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Counsel for Plaintiff United States

UNITED STATES OF AMERICA,

Plaintiff,

v.

STATE OF NEW JERSEY AND NEW
JERSEY CIVIL SERVICE
COMMISSION,

Defendants.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

VICINAGE OF NEWARK

Civil Action No.
2:10-cv-00091-KSH-MAS

Hon. Katharine S. Hayden

**JOINT MOTION TO REQUEST THE SCHEDULING
OF A FAIRNESS HEARING ON INDIVIDUAL RELIEF
AND TO APPROVE THE RELIEF AWARDS LIST**

Pursuant to paragraph 43 of the Second Amended Consent Decree (“Decree”), entered as final by this Court on June 12, 2012, Plaintiff United States of America (“United States”) and Defendants State of New Jersey and New Jersey Civil Service Commission (collectively, the “Parties”), request that this Court schedule a Fairness Hearing on Individual Relief to determine

whether the Relief Awards List, attached as Exhibit A, shall be approved or amended.

Paragraph 43 of the Decree provides that the Court will give the Parties at least 90 days notice of the hearing to provide the Parties sufficient time to send out notices regarding the hearing and the Claimants sufficient time to return any objection forms regarding the Relief Awards List. To avoid the Claimants' receipt of the notices during the holiday season, the Parties request that the Court schedule the hearing no earlier than April 2013. Prior to the hearing, in accordance with the terms of the Decree, the Parties will file their responses to any objections timely sent to the United States.

The Parties assert that all requirements set forth in paragraphs 32-36 of the Decree have been met. In addition to the required notice under the Agreement regarding how to request individual relief, the Parties reached out by telephone to approximately 450 presumptive claimants who did not receive the first mailing and sent a second mailing to approximately 350 presumptive claimants with whom the Parties had not made contact to ensure that notice was provided to all of the presumptive claimants.

In addition, Second Amended Attachment A is attached as Exhibit B to correct a typographical error in First Amended Attachment A (Dkt. 49). The "Race of Candidates Eligible for Relief" in Wallington in 2003 should be listed as African American rather than Hispanic. Only one presumptive claimant was identified in Wallington, and he received notice of entry of the Decree and submitted an interest in relief form.

Dated: December 6, 2012

Respectfully submitted,

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and New Jersey Civil Service Commission

CERTIFICATE OF SERVICE

I hereby certify that on December 6, 2012, I electronically filed the Joint Motion to Request the Scheduling of a Fairness Hearing on Individual Relief and to Approve the Relief Awards List and a Proposed Order with the Clerk of the Court using the CM/ECF system, which will then send a notification of electronic filing to the following:

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UNITED STATES DISTRICT COURT
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[Proposed] ORDER GRANTING A FAIRNESS HEARING ON INDIVIDUAL RELIEF

Upon consideration of Plaintiff United States of America's and Defendants State of New Jersey and New Jersey Civil Service Commission's Joint Motion to Request the Scheduling of a Fairness Hearing on Individual Relief and to Approve the Relief Awards List ("Motion"),

it is hereby **ORDERED** that the Motion is **GRANTED** and that a Fairness Hearing on Individual Relief will be held before this Court on _____ at the Martin Luther King Building and United States Courthouse, 50 Walnut Street, Newark, New Jersey 07101.

It is **FURTHER ORDERED** that all the deadlines set forth in the Decree are incorporated herein.

DATED:

KATHARINE S. HAYDEN
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

Exhibit A

NOTE: Exhibit A – Relief Awards List (Pages 2-29) may be accessed on PACER at: <https://ecf.njd.uscourts.gov/cgi-bin/login.pl>.

Exhibit B

SECOND AMENDED ATTACHMENT A**JURISDICTIONS IN WHICH CANDIDATES ARE
ELIGIBLE FOR INDIVIDUAL RELIEF**

	Jurisdiction	Year	Symbol	Race of Candidates Eligible for Relief		Type of Individual Relief for Which Candidates Are Eligible	
				African American	Hispanic	Back Pay	Priority Promotion
1	Asbury Park	2002	PM2513D	x		x	
		2005	PM2504G	x		x	
2	Atlantic City	2001	PM2547C	x	x	x	x
		2005	PM2505G	x	x	x	x
3	Bayonne	2001	PM2509C	x		x	
		2004	PM2508F	x		x	
4	Bridgeton	2000	PM2530B	x		x	x
		2003	PM2614E	x	x	x	x
5	Burlington	2001	PM2512C	x		x	
		2001	PM2513C	x		x	
6	Camden	2002	PM2517D	x	x	x	x
		2005	PM2650G	x		x	x
7	Deptford	2000	PM2533B	x		x	
8	Dover	2004	PM2514F		x	x	
9	East Orange	2002	PM2520D	x		x	x
		2005	PM2515G	x	x	x	x
10	Elizabeth	2001	PM2516C	x	x	x	x
		2004	PM2517F	x	x	x	x
		2007	PM2584J	x	x	x	x
11	Ewing	2000	PM2536B	x		x	
12	Garfield	2000	PM2538B		x	x	
		2004	PM2520F		x	x	
13	Hackensack	2002	PM2569D	x		x	
14	Hamilton	2007	PM2588J	x		x	
15	Hillside	2003	PM2538E	x		x	
16	Hoboken	2000	PM2542B		x	x	x
		2004	PM2524F		x	x	x
17	Irvington	2006	PM2585H	x		x	
18	Jersey City	2002	PM2527D	x	x	x	x
		2005	PM2527G	x		x	x
19	Kearny	2005	PM2528G		x	x	
20	Lawrence	2002	PM2530D	x		x	

	Jurisdiction	Year	Symbol	Race of Candidates Eligible for Relief		Type of Individual Relief for Which Candidates Are Eligible	
				African American	Hispanic	Back Pay	Priority Promotion
21	Magnolia	2000	PM2551B	x		x	
22	Morristown	2003	PM2546E	x		x	
23	New Brunswick	2001	PM2529C	x		x	x
		2004	PM2531F		x	x	x
		2007	PM2601J		x	x	x
24	Newark	2001	PM2530C	x		x	x
		2004	PM2559F	x	x	x	x
		2007	PM2602J	x		x	x
25	North Brunswick	2006	PM2602H	x		x	
26	Orange	2005	PM2550G	x		x	
27	Passaic	2000	PM2560B	x		x	x
		2003	PM2548E	x	x	x	x
28	Paterson	2000	PM2571B	x		x	x
		2003	PM2549E	x		x	x
		2006	PM2604H	x	x	x	x
29	Pennsauken	2000	PM2561B	x		x	
30	Perth Amboy	2001	PM2533C	x	x	x	
31	Plainfield	2005	PM2554G	x		x	
32	Pleasantville	2005	PM2645G		x	x	
33	Roselle	2000	PM2564B	x		x	
34	Scotch Plains	2003	PM2554E	x		x	
35	Somerdale	2005	PM2557G	x		x	
36	Teaneck	2002	PM2552D	x		x	x
		2005	PM2562G	x	x	x	x
37	Trenton	2001	PM2537C	x		x	x
		2007	PM2615J	x		x	x
38	Vineland	2001	PM2542C		x	x	
		2007	PM2618J		x	x	
39	Wallington	2003	PM2559E	x		x	
40	Weehawken	2006	PM2622H		x	x	
41	West New York	2002	PM2554D		x	x	
42	Willingboro	2005	PM2569G	x		x	
43	Wood-Ridge	2004	PM2548F	x		x	