

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

Commonwealth of Pennsylvania, State of California, State of Delaware, District of Columbia, State of Maine, Commonwealth of Massachusetts, and State of North Carolina,

Plaintiffs,

v.

Louis DeJoy, in his official capacity as United States Postmaster General, Robert M. Duncan, in his official capacity as Chairman of the Postal Service Board of Governors, and the United States Postal Service,

Defendants.

Case No. 20-cv-4096

**NOTICE OF REPORTS AND DECLARATION
CONCERNING PRELIMINARY INJUNCTION COMPLIANCE**

Pursuant to paragraphs 2 and 5 of the Court’s preliminary injunction, *see* ECF No. 63, Defendants provide the Court with reports requested by both this Court and the U.S. District Court for the Southern District of New York in the matter *Jones v. United States Postal Service*, No. 20 Civ. 6516 (S.D.N.Y. Sept. 25, 2020) (Marrero, J.). Exhibit A contains certain reasonably available overtime data collected in response to the request for “[t]he rate that the Postal Service incurred overtime, starting October 2, 2020, as a percentage of total work hours nationwide and as a percentage of total work hours within the two regional processing operations areas and four retail and delivery operations areas.”¹ ECF No. 63 ¶ 5(a). This data is subject to the limitations identified

¹ The Postal Service also submits, as Exhibit D, a corrected copy of the document submitted as Exhibit A to the Notice Defendants filed last week, on October 9, 2020 (ECF No. 71-1). The corrected copy simply omits the column labeled “Grand Total;” the remaining columns (and the data therein) remain unchanged. The data in the “Grand Total” column in ECF No. 71-1 was

in the notice filed by the Postal Service last week. *See* ECF No. 71, at 1-3. Exhibit B contains reasonably available data collected in response to the Court’s request for “[t]he number of late and extra trips taken by Network & Local PVS & HCR, starting October 2, 2020.” ECF No. 63 ¶ 5(b). Finally, Exhibit C contains the data submissions made today by the Postal Service in the *Jones* matter before the Southern District of New York.

Furthermore, the Declaration of Dr. Joshua Colin, and its accompanying exhibits, address the Court’s request for a submission “detailing their efforts to notify all USPS employees, via their supervisors and managers, of these provisions and the Postal Service’s commitment to and enforcement of them.” ECF No. 70 ¶ 4.

Dated: October 16, 2020

Respectfully submitted,

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Acting Assistant Attorney General

ERIC WOMACK
Assistant Branch Director, Federal Programs Branch

/s/ Kuntal Cholera
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unnecessary, and included in error, since the data under “Work Hours” already reflected the total of overtime hours and non-overtime hours. Fortunately, the data in the “Overtime %” column in ECF No. 71-1 was derived by dividing the data in the “Overtime Hours” column from the data in the “Work Hours” column; the data in the “Grand Total” column was not utilized for this calculation.

CERTIFICATE OF SERVICE

I hereby certify that on October 16, 2020, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all users receiving ECF notices for this case.

/s/ Kuntal Cholera

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