
District Court Proceedings

Sumitomo Shoji America, Inc. v. Avagliano, 457
US 176 - Supreme Court 1982

5-5-1978

NOTICE OF MOTION

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

LISA M. AVIGLIANO, et al.,
Plaintiffs,
v.
SUMITOMO SHOJI AMERICA, INC.
Defendant.

NOTICE OF MOTION

Civil Action No.
77-5641 (CHT)

TO:

Lewis M. Steel, Esq.
Eisner, Levy, Steel and Bellman
351 Broadway
New York, New York 10013

J. Portis Hicks
Wender, Murase and White
400 Park Avenue
New York, New York 10022

SIRS:

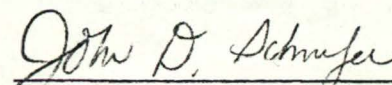
PLEASE TAKE NOTICE that the Equal Employment Opportunity Commission's Motion to Participate as Amicus Curiae will be presented to the Honorable Judge Tenney, United States District Judge, United States Courthouse, Foley Square, New York, New York 10007 at 9:30a.m. on June 23, 1978, or as soon thereafter as counsel can be heard.

Dated: May 5, 1978

ABNER W. SIBAL
General Counsel

JOSEPH T. EDDINS
Associate General Counsel

LUTZ ALEXANDER PRAGER


JOHN D. SCHMELZER
Attorneys

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION
2401 E Street, N.W.
Washington, D.C. 20506

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LISA M. AVIGLIANO, et al.,
Plaintiffs,

v.

SUMITOMO SHOJI AMERICA, INC.
Defendant.

) Civil Action No. 77-561
) (CHT)
)
) MOTION OF THE EQUAL
) EMPLOYMENT OPPORTUNITY
) COMMISSION FOR LEAVE TO
) PARTICIPATE AS AMICUS
) CURIAE
)
)

The Equal Employment Opportunity Commission moves for leave to participate as amicus curiae.

The Commission is the agency established by Congress to administer, interpret and enforce Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e et seq. (Supp. V, 1975). Currently at issue in this case is whether Sumitomo's \$325,000 tort counterclaim is barred because the conduct alleged to be tortious--the filing of EEOC charges and the bringing of this suit--is absolutely privileged. This issue involves an important question of public policy. It is therefore in the public interest that the Commission be permitted to present its views.

Respectfully submitted,

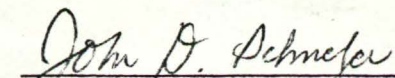
ABNER W. SIBAL
General Counsel

JOSEPH T. EDDINS
Associate General Counsel

LUTZ ALEXANDER PRAGER

Local Counsel

RONALD COPELAND, Esq.
Regional Counsel
New York Regional Office
Equal Employment Oppor-
tunity Commission
26 Federal Plaza
New York, New York 10007
(212) 264-3640


JOHN D. SCHMELZER
Attorneys

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION
2401 E Street, N.W.
Washington, D.C. 20506
(202) 634-6150

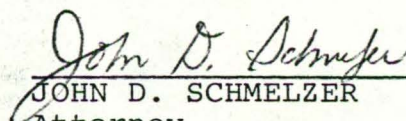
May 5, 1978

CERTIFICATE OF SERVICE

I hereby certify that copies of the Equal Employment Opportunity Commission's Motion to Participate As Amicus Curiae were today mailed to the following counsel of record.

Lewis M. Steel, Esq.
Eisner, Levy, Steel
and Bellman
351 Broadway
New York, New York 10013

J. Portis Hicks
Wender Murase and White
400 Park Avenue
New York, New York 10022


JOHN D. SCHMELZER
Attorney

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION
2401 E Street, N.W.
Washington, D.C. 20506
(202) 634-6150

May 5, 1978