## UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

ERICK LITTLE, et al.,	) )
Plaintiffs,	) Civil No. 14-1289 (RMC) ) (consolidated with 15-98 (RMC))
<b>v.</b>	
WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY, et al.,	) )
Defendants.	) )
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## **ORDER**

For the reasons stated in the Opinion issued contemporaneously with this order, it is hereby

**ORDERED** that Plaintiffs' Motion for Leave to File a Second Amended Complaint, Dkt. 117, is **DENIED** without prejudice as moot; and it is

**FURTHER ORDERED** that Plaintiffs' Motion for Class Certification, Dkt. 124, is **GRANTED** in part and **DENIED** in part. The Court hereby certifies the following distinct classes:

Appendix A Class: All African-American persons who, since February 23, 2012, have been denied employment with WMATA, or terminated or otherwise permanently separated from their positions, suspended with or without pay, and/or denied employment with any third-party contractor or subcontractor as a result of Appendix A.

Appendix C Class: All African-American persons who, since February 23, 2012, have been denied employment with WMATA, or terminated or otherwise permanently separated from their positions, suspended with or without pay, and/or denied employment with any third-party contractor or subcontractor as a result of Appendix C.

Appendix F Class/MetroAccess Class: All African-American persons who, since January 1, 2013, have been denied employment with WMATA, or terminated or otherwise permanently separated from their positions, suspended with or without pay, and/or denied employment with any third-party contractor or subcontractor as a result of Appendix F;

and appoints counsel for Named Plaintiffs as Class Counsel; and it is

**FURTHER ORDERED** that WMATA's Motion to Exclude Dr. Bendick's report and testimony, Dkt. 132, is **GRANTED**; and it is

**FURTHER ORDERED** that Plaintiffs' Motion to Exclude the Initial Report of Dr. Stixrud, Dkt. 135, is **GRANTED** in part and **DENIED** in part. All legal conclusions contained in Dr. Stixrud's report are excluded; and it is

**FURTHER ORDERED** that WMATA's Motion to Exclude Dr. Farber's reports and testimony, Dkt. 138, is **GRANTED** in part and **DENIED** in part. Dr. Farber's reports and testimony are only admitted to the extent they are directly related to the class covered by Appendix F; and it is

**FURTHER ORDERED** that WMATA's Motion to Exclude Dr. Siskin's report and testimony, Dkt. 139, is **DENIED**; and it is

**FURTHER ORDERED** that Plaintiffs' Motion to Exclude Dr. Stixrud's Declaration, Dkt. 162, is **GRANTED** in part and **DENIED** in part. All legal conclusions contained in Dr. Stixrud's declaration are excluded; and it is

**FURTHER ORDERED** that the parties shall meet and confer and file a joint proposed schedule for merits discovery and a joint status report addressing the need or utility of consolidating this case with *Derricote v. WMATA*, No. 15-cv-114; *Walker v. WMATA*, No. 15-cv-1298; and *Lawton v. WMATA*, No. 17-cv-168 no later than April 21, 2017; and it is

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	FURTHER OR	<b>DERED</b> that the	e Courtroom	Deputy	shall set a	status	conference
for a date afte	er April 21, 2017.						

Date: March 31, 2017

ROSEMARY M. COLLYER
United States District Judge