

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

REGINALD G. MOORE, <i>et al.</i>)	
)	
Plaintiffs,)	
)	
v.)	Civ. No. 00-953 (RWR/DAR)
)	
JANET NAPOLITANO)	ORDER APPROVING FORM OF
SECRETARY, U.S.)	CLASS NOTICE AND NOTICE PLAN
DEPARTMENT OF HOMELAND)	
SECURITY,)	
)	
Defendant.)	

Having reviewed and considered the adequacy of the parties' proposed forms of class notice, and having evaluated the parties' proposed notice plans, the Court finds that the following class notice and notice plan comply with Rule 23 of the Federal Rules of Civil Procedure, and otherwise satisfy class action notice requirements.

IT IS on this 13th day of May, 2013,

ORDERED THAT:

- (1) The form of class notice attached to this Order as Exhibit A is approved for mailing.
- (2) By May 28, 2013, Defendant shall provide to Class Counsel an electronic mailing list that identifies all current and former African-American Special Agents who bid for promotion to a GS-14 position from 1995 to 2004 and were not promoted to GS-14 on the first bid list on which they bid; and all current and former African-American Special Agents who bid for promotion to a GS-15 position from 1995 to 2005 and were not promoted to GS-15 on the first bid list on which they bid. Defendant shall exclude from this list Special Agents who served as an

Assistant Director, a Deputy Director, or the Director of the Secret Service during the class period.

(3) The mailing list provided by Defendant shall include the most current information available for each class member obtained through all reasonable efforts such as accessing any available Department of Homeland Security and federal government database(s) containing information on employees and/or retirees, including: (a) name; (b) address or P.O. Box; (c) city; (d) state; (e) zip code; and (f) telephone number. Social Security numbers also must be provided for class members who are no longer employees of the Secret Service and those current employee class members whose notices are returned as undeliverable. Contact information and Social Security numbers provided by Defendant will be treated subject to the protective order approved and entered in this case on March 10, 2005.

(4) Using the contact information provided by Defendant and/or identified by Class Counsel, Class Counsel shall disseminate by June 11, 2013 by first class mail a true and correct copy of the approved Notice to each class member. Where a Notice is returned as undeliverable and Defendant or Class Counsel are able to obtain updated contact information, Class Counsel shall re-disseminate the Notice using the updated information.

(5) When a Notice is returned as undeliverable: (a) Class Counsel will notify Defendant of the name of the individual whose Notice was returned as undeliverable; (b) Defendant shall make all reasonable efforts to secure and provide to Class Counsel updated/corrected contact information, including accessing any available Department of Homeland Security or federal government databases containing such information; (c) Class Counsel may also engage in their own efforts to locate accurate contact information for such individuals; and (d) once updated

