

1 Steven M. Zadravec (State Bar No. 185676)
szadravec@jonesday.com
2 JONES DAY
3161 Michelson Drive, Suite 800
3 Irvine, CA 92612.4408
4 Telephone: +1.949.851.3939
Facsimile: +1.949.553.7539

5 Scott Morrison (State Bar No. 320167)
scottmorrison@jonesday.com
6 JONES DAY
4655 Executive Drive, Suite 1500
7 San Diego, CA 92121.3134
8 Telephone: +1.858.314.1200
Facsimile: +1.844.345.3178

9 Attorneys for Defendant
10 ALBERTSONS LLC, and ALBERTSONS
COMPANIES, INC.

11 Anna Y. Park, SBN 164242
12 Connie K. Liem, TX SBN 791113
US. EQUAL EMPLOYMENT
13 OPPORTUNITY COMMISSION
255 East Temple Street, Fourth Floor
14 Los Angeles, CA 90012
Telephone: (213) 894-1080
15 Facsimile: (213) 894-1301
E-mail: connie.liem@eeoc.gov

16 Attorneys for Plaintiff
17 U.S. EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION

18 UNITED STATES DISTRICT COURT
19 SOUTHERN DISTRICT OF CALIFORNIA
20

21 **U.S. EQUAL EMPLOYMENT**
22 **OPPORTUNITY COMMISSION,**

23 **Plaintiff,**

24 **v.**

25 **ALBERTSONS COMPANIES, INC.,**
26 **ALBERTSON'S LLC, AND DOES**
1-5, INCLUSIVE,

27 **Defendants.**
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Case No. 18-CV-0852-MMA-BGS

SECOND JOINT STATUS
REPORT REGARDING
SETTLEMENT

1 TO THE HONORABLE DISTRICT JUDGE AND MAGISTRATE JUDGE:

2 Plaintiff U.S. Equal Employment Opportunity Commission (“EEOC” or
3 “Commission”) and Defendants Albertsons Companies, Inc. and Albertsons LLC,
4 et. al (“Albertsons”) (collectively the “Parties”) submit this Joint Status Report
5 Regarding Settlement to inform the Court of recent and anticipated developments.

6 Previously, on February 14, 2020, the Parties represented that they had
7 reached final settlement and were in the midst of obtaining signatures for lodging a
8 proposed Consent Decree and Order for the Court’s consideration, approval, and
9 entry. ECF No. 50. Plaintiff EEOC was prepared to execute the proposed Consent
10 Decree during February 2020 for lodging. However, Defendants could not
11 immediately sign for lodging the proposed Consent Decree and Order because
12 Defendants’ key personnel for obtaining signatures for the Consent Decree were
13 out of the country.

14 On March 16, 2020, the parties filed a prior Joint Status Report Regarding
15 Settlement (ECF No. 51), indicating that Defendants’ key personnel were unable to
16 execute the consent decree as anticipated due to the spread of COVID-19 and the
17 unique and unavoidable burdens placed on Albertsons as an essential service
18 provider. The parties were hopeful that they would be able to get the consent
19 decree on file on or before April 15, 2020. The emergency situation, however, has
20 not abated since the parties’ prior Status Report. Hence, Albertsons’ full time and
21 effort remains dedicated to ensuring that food and other supplies remain available
22 to the community, working with the numerous employee unions to ensure that the
23 Company’s workers are safe providing services to the public during the pandemic,
24 and conducting health assessments on employees who work with the public to make
25 sure the Company is not contributing to the spread of COVID-19. Given the
26 significant resources Albertsons is devoting to these efforts, at this time, the
27 Company does not have the additional resources necessary to also immediately

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1 comply with all of the proposed terms and training demands that will be required
2 under the Consent Decree.

3 Given these unforeseen events, the Parties now anticipate filing the proposed
4 Consent Decree and Order within a month, which is on or before May 15, 2020.
5 The Parties have committed to working together to expedite payment of any
6 anticipate settlement amounts to Claimants that would be required under the
7 Consent Decree to alleviate the burden associated with the delay in the lodging of
8 the Consent Decree.

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10 Dated: April 14, 2020

Respectfully submitted,
U.S. EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION

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By: /s/ Connie Liem
Anna Park
Connie Liem
Counsel for Plaintiff U.S. Equal
Employment Opportunity Commission.

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18 Dated: April 14, 2020

Respectfully submitted,

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Jones Day

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By: /s/ Steven M. Zadravec
Steven M. Zadravec
Scott Morrison

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Counsel for Defendants
ALBERTSON'S, LLC, AND
ALBERTSONS COMPANIES, INC.

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Signature Certification

Pursuant to Section 2(f)(4) of the Electronic Case Filing Administrative Policies and Procedures Manual, I hereby certify that the content of this document is acceptable to Connie Liem, counsel for Plaintiff U.S. Equal Employment Opportunity Commission, and that I have obtained Ms. Liem’s authorization to affix her electronic signature to this document.

Dated: April 14, 2020

By: /s/ Steven M. Zadravec
Steven M. Zadravec
szadravec@jonesday.com

Attorneys for Defendant
Albertsons Companies Inc.