

ANNE NOEL OCCHIALINO

10308 Ridgemoor Dr. • Silver Spring, MD • (M) (202) 276-5436 • aocchialino@hotmail.com

EMPLOYMENT

U.S. Equal Employment Opportunity Commission, Office of General Counsel, Washington, DC	October
2000-present ASSISTANT GENERAL COUNSEL (40+ hours/week)	March 2023-present
ACTING ASSISTANT GENERAL COUNSEL (40+ hours/week)	August 2021-February 2023
SENIOR APPELLATE ATTORNEY (40 hours/week)	September 2016-August 2021
APPELLATE ATTORNEY (40 hours/week)	October 2000-August 2016

Expertise and Litigation Experience

- Subject-matter expert on federal anti-discrimination statutes and regulations, including Title VII, the Americans with Disabilities Act, the Age Discrimination in Employment Act, the Genetic Information Nondiscrimination Act, the Equal Pay Act, and the Pregnant Workers Fairness Act. Extensive experience researching complex and novel employment discrimination issues, providing legal analyses, making appeal and amicus curiae recommendations, and practicing in the federal courts of appeals.

Supervisory Experience

- As Assistant General Counsel and Acting Assistant General Counsel, supervise a team of three to four attorneys, reviewing briefs and appeal and amicus curiae recommendations for cases in the courts of appeals; work with the Office of Solicitor General on cases before the Supreme Court involving the statutes the EEOC enforces; regularly meet and collaborate with senior agency leaders and with attorneys at the Department of Justice; review and coordinate comments on defensive litigation briefs and proposed regulations and policy guidance documents; conduct performance reviews; select and supervise summer interns; serve as moot court judge.
- As Senior Appellate Attorney reviewed attorney recommendation memorandums and briefs while maintaining own docket.

Attorney Experience

- Drafted and filed more than eighty briefs in the courts of appeals as appellant, appellee, and amicus curiae; argued approximately fifty cases in the courts of appeals, including en banc.
- Coordinated with the Office of the Solicitor General on complex employment discrimination cases before the Supreme Court; drafted recommendation memorandums and drafted initial briefs filed in the Supreme Court, including the amicus brief in *Mount Lemmon Fire District v. Guido*, 586 U.S. 1 (2018), and the brief in opposition to a petition for certiorari in *Vantage Energy Services, Inc. v. EEOC*, 141 S. Ct. 1048 (2021).
- Drafted amicus and appeal recommendations for approval by the EEOC's General Counsel or for vote by the Commission; briