

U.S. Department of Labor

Office of the Regional Solicitor
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December 2, 2020

VIA ECF

The Honorable Malachy E. Mannion
U.S. District Court for the Middle
District of Pennsylvania
William J. Nealon Federal Building & U.S. Courthouse
235 N. Washington Avenue
Scranton, PA 18503

Re: *Jane Does v. Scalia*, Civil Action No. 3:20-1260

Dear Judge Mannion:

I write in regard to the above-captioned case on behalf of the government Defendants. This letter is to inform you that the Occupational Safety and Health Administration (OSHA) has concluded its investigation of Maid-Rite Specialty Foods, LLC (Maid-Rite), and will not be issuing a citation, meaning, that in its sound discretion, OSHA will not be instituting an enforcement proceeding pursuant to the Occupational Safety and Health Act against Maid-Rite as a result of its investigation.

OSHA has informed the complainants of its findings and their right to request informal review by letter dated December 2, 2020, a copy of which is attached hereto. OSHA has also sent Maid-Rite a hazard alert letter, encouraging the company to use best practices with regard to social distancing on its meat processing lines. A copy of that letter is attached as well.

Should the Court desire briefing on any impact of these developments on the pending motion to dismiss, Defendants would welcome the opportunity to submit a proposed briefing schedule.

Sincerely,

/s/ Oscar L. Hampton III
Regional Solicitor

Enclosures

cc: David H. Seligman, Esq. (with enclosures)