

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

**EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,**

Petitioner,

v.

**Case No. 14-mc-052
Appeal No. 15-3452**

UNION PACIFIC RAILROAD COMPANY,

Respondent.

ORDER

Petitioner the Equal Employment Opportunity Commission (“EEOC”) filed this miscellaneous case seeking enforcement of an administrative subpoena it issued to respondent Union Pacific Railroad Company. On October 15, 2015, I entered an order enforcing the EEOC’s subpoena and ordering Union Pacific to comply within thirty days. Union Pacific has appealed that decision, and on November 4, it filed a motion to stay my order pending resolution of the appeal. Because of the looming compliance deadline, it has also requested that its motion to stay either be resolved via oral argument or that I expedite the briefing schedule.

Because of two trials currently scheduled in my court, I am unable to accommodate a request for oral arguments before the compliance deadline. However, I will stay my order pending resolution Union Pacific’s motion to stay. The parties should attempt to agree on an expedited briefing schedule and report to me on or before November 16. If the parties are unable to agree on a briefing schedule, they should indicate so in their report, and I will set a briefing schedule at that time.

THEREFORE, IT IS ORDERED that my October 15, 2015 Order requiring

respondent to comply with petitioner's subpoena is **STAYED** pending resolution of respondent's motion to stay. Respondent need not comply with the subpoena until I decide whether to stay the order pending appeal.

IT IS FURTHER ORDERED that the parties shall meet and confer and attempt to agree upon an expedited briefing schedule. They shall file a report with the court on or before **November 16, 2015** summarizing their efforts. If they are unable to reach an agreement on an briefing schedule, I will issue a scheduling order at that time.

Dated at Milwaukee, Wisconsin, this 9th day of November, 2015.

s/ Lynn Adelman

LYNN ADELMAN
District Judge