motion was filed in the afternoon hours of Tuesday, July 30, 2019. It was supplemented later in the afternoon with a corrected declaration. The memorandum is 20 pages long and accompanied by roughly five inches of supporting papers. On Oracle's proposal, OFCCP would have to process the motion and prepare a response by close of business on Friday. Even were that reasonable, it is not administratively feasible to rule on the parties' renewed disputes in the expedited manner Oracle suggests.

Oracle's request to expedite the briefing schedule is denied.

SO ORDERED.

RICHARD M. CLARK  
Administrative Law Judge