1 **NELSON CHAN (#109272) Assistant Chief Counsel** 2 RENEE PARADIS (#234687) **Associate Chief Counsel** 3 CALIFORNIA CIVIL RIGHTS DEPARTMENT 2218 Kausen Drive, Suite 100 4 Elk Grove, CA 95758 5 Telephone: (916) 478-7251 Facsimile: (888) 382-5293 6 7 Attorneys for Petitioner, CCRD (Fee Exempt, Gov. Code, § 6103) 8 9 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA 10 IN AND FOR THE COUNTY OF ALAMEDA 11 Case No. 22CV012663 CALIFORNIA CIVIL RIGHTS DEPARTMENT (FORMERLY KNOWN AS 12 THE DEPARTMENT OF FAIR HOUSING AND EMPLOYMENT), an agency of the STIPULATED JUDGMENT 13 State of California, [Cal. Code of Civ. Proc., § 664.6)] 14 Petitioner. 15 VS. 16 JPMORGAN CHASE BANK, N.A. 17 18 Respondent. 19 Petitioner, the California Civil Rights Department (formerly known as the Department of 20 Fair Employment and Housing) (hereinafter "Petitioner" or "Department"), and Respondent, 21 22 JPMorgan Chase Bank, N.A., (hereinafter "Respondent"), hereby stipulate for dismissal of the above 23 action and for entry of this Stipulated Judgment. 24 **STIPULATIONS** 25 1. The Department is charged with enforcement of, inter alia, California Government 26 Code section 12999, requiring large employers to report pay data to the Department on an annual 27



basis.

- 2. Respondent is a national association with its principal place of business at 1121 Polaris Parkway, Columbus, OH 43240.
 - 3. Respondent is a consumer bank with more than 900 branches in California.
- 4. The parties to this action ("Parties"), for the limited purposes of ordering dismissal of the Petition, agree that this Court has jurisdiction over the subject matter and the Parties, venue is proper in this County, and this Court has jurisdiction to enter this Order.
- 5. This Order is entered to resolve the Petition for an Order Compelling Compliance with Government Code Section 12999, Obligating Employers to Submit Pay Data Reports, and Request for Costs.
- 6. Government Code section 12999, which was enacted in 2020 with an effective date of January 1, 2021, requires each employer that is subject to the Fair Employment and Housing Act, with at least 100 employees nationwide, and that is required to file an Employer Information Report ("EEO-1") under federal law, to submit a pay data report to DFEH on an annual basis.
- 7. Respondent is an employer with at least 100 employees nationwide, is subject to the Fair Employment and Housing Act, and is required to file an Employer Information Report under federal law. Nothing in this Stipulated Judgment shall preclude Respondent from asserting any and all available defenses to any claims under the Fair Employment and Housing Act or otherwise.
- 8. California's pay data report law requires employers to provide the number of employees by race, ethnicity, and sex in certain job categories and by category of rate of pay they employed during the previous year. Government Code section 12999 requires that employers submit a pay data report on or before March 31st of each year with pay data from the prior year ("Reporting Year"). The first such report was due March 31, 2021, for the 2020 reporting year.
 - 9. Respondent filed its 2020 pay data report with DFEH on June 24, 2022.





- 10. This Stipulated Judgment contains the complete agreement entered into by the Department and Respondent related to the conduct at issue. No promises, representations, or warranties other than those set forth in this Order have been made by the Department or by Respondent.
- 11. The Parties have stipulated to dismissal of the Petition and entry of the Judgment without the taking of proof and without trial or adjudication of any fact or law herein, without any determination of a violation of law, without the Judgment constituting evidence, a finding, or an adjudication, or an admission by Respondent regarding any claim or issue of law or fact alleged in the Petition, and without Respondent admitting any liability regarding allegations of violations that occurred or allegedly occurred prior to the entry of Judgment.
- 12. This Stipulated Judgment discharges any civil claim, including any civil action for damages, costs, attorneys' fees, or penalties of any kind, against Respondent for the failure to timely file a pay data report for reporting year 2020.
- 13. This Judgment may be enforced only by the Parties hereto. Nothing in this Judgment shall provide any rights or permit any person or entity not a party hereto to enforce any provision of this Judgment, nor shall this Stipulated Judgment be deemed a determination on the merits of the claims in the Petition.

STIPULATED JUDGMENT

IT IS HEREBY ORDERED AND DECREED THAT:

- 1. Respondent shall pay DFEH \$16,698, representing all costs claimed by Petitioner, including attorneys' fees, no later than 30 days after this Judgment.
- 2. The Petition is hereby resolved, and the Court shall vacate its Order to Show Cause dated July 6, 2022.

The undersigned have read, understand, and agree to all terms and conditions of this

1	Stipulated Judgment.		
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4	DATED: August 26, 2022 CALIFORNIA CIVIL RIGHTS DEPARTMENT		
5	NELSON CHAN Assistant Chief Counsel		
6	RENEE PARADIS		
7	Associate Chief Counsel		
8	By: Renée Paradis		
10	Attorney for the Department		
11	DATED A SACARA MAGGINDENNA ORGANI		
12	DATED: August 26, 2022 MCGUIREWOODS LLP		
13	By: Ibliance		
14	Molly M. White Attorney for JPMorgan Chase Bank, N.A.		
15			
16			
17	JUDGMENT IS ENTERED THIS DATE IN ACCORD WITH THE ABOVE.		
18	DATED:		
19	HON. FRANK ROESCH		
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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

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I am employed in the County of Los Angeles, State of California. I am over the age of eighteen years and not a party to the within action; my business address is 1800 Century Park East, 8th Floor, Los Angeles, CA 90067-1501.

On August 26, 2022, I served the following document(s) described as **STIPULATED JUDGMENT** on the interested parties in this action by placing true copies thereof enclosed in sealed envelopes addressed as follows:

7		Nelson Chan Renee Paradis	Attorneys for Petitioner CALIFORNIA CIVIL RIGHTS
8		California Civil Rights Department 2218 Kausen Drive, Suite 100	DEPARTMENT
9		Elk Grove, CA 92758	
10		916.478.7251 888.382.5293 (Fax) Nelson.Chan@dfeh.ca.gov	
11		Renee.Paradis@dfeh.ca.gov	
12		Molly M. White McGuireWoods LLP	Attorneys for Respondent JP MORGAN CHASE BANK, N.A.
13		1800 Century Park East, 8 th Fl. Los Angeles, CA 90067	
14	BY MAIL: I am "readily familiar" with the firm correspondence for mailing with the United State would be deposited with the United States Posta course of business. Such envelope(s) were place thereon fully prepaid at Los Angeles, CA, on that		n's practice of collection and processing
15			tes Postal Service. Under that practice, it al Service that same day in the ordinary ced for collection and mailing with postage
16			
17			it same day following ordinary business
18		BY E-MAIL: By electronic mail transmission of	via Electronic Filing Service Provider One
19	Legal by transmitting a PDF format copy of such document(s) to each person at the addresses set forth on the above service list.		n document(s) to each person at the email
20	addressee(s). (C.C.P. § 1011(a)(b)) I declare under penalty of perjury under the laws of the State of California that the		elope(s) by hand to the office of the
21			
22			s of the State of California that the
23	Executed on August 26, 2022, at Los Angeles, CA.		
24			
25	Sherlynn Hicks		
26			
27			