

OFFICE OF ADMINISTRATIVE LAW JUDGES
U.S. DEPARTMENT OF LABOR
WASHINGTON, D.C. 20001

In the Matter of

U.S. DEPARTMENT OF LABOR, OFFICE)
OF APPRENTICESHIP TRAINING,)
EMPLOYER AND LABOR SERVICES,)

Prosecuting Party,)

v.)

Case Nos. 2002-CCP-1,
2003-CCP-1

CALIFORNIA DEPARTMENT)
OF INDUSTRIAL RELATIONS,)

Respondent,)

and)

CALIFORNIA APPRENTICESHIP COUNCIL,)

Respondent.)
_____)

PROSECUTING PARTY'S THIRD STATUS REPORT

For the reasons explained in our motion to compel and supporting reply brief, our efforts to obtain discovery have been obstructed by the respondents' failure to produce and/or identify requested material properly and to explain how materials produced in lieu of answers to certain of our interrogatories are responsive. We also think that many of the respondents' answers to our other requests are insufficient. On August 14, 2003, we submitted new discovery requests to CDIR and CAC in an attempt to secure more responsive answers to our original requests. We have answered the only set of discovery requests that we have received from the respondents (CDIR's November 22, 2002 requests), and there are no pending requests from either CDIR or CAC.

Once we receive sufficient responses to all of our discovery requests, we anticipate that some follow-up discovery may be necessary. CDIR's and CAC's responses to our latest round of discovery requests are due September 15, 2003. Assuming that CDIR and CAC respond sufficiently and that they request no further extensions, we could be finished with our discovery in November 2003. While we will need a few months to assess the information received, submit any dispositive motions, and/or prepare for trial, if discovery is completed in November 2003, we estimate that we will be ready for trial, or to submit this case for decision on the record, by February 2004. A later end to discovery would move back the trial date accordingly.

Respectfully submitted,

CHARLES D. RAYMOND
Associate Solicitor for
Employment and Training
Legal Services

HARRY L. SHEINFELD
Counsel for Litigation

STEPHEN R. JONES
Attorney
SCOTT GLABMAN
Senior Appellate Attorney

Office of the Solicitor
U.S. Department of Labor
Suite N-2101
200 Constitution Ave., N.W.
Washington, D.C. 20210
Tel.: (202) 693-5710
Fax: (202) 693-5732