

Complainant Fogg To Administrative Judge RE: Preliminary Settlement Agreement

To: **Sharon.Alexander@eoc.gov, FoggClassAction@eoc.gov (10-10-23)**

Dear Judge Alexander;

I emailed you and all parties on September 28, following the 9-26-23 receipt of your 9-21-23 Order in this matter, a letter (dated 2-27-23 attached).

My letter explained why the Class Agents believe the Class law firm of Sanford, Heisler, Sharp, LLP (Firm) has not represented this settlement in good faith or in the best interest of the Class Members. I asked you to remove the Firm from this case immediately.

I am forwarding you this same letter with your EEOC-named email to ensure the 'FoggClassAction@eoc.gov' email address matches your direct email.

I'm concerned about the Firm conducting a conference call with Class Agents last Wednesday (10-4-23) and letting us know that they will reach out to each Class Agent in two weeks to discuss the terms of the settlements regarding each Agent.

This further communication is unethical because of the previous issues I have raised. It will cause further discord and intimidation in a hostile environment amongst the Agents and Class members, for which the Class Agents have a fiduciary responsibility. The firm should not have any further contact with the Class Agents before you reply to my letter, and the Class Agents should be allowed to seek other counsel.

Matthew Fogg
Class Spokesperson & Named Complainant.

SHARON.ALEXANDER@EEOC.GOV

RE: Fogg, et al. v. Garland, EEOC No. 570-2020-01293X; Agency Case No. M-94-6376 - Letter Fr Named

Complainant Fogg To Administrative Judge RE: Preliminary Settlement Agreement To:

"carcle1@aol.com Fogg" carcle1@aol.com (10-11-23)

Good morning, Mr. Fogg-

As the Class is represented by counsel, and because it would be improper for me to participate in *ex parte* communications with either party, I am copying counsel for the parties and removing all other recipients from this response.

As you know, on September 21, 2023, I issued an Order Granting Preliminary Approval of Settlement Agreement, Authorizing Notice, and Scheduling Fairness Hearing. The USMS has since initiated the process of providing notice of the Class Settlement Agreement in accordance with the September 21, 2023 Order.

On September 28, 2023, you sent a letter to me through the FoggClassAction account established for any objections to Class Settlement Agreement, copying counsel for the parties. Given the timing and content of your letter, I will treat your letter as an objection to the Class Settlement. I will entertain objections to the Class Settlement during the Fairness Hearing scheduled for March 20, 2023.

Sincerely,
Sharon Alexander

Sharon E. Debbage Alexander (she/her)
Supervisory Administrative Judge
Washington Field Office
U.S. Equal Employment Opportunity Commission
131 M Street NE, Washington, DC 20507