

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

DAVID CANTU, <u>et al.</u> ,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 1:11CV00541 (RBW/JMF)
)	
THE UNITED STATES OF AMERICA,)	
<u>et al.</u> ,)	
)	
Defendants.)	
_____)	

DEFENDANTS' ELEVENTH STATUS REPORT

Defendants submit this status report regarding the voluntary alternative dispute resolution (ADR) program established for farmers who allege discrimination in making or servicing farm loans based on being Hispanic or female.

The Claims Adjudicator approved a total of 3,210 claims in the ADR program. Under the Framework for the ADR program, cash awards and tax relief on approved claims are paid from the Judgment Fund, while USDA provides any debt relief to such claimants by administratively cancelling or reducing eligible USDA farm loans. See Framework (ECF No. 30-1), § I(E). The Government has submitted approved claims to the U.S. Department of Treasury (“Treasury”) on a rolling basis for review and payment by the Judgment Fund of cash awards and tax relief. With the exception of claimants who are identified by Treasury as being subject to the Treasury Offset Program (“TOP”), id., § IX(D), the Claims Administrator receives the funds for cash awards and tax relief from Treasury and remits them to claimants. For TOP claimants, offsets must be taken, and cash awards issued, directly by Treasury. USDA has implemented debt relief on the accepted claims.

As of October 23, 2015, USDA reports as follows: A total of 2,847 of the approved claims have been paid by the Judgment Fund, and another 126 claims are in process. In addition, there are 237 claims for which the Administrator has requested but not yet received additional documentation (generally, proof of legal representative status for claims involving a deceased or incapacitated claimant¹). The Administrator has established a deadline of May 21, 2016, to submit such documentation. Once such documentation is received for any such claim, the Government will submit that claim to Treasury for review and payment.

As previously noted, the USDA Office of the Inspector General is also conducting a performance audit of the ADR process. See id., § X(A)(2). The Inspector General has not yet issued a report on that audit.

Dated: Oct. 26, 2015

Respectfully submitted,

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¹ See Claim Form (ECF No. 47-1) at 2.