



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Washington Field Office

131 M Street, N.E.
Suite 4NW02F
Washington, DC 20507

_____)	
_____)	
Complainant,)	
)	
v.)	EEOC No. _____
)	Agency No. _____
Jeh Johnson, Secretary)	
U.S. Department of Homeland Security)	
(Secret Service),)	
Agency)	Date: October 21, 2016
_____)	

**ORDER DENYING COMPLAINANT'S MOTION TO SHOW CAUSE
AND EXTENDING DEADLINES**

Complainant's Motion to Show Cause

On October 4, 2016, Complainant filed a Motion to Show Cause Why Sanctions Should Not be Imposed for Spoliation of Evidence. On October 13, 2016, the Agency filed its Opposition to Complainant's Motion to Show Cause. On October 20, 2016, I held a teleconference with the parties on the motion. As stated during the teleconference, Complainant fails to show that spoliation has occurred and that sanctions are warranted. For this reason and for the reasons set forth in the Agency's Opposition, Complainant's motion is DENIED.

Extension of Deadlines

At the request of Complainant during the October 20, 2016 teleconference, and without opposition from the Agency, I hereby EXTEND the deadlines in this case as set forth below:

The discovery deadline is extended to **November 16, 2016**, so that Complainant may conduct depositions of Mr. Christopher and Mr. Stakias.

Motions for summary judgment, if any, shall be filed no later than **December 1, 2016**. Any opposition shall be filed no later than **December 16, 2016**, and any reply briefs shall be filed no later than **December 23, 2016**. All other instructions in the Case Management Order remain the same.

Sanctions

Failure to adhere to this Order may be grounds for sanctions, including adverse inferences against the Agency, and dismissal of the Complainant's request for a hearing. 29 C.F.R. § 1614.109(g)(3)(2015).

It is so ORDERED.

For the Commission:

Antoinette Eates
Antoinette Eates
Administrative Judge
Telephone: (202) 419-0762
Facsimile: (202) 653-6053
Antoinette.Eates@eeoc.gov

Sent by e-mail on October 21, 2016 to:

[REDACTED]
[REDACTED]

Tom Gagliardo

[REDACTED]

Steven Giballa
steven.giballa@uss.s.dhs.gov