

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

DIANE R. WILLIAMS,)
)
 Plaintiff,)
)
 v.) Civil Action No. 74-0186
)
 BENJAMIN R. CIVILETTI, et al.,)
)
 Defendants.)

FILED

JAN 21 1981

O R D E R

JAMES E. DAVEY, Clerk

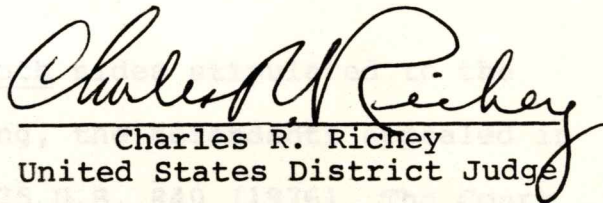
This case is before the Court on defendants' motion for reconsideration of this Court's January 9, 1981 order staying this Court's December 8, 1980 relief order. The Court notes that this is yet another attempt on the part of the government to unnecessarily prolong this case. As this Court noted in its July 22, 1976 order, the defendants and the plaintiff stipulated in open court to the case being determined on the basis of the administrative record. Pursuant to the administrative record, this Court found that the plaintiff had been subjected to sexual harassment on the job within the meaning of Title VII. Accordingly, the Court awarded the plaintiff \$19,147.68 in back pay, as well as affording her full restoration of her annual and sick leave, corresponding credit on the government's contribution toward her pension, and expungement of her termination record. Further, the Court notes that pursuant to its August 12, 1976 order, the attorneys' fee award was \$13,291.43, with costs in the amount of \$315.65.

Despite the fact that both sides stipulated to the procedure used in the first finding, the defendants appealed in light of Chandler v. Roudebush, 425 U.S. 840 (1976). The Court of Appeals for the District of Columbia remanded the case for a trial de novo. After a trial de novo, at which plaintiff's supervisor changed his story under oath and claimed to have had sex with her and others on his staff, which the plaintiff vigorously denied as to her, the Court found plaintiff to be a credible witness. This Court again found that the plaintiff had

been subjected to sexual harassment within the meaning of Title VII. Pursuant to this Court's order of December 8, 1980, the plaintiff was awarded \$14,821.65* for back pay, as well as full restoration of annual and sick leave, corresponding credit on the government's contribution towards her pension, and expungement of her termination record. The Court also awarded attorneys' fees in the amount of \$71,330.76, as well as costs of \$5,944.26, which included work on appeal as well as in this Court.

Yet, despite the over six years that this litigation has lasted, as well as the fact that this Court has found on two different occasions that the plaintiff was subjected to sex discrimination, the government, in its never say die attitude, attempts to prolong this case even further. The Court would be remiss if it did not point out that the only thing prolonging this case accomplishes is to increase the attorneys' fees, as witnessed by the almost \$60,000.00 increase in fees since the first time this case was decided. Further, such attempts will tend to discourage attorneys from handling Title VII cases where they must not only provide excellent legal service in successfully winning the case, but also go through protracted litigation in acquiring their justified fee. Accordingly, it is by the Court, this ^{21st} day of January, 1981,

ORDERED, that the defendants' motion for reconsideration of this Court's January 9, 1981 order be, and the same hereby is, denied.


Charles R. Richey
United States District Judge

* The December 8, 1980 relief award deleted interest in the amount of \$1,429.69 from the Court's original relief award of June 30, 1976 pursuant to Fisher v. Adams, 572 F.2d 406 (1st Cir. 1978).