



U.S. Department of Justice

United States Marshals Service

*Office of Equal Employment Opportunity*

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Alexandria, VA 22301

JAN 3 2013

Mr. Patrick Anderson  
Office of Equal Employment Opportunity  
United States Marshals Service  
2604 Jefferson Davis Highway  
Alexandria, Virginia 22301

**Re: Ashley Tabbador**  
**Complaint Docket Number: EOI-2013-00081**

Dear Mr. Anderson:

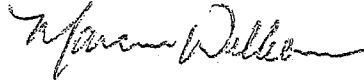
You are authorized to investigate the above referenced Equal Employment Opportunity (EEO) complaint of discrimination filed by Ashley Tabbador. Investigations are conducted in accordance with applicable Equal Employment Opportunity Commission directives and requirements, including 29 CFR §1614.108.

You are authorized to administer oaths and require that statements of witnesses will be under oath or affirmation, without a pledge of confidence. The investigation will include a thorough review of the circumstances under which the alleged discrimination occurred. The Report of Investigation also will include comparative data regarding the treatment of members of the complainant's group as compared to the treatment of other employees in the organizational segment in which the alleged discrimination occurred.

You are further authorized to investigate all aspects of each complaint allegation, require all employees of the United States Department of Justice, Executive Office for Immigration Review (EOIR) to cooperate in the conduct of the investigation, and to require employees of the USMS having knowledge of these matters complained of to furnish testimony under oath or affirmation without a pledge of confidence.

Should you require additional information, you may contact Tanya L. Wright, Chief, Complaints Processing at (202) 305-9419 or (202) 307-9325 (Complaints Processing Branch).

Sincerely,



Marcus Williams  
EEO Officer

Enclosures: Acceptance Letter  
Complaint File

cc: Without enclosures:

Ms. Ashley Tabbador  
1415 Camden Avenue, Apt. 208  
Los Angeles, CA 90025

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

JuanCarlos M. Hunt  
EEO Director  
Executive Office for Immigration Review (EOIR)





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

Re: **EEO Complaint of Ashley Tabbador**  
**Docket Number: EOI-2013-00081**

Dear Mr. Mojdehi:

This refers to the discrimination complaint filed by your client, Ashley Tabbador, against the United States Department of Justice, Executive Office for Immigration Review (EOIR) on November 29, 2012. By letter dated December 18, 2012, and received on December 19, 2012, the Director of the Equal Employment Opportunity Staff, Justice Management Division, designated the United States Marshals Service EEO Office to serve as the Acting EEO Officer for the purpose of processing your client's complaint due to a conflict of interest.

Receipt of your client's complaint was acknowledged by the EOIR EEO Office on November 30, 2012. The letter also provided your client with notice of her rights in accordance with Equal Employment Opportunity Commission federal sector complaint regulations.

According to the documentation received from the EOIR EEO Office, the claim(s) to be investigated consists of the following:

Judge Tabbador alleges that EOIR discriminated against her on the basis of national origin, religion, race and reprisal related to the issuing of an ethics opinion to recuse herself from immigration cases involving Iranians. Judge Tabbador further alleges that EOIR has retaliated against her for claiming that the ethics opinion is discriminatory.

Your client's complaint will be assigned to an investigator for formal investigation. Once assigned, you and your client will be informed of the investigator's identity and when the investigation is expected to begin. You and your client will be provided a copy of the Report of Investigation on its completion.

According to the Equal Employment Opportunity Commission's complaint regulation (29 CFR §1614.108(e)): "The agency shall complete its investigation within 180 days of the date of filing of an individual complaint...." The regulation provides for an extension (by written agreement) of not more than 90 days, if voluntarily agreed on by the complainant and the agency.

To ensure your client's complaint is processed within the specified time frames, it is essential that when the investigator requests information to support this complaint, he should provide it promptly. Failure to cooperate with the investigation may lead to dismissal of your client's complaint.

Should you have any questions regarding the guidance contained in this document, or about any aspect of the complaints process, you may contact Ms. Wright at (202) 305-9419 or (202) 307-9325 (Complaints Processing Branch).

Sincerely,



Marcus Williams  
EEO Officer

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

Richard Toscano, Director  
Equal Employment Opportunity Staff  
Justice Management Division



# Memorandum

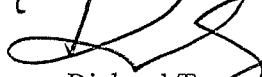


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RECEIVED

Subject	Date
Designation of Acting EEO Officer Re: Ashley Tabaddor v. Executive Office for Immigration Review (EOIR)	DEC 18 2012

To	From
Marcus Williams EEO Officer U.S. Marshals Service (USMS)	 Richard Toscano, Director Equal Employment Opportunity Staff Justice Management Division

Due to an apparent conflict of interest regarding this matter, you are hereby designated to act as Equal Employment Opportunity (EEO) Officer for the above-referenced complaint. We are, therefore, forwarding this file to you for handling.

Among the duties delegated, you are requested to:

- (1) review the complaint to determine acceptability;
- (2) conduct a formal investigation; and
- (3) advise Ms. Tabaddor of her rights and obligations.

At the conclusion of the investigation, you should forward the investigative report to the Equal Employment Opportunity Commission (EEOC) if a hearing is requested, or directly to the Complaint Adjudication Officer if no hearing is to be held. You should assist the parties in settlement negotiations as necessary. **Please forward an acknowledgment of this assignment to Complainant with a copy to me within five days of your receipt of this memorandum.**

Any questions may be directed to JuanCarlos Hunt, EEO Director, EOIR, at (703) 305-0890.

Attachment