



U.S. Department of Justice
Executive Office for Immigration Review
Office of the Director
Equal Employment Opportunity Program

5107 Leesburg Pike, Suite 1904
Falls Church, VA 22041

November 30, 2012

SENT VIA ELECTRONIC MAIL

Ali M.M. Mojdehi, Esq.
Cooley LLP
4401 Eastgate Mall
San Diego, CA 92121-1909

**RE: NOTICE OF RECEIPT OF COMPLAINT OF DISCRIMINATION
DOCKET NUMBER: EOI-2013-00081**

Dear Mr. Mojdehi:

This notice acknowledges receipt of the above-referenced complaint of discrimination that your client, Immigration Judge Ashley Tabaddor, filed against the United States Department of Justice, Executive Office for Immigration Review (EOIR or the Agency) on November 29, 2012.

Judge Tabaddor alleges that EOIR management discriminated against her on the basis of national origin, religion, race, and reprisal when it issued her a legal opinion to recuse herself from immigration cases involving Iranians.

If the Agency accepts the complaint, it will conduct an investigation. The Agency will complete its investigation within one hundred eighty (180) calendar days of the filing date, unless the parties agree in writing to extend the investigation. Upon completing the investigation, the Agency will provide you a copy of the Report of Investigation, and you will have an opportunity to discuss settlement with an appropriate Agency official. If the parties agree to a settlement, we will prepare a written settlement agreement and provide you with a copy of the settlement agreement.

The following information provides you written notice of the Complainant's rights and the time requirements for exercising those rights:

1. You have a right to a hearing.

Except in mixed cases, you have the right to request a hearing before a United States Equal Employment Opportunity Commission (EEOC) Administrative Judge after completion of the investigation or one hundred eighty (180) calendar days from the filing of a formal complaint, whichever comes first. To request a hearing, you must request a hearing directly to the EEOC field office that has jurisdiction over the geographic area in which the complaint arose. The EEOC field office that has jurisdiction over this complaint is the following:

United States Equal Employment Opportunity Commission
Los Angeles District Office
255 E. Temple, 4th Floor
Los Angeles, CA 90012-3334

You must certify to the Administrative Judge that you sent a copy of the Complainant's hearing request to the EOIR's EEO office at the address provided on this letterhead.

2. You have the right to appeal.

You have the right to appeal a dismissal, final action, or decision. However, you cannot appeal a partial dismissal immediately.

- a. You may appeal a dismissal, final action, or decision within thirty (30) calendar days of its receipt. You must use EEOC Form 573, "Notice of Appeal/Petition," and specifically state what you are appealing. You can mail your appeal to:

United States Equal Employment Opportunity Commission
Director, Office of Federal Operations
P.O. Box 77960
Washington, DC 20013

or hand deliver it to:

United States Equal Employment Opportunity Commission
Office of Federal Operations
131 M Street, NE, Suite 5SW12G
Washington, DC 20507

or fax it to:

(202) 663-7022

- b. You must furnish a copy of the Complainant's appeal to the Agency at the same time you file the appeal with the EEOC. In, or attached to the EEOC appeal, you must certify the date and method by which you serviced the Agency. If you fail to file a timely appeal, the EEOC will dismiss the appeal.
- c. You must submit any statement or brief on the Complainant's behalf in support of the appeal to the Office of Federal Operations (OFO) within thirty (30) calendar days of filing the Notice of Appeal. The OFO will accept statements or briefs in support of an appeal by facsimile transmittal provided they do not exceed ten (10) pages.
- d. With regard to a mixed case, if you are dissatisfied with the Agency's final decision on the mixed case complaint, you may appeal the matter to the Merit Systems Protection Board (MSPB), not the EEOC, within thirty (30) calendar days of receipt of the agency's final decision.

