

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES EQUAL EMPLOYMENT	:	
OPPORTUNITY COMMISSION,	:	
Applicant,:	:	24 Misc. 125 (LGS)
	:	
-against-	:	<u>ORDER</u>
	:	
AMAZON.COM SERVICES, LLC,	:	
Respondent.:	:	
-----X	:	

LORNA G. SCHOFIELD, District Judge:

WHEREAS, on March 15, 2024, Applicant U.S. Equal Employment Opportunity Commission (“EEOC”) filed a petition to enforce an administrative subpoena *deuces tecum* against Respondent Amazon.com Services, LLC.

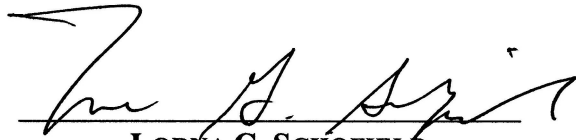
WHEREAS, “[t]he courts’ role in a proceeding to enforce an administrative subpoena is extremely limited.” *Consumer Fin. Prot. Bureau v. L. Offs. of Crystal Moroney, P.C.*, 63 F.4th 174, 185 (2d Cir. 2023). “To win judicial enforcement of an administrative subpoena, an agency must show [1] that the investigation will be conducted pursuant to a legitimate purpose, [2] that the inquiry may be relevant to the purpose, [3] that the information sought is not already within the agency’s possession, and [4] that the administrative steps required have been followed.” *Id.* “It is the respondent’s burden to show that an agency subpoena is unreasonable -- a burden that is not easily met.” *Id.*

WHEREAS, despite Respondent’s high burden, they must be given the opportunity to respond and “demonstrate[] that the subpoena is unreasonable or that compliance would be unnecessarily burdensome.” *E.E.O.C. v. United Parcel Serv., Inc.*, 587 F.3d 136, 139 (2d Cir. 2009). It is hereby

ORDERED that by **April 3, 2024**, the EEOC shall serve Respondent with (1) the papers in support of the application and (2) this Order, and shall file proof of service on the docket. It is further

ORDERED that responsive papers, not to exceed fifteen (15) pages, are due by **April 19, 2024**. The EEOC may file a reply, not to exceed eight (8) pages, by **April 26, 2024**. All filings shall comply with the Court's Individual Rules.

Dated: March 20, 2024
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE