

The Class Agent also has the right to file a civil action to enforce compliance with the Commission's order prior to or following an administrative petition for enforcement. see 29 C.F.R. 1614.407, 1614.408, and 29 C.F.R. § 1614.503(g). Alternatively, the Class Agent has the right to file a civil action on the underlying complaint in accordance with the paragraph below entitled "Right to File a Civil Action." 29 C.F.R. 1614.407 and 1614.408. A civil action for enforcement or a civil action on the underlying complaint is subject to the deadline stated in 42 U.S.C. 2000e-16(c) (1994 & Supp. IV 1999). If the Class Agent files a civil action, the administrative processing of the complaint, including any petition for enforcement, will be terminated. See 29 C.F.R. 1614.409.

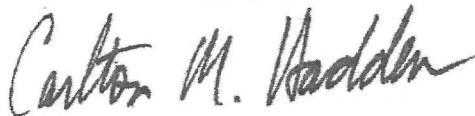
COMPLAINANT'S RIGHT TO FILE A CIVIL ACTION (R0610)

This is a decision requiring the Agency to continue its administrative processing of your complaint. However, if you wish to file a civil action, you have the right to file such action in an appropriate United States District Court within ninety (90) calendar days from the date that you receive this decision. In the alternative, you may file a civil action after one hundred and eighty (180) calendar days of the date you filed your complaint with the Agency, or filed your appeal with the Commission. If you file a civil action, you must name as the defendant in the complaint the person who is the official Agency head or department head, identifying that person by his or her full name and official title. Failure to do so may result in the dismissal of your case in court. "Agency" or "department" means the national organization, and not the local office, facility or department in which you work. Filing a civil action will terminate the administrative processing of your complaint.

RIGHT TO REQUEST COUNSEL (Z0815)

If you want to file a civil action but cannot pay the fees, costs, or security to do so, you may request permission from the court to proceed with the civil action without paying these fees or costs. Similarly, if you cannot afford an attorney to represent you in the civil action, you may request the court to appoint an attorney for you. You must submit the requests for waiver of court costs or appointment of an attorney directly to the court, not the Commission. The court has the sole discretion to grant or deny these types of requests. Such requests do not alter the time limits for filing a civil action (please read the paragraph titled Complainant's Right to File a Civil Action for the specific time limits).

FOR THE COMMISSION:



Carlton M. Hadden, Director Office
of Federal Operations

NOV 17 2015

Date

CERTIFICATE OF MAILING

For timeliness purposes, the Commission will presume that this decision was received within five (5) calendar days after it was mailed. I certify that this decision was mailed to the following recipients on the date below:

Matthew F. Fogg
POB 30956
Washington, DC 20030

Thomas J. Henderson, Esq.
1666 Connecticut Ave NW #300 Washington,
DC 20009

Joe Lazar, Esq.
Associate General Counsel U.S.
Marshalls Service
2604 Jefferson Davis Highway
Alexandria, VA 22301

Marcus Williams, Director, EEO Staff
Department of Justice
Office of EEO,
2604 Jefferson Davis Highway
Alexandria, VA 22301-1025

NOV 17 2015

Date



Compliance and Control Division