3. You have the right to file a civil action.

You have the right to file a civil action in Federal District Court on matters raised in the administrative process:

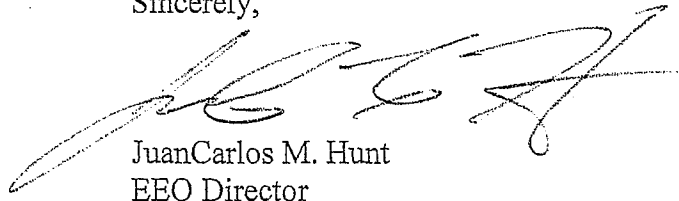
- a. Within ninety (90) calendar days of receipt of the Agency's final action on an individual or class complaint if no appeal has been filed;
- b. After one hundred eighty (180) calendar days from the date of filing an individual or class complaint if an appeal has not been filed and final action has not been taken;
- c. Within ninety (90) calendar days of receipt of the EEOC's final decision on the appeal; or
- d. After one hundred eighty (180) calendar days from the date of filing an appeal with the EEOC if there has been no final decision by the EEOC.

If you file a civil action, you must name the appropriate Department or Agency head as the defendant. Failure to name the head of the Department or Agency may result in the loss of any judicial redress to which you may be entitled. The head of the Department of Justice is the Attorney General.

During the processing of the complaint, you have the responsibility of notifying this office of any change of address or contact information. Failure to provide this office with current contact/ mailing information, as required, may result in this office dismissing the entire complaint pursuant to 29 C.F.R. §1614.107(a)(6). Similarly, should EOIR's EEO office request relevant information, and you fail to respond or adequately address the request within fifteen (15) calendar days of receiving it, this office may dismiss the entire complaint pursuant to 29 C.F.R. §1614.107(a)(7).

Should you have any questions regarding the processing of this complaint, you may contact Andrew Press at (703) 605-1285. In all correspondence or communication regarding the complaint, please refer to the assigned EEO complaint number: EOI-2013-00081.

Sincerely,

A handwritten signature in black ink, appearing to read "Juan Carlos M. Hunt". The signature is fluid and cursive, with a long horizontal stroke at the end.

Juan Carlos M. Hunt
EEO Director

cc: Ashley Tabaddor
1415 Camden Avenue Apt. 208
Los Angeles, CA 90025

UNDER: COMPLETE THIS SECTION Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. Article Addressed to: Ashley Tabaddor 1415 Camden Avenue Apt. 208 Los Angeles, CA 90025		COMPLETE THIS SECTION ON DELIVERY A. Signature <input checked="" type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee B. Received by (Printed Name) C. Date of Delivery D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
Article Number 7008 0500 0001 4675 9295 Transfer from service label) Domestic Return Receipt 102595-02-M-1540		3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
UNDER: COMPLETE THIS SECTION Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. Article Addressed to: Ali M.M. Mojdehi, Esq. Cooley LLP 4401 Eastgate Mall San Diego, CA 92121-1909		COMPLETE THIS SECTION ON DELIVERY A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee B. Received by (Printed Name) C. Date of Delivery D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
Article Number 7008 0500 0001 4675 9301 Transfer from service label) Domestic Return Receipt 102595-02-M-1540		3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	

U.S. Postal Service CERTIFIED MAIL RECEIPT <small>(Domestic Mail Only) (No Insurance Coverage Provided)</small> OFFICIAL USE		Postage \$ _____ Certified Fee _____ Return Receipt Fee (Endorsement Required) _____ Restricted Delivery Fee (Endorsement Required) _____ Total Postage & Fees _____ Sent to _____ Street, Apt. No., or PO Box No. _____ City, State, ZIP+4 _____ Postmark Here _____
Ali M.M. Mojdehi, Esq. Cooley LLP 4401 Eastgate Mall San Diego, CA 92121-1909		Ashley Tabaddor 1415 Camden Avenue Apt. 208 Los Angeles, CA 90025

U.S. Postal Service CERTIFIED MAIL RECEIPT <small>(Domestic Mail Only) (No Insurance Coverage Provided)</small> OFFICIAL USE		Postage \$ _____ Certified Fee _____ Return Receipt Fee (Endorsement Required) _____ Restricted Delivery Fee (Endorsement Required) _____ Total Postage & Fees _____ Sent to _____ Street, Apt. No., or PO Box No. _____ City, State, ZIP+4 _____ Postmark Here _____
Ashley Tabaddor 1415 Camden Avenue Apt. 208 Los Angeles, CA 90025		Ali M.M. Mojdehi, Esq. Cooley LLP 4401 Eastgate Mall San Diego, CA 92121-1909

