

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

ORACLE AMERICA, INC.,

Plaintiff,

v.

U.S. DEPARTMENT OF LABOR; U.S.  
OFFICE OF FEDERAL CONTRACT  
COMPLIANCE PROGRAMS; EUGENE  
SCALIA, Secretary of the U.S. Department  
of Labor; CRAIG E. LEEN, in his official  
capacity as Director of the U.S. Office of  
Federal Contract Compliance Programs,

Defendants.

Case No. 19-cv-3574 (APM)

**JOINT STIPULATION OF DISMISSAL WITHOUT PREJUDICE**

The parties Plaintiff Oracle America, Inc. (Oracle) and Defendants U.S. Department of Labor *et al.* hereby stipulate to the dismissal without prejudice, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), of this action in its entirety.

Oracle filed this suit on November 27, 2019. ECF No. 1. The parties agreed to a joint briefing schedule, ECF No. 8, which this Court approved, ECF No. 9. Defendants moved to dismiss on March 27, 2020, and later for summary judgment, ECF Nos. 12, 37; Oracle opposed the motion to dismiss and moved for summary judgment, ECF Nos. 22, 23. The Communications Workers of America and United Steelworkers moved to intervene and filed a proposed motion for summary judgment, ECF Nos. 10, 11, which Oracle opposed, ECF No. 14. The Court has not resolved the proposed intervenors' motion to intervene. Oracle and Defendants fully briefed their cross-motions for summary judgment. ECF Nos. 38, 40, 43, 45. The Court scheduled a hearing on the parties' dispositive motions for December 16, 2020.

Oracle and Defendants notified the Court on December 7, 2020, that they were working to complete the steps of a settlement and moved the Court to stay the proceedings, including the hearing, for 30 days. ECF No. 54. The Court granted the motion and ordered the parties to notify the Court of any settlement before the stay expires. ECF No. 55.

The parties have since finalized their settlement. As part of the settlement, Oracle and Defendants agreed that Oracle will enter a stipulation for dismissal of its complaint in this action without prejudice, with all parties bearing their own costs, fees, and expenses.

Federal Rule of Civil Procedure 41(a)(1)(A)(ii) authorizes a plaintiff to stipulate to the dismissal of an action per a stipulation “signed by all parties who have appeared.” Fed. R. Civ. P. 41(a)(1)(A)(ii).

Accordingly, the parties hereby stipulate to the dismissal of all claims in this action without prejudice with all parties bearing their own costs, fees, and expenses.

Dated: January 4, 2021

Respectfully submitted,

/s/ Andrew D. Silverman

Andrew D. Silverman (D.C. Bar No. 1013835)

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