

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

HENRY SEGAR, *et al.*,
Plaintiffs,

v.

WILLIAM P. BARR,
as U.S. Attorney General,
Defendant.

Civ. Action No. 77-0081 (EGS)

ORDER

Upon consideration of the Report and Recommendation ("R&R"), the defendant's objections, plaintiffs' response to those objections, the relevant law, and for the reasons stated in the Memorandum Opinion, the court adopts in part the R&R. Accordingly it is

ORDERED, that plaintiffs' motion for compliance order is **GRANTED IN PART**, and it is

FURTHER ORDERED, that the parties shall reconstitute the Working Group, and it is

FURTHER ORDERED, that the Employment Opportunity Monitoring Committee shall continue to monitor the Drug Enforcement Agency's ("DEA") compliance with this Court's Order to cease discrimination, and the DEA shall continue to produce annual reports through its EEO Office, and it is

FURTHER ORDERED, that defendant shall submit a modified

plan for promotions to GS-14 and GS-15 level positions to plaintiffs and the Working Group. The plan shall include specific time frames and deadlines for the various steps in the promotion process, and rating criteria to evaluate promotion candidates' accomplishments. If plaintiffs and the Working Group concur with the modified plan, the parties shall seek a petition to allow implementation of the plan for future promotion practices, subject to a decision by the parties and Working Group as to whether the plan requires further validation, and it is

FURTHER ORDERED, that if the modified plan requires validation, the validation shall be conducted by a mutually acceptable third-party vendor, and it is

FURTHER ORDERED, that plaintiffs shall provide to defendant a detailed request for attorney's fees from the period of June 1996 to present. Defendant shall either concede the amount or file an opposition to the fees, and it is

FURTHER ORDERED, that plaintiffs shall state with certainty the damage model they propose and allow defendant to either concede the validity of the model or file an opposition. If defendant does file an opposition, the Court will order a discovery period including depositions of experts. If there is no agreement after the discovery period the Court shall resolve the damages issue.

SO ORDERED.

Signed: Emmet G. Sullivan
United States District Judge
June 25, 2019