

**IN THE
UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT
No. 26-1853**

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION,
Petitioner-Appellee,
v.
THE TRUSTEES OF THE UNIVERSITY OF PENNSYLVANIA,
Respondent-Appellant.

RESOLUTION AGREEMENT

The Equal Opportunity Employment Commission (“EEOC”) and the University of Pennsylvania agree as follows:

The EEOC warrants that it will not take any further measures to enforce the subpoena seeking identification and personal contact information of employees of the University of Pennsylvania, and any other unproduced information sought under the subpoena that gave rise to this action, nor will it seek to enforce the district court order regarding that subpoena or otherwise seek from the University of Pennsylvania any material sought by the subpoena, during the pendency of the EEOC’s administrative investigation into Charge No. 530-2024-01963, issued on December 8, 2023.

In exchange, the University of Pennsylvania agrees to file a stipulation of dismissal of the appeal pursuant to Federal Rule of Appellate Procedure 42(b) and

Third Circuit Local Appellate Rule 33.5(d). The stipulation will state that the parties' agreement moots the appeal. The stipulation will also state that each party shall bear its own costs and attorney's fees.

The University of Pennsylvania also agrees that it will not seek vacatur of the district court opinion in this case.

Executed on this 23st day of July, 2026.

/s/ James Driscoll-MacEachron

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