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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

EDUARDO GONZALEZ, ANTHONY
OCAMPO, ENCARNACION GUTIERREZ,
JOHAN MONTOYA, JUANCARLOS GÓMEZ-
MONTEJANO, JENNIFER LU, AUSTIN CHU,
IVY NGUYEN, ANGELINE WU, ERIC FIGHT,
CARLA GRUBB, DAVID CULPEPPER,
PATRICE DOUGLASS, and ROBAIR
SHERROD, BRANDY HAWK and ANDRE
STEELE, on behalf of themselves and all others
similarly situated,

Plaintiffs,

v.

ABERCROMBIE & FITCH STORES, INC., A&F
CALIFORNIA, LLC, A&F OHIO, INC., and
ABERCROMBIE & FITCH MANAGEMENT
CO.,

Defendants.

Case Nos. 03-2817 SI, 04-4730 and
04-4731

**NOTICE OF FILING AND
PLAINTIFF EEOC'S
MEMORANDUM OF POINTS AND
AUTHORITIES IN SUPPORT OF
PLAINTIFFS' MOTION FOR
ORDER GRANTING FINAL
APPROVAL OF THE
CONSENT DECREE**

Hearing Date: April 14, 2005
Hearing Time: 4:00 p.m.

Courtroom of Hon. Susan Illston

[Continued on next page]

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<p>ELIZABETH WEST and JENNIFER LU,</p> <p style="text-align: center;">Plaintiffs,</p> <p style="text-align: center;">v.</p> <p>ABERCROMBIE & FITCH STORES, INC., A&F CALIFORNIA, LLC, A&F OHIO, INC., and ABERCROMBIE & FITCH MANAGEMENT CO.,</p> <p style="text-align: center;">Defendants.</p> <hr/> <p>EQUAL EMPLOYMENT OPPORTUNITY COMMISSION,</p> <p style="text-align: center;">v.</p> <p>ABERCROMBIE & FITCH STORES, INC., A&F CALIFORNIA, LLC, A&F OHIO, INC., and ABERCROMBIE & FITCH MANAGEMENT CO.</p> <p style="text-align: center;">Defendants.</p>
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NOTICE OF FILING AND EEOC’S MEMORANDUM IN SUPPORT OF PLAINTIFFS’ MOTION FOR ORDER GRANTING FINAL APPROVAL

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

NOTICE IS HEREBY GIVEN that on April 12, 2005, the Equal Employment Opportunity Commission filed with the Clerk of the Court Plaintiff EEOC’s Memorandum in Support of Plaintiffs’ Motion for Order Granting Final Approval of Consent Decree.

MEMORANDUM OF POINTS AND AUTHORITIES

The Court should grant final approval to the settlement of this case under the terms of the proposed Consent Decree. When the risks and uncertainties of continued litigation are compared with the benefits conferred on the class members by the settlement, it is clear that the settlement is a fair, adequate, reasonable, and just resolution of this matter.

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The EEOC agrees with and hereby incorporates by reference the argument set forth by private plaintiffs in Sections IV (The Proposed Consent Decree Satisfies The Requirements For Final Approval Because It Is Fair, Reasonable, and Adequate), V (Objections are Without Merit), and VII (The Proposed Class Representative and Charging Party Awards are Fair, Reasonable and Adequate) of their Memorandum of Points and Authorities in Support of Plaintiffs' Motion for Order Granting Final Approval.

In addition to the above, the EEOC's involvement in negotiating the settlement and support for the Consent Decree is further evidence that the settlement is proper. The EEOC has no interest in this litigation other than ensuring that the victims of discrimination are appropriately compensated and that employment discrimination is eradicated. *See General Telephone Company of the Northwest v. EEOC*, 446 U.S. 318, 326 (1980) ("When the EEOC acts, albeit at the behest of and for the benefit of specific individuals, it acts also to vindicate the public interest in preventing employment discrimination"). Because the EEOC was a full partner in negotiating the settlement and wholly supports the agreement having only these interests in mind, the Court may be assured that the settlement is in the best interests of the class. *See Mendoza and United States v. Tucson Sch. Dist. No. 1*, 623 F.2d 1338, 1353 (9th Cir. 1980, *cert. denied Sanchez v. Tucson Unified Sch. Dist. No. 1*, 450 U.S. 912 (1981) (participation of a government agency in the negotiations and settlement serves to protect the interests of the class against possible improper dealings).

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CONCLUSION

For all the foregoing reasons, the EEOC respectfully requests that this Court grant final approval to the Consent Decree.

April 12, 2005

_____/s/_____
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