

## Equal Rights Advocates Stands Strong Behind the Wal-Mart Sex Discrimination Class Action Plaintiffs

(WASHINGTON, D.C. –Dec. 6, 2010) The Supreme Court announced today that it will conduct limited review of an April 2010 ruling by the U.S. Court of Appeals for the Ninth Circuit granting class certification of the case.

ERA's Executive Director Arcelia Hurtado said, "We look forward to the Court's consideration. We are as confident as we were on day one of this case that justice will ultimately prevail. In the end, the facts of the case speak for themselves. The rest is procedural wrangling by Wal-Mart to delay the trial of this case."

ERA and co-counsel welcome the Supreme Court's limited review of the class certification decision as that decision was based on a vast body of evidence. We feel confident that the decision to certify the class was sound and believe the Court will reach the same decision after reviewing the record before the U.S. District Court for the Northern District of California, where class certification was granted in June 2004.

The Supreme Court rejected review of a host of other issues raised by Wal-Mart.

The Plaintiffs' brief filed last month in opposition to Wal-Mart's Petition for a writ of *certiorari* — Supreme Court review — argued that the Ninth Circuit ruling upholding the class was proper. It highlighted that Wal-Mart ignored the compelling facts that led the trial court—in a detailed 84-page opinion—to conclude that there was significant evidence of company-wide pay and promotion discrimination. The evidence also showed that Wal-Mart lagged far behind its competitors in its promotion of women and long knew of the discrimination against its female employees but failed to act. It is the largest civil rights class action in history, and Wal-Mart has lost the class action issue four times in lower court rulings.

For more information on the case, visit [www.walmartclass.com](http://www.walmartclass.com).

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*Dukes v. Wal-Mart Stores, Inc.*, Plaintiffs are represented by Equal Rights Advocates (ERA), San Francisco, CA, along with co-counsel the Impact Fund, Berkeley, Calif.; Cohen Milstein Sellers & Toll, PLLC, Washington, D.C.; Davis Cowell & Bowe, San Francisco, Calif.; Public Justice Center, Baltimore, Md.; and Tinkler Law Firm and Merit Bennett, Santa Fe, N.M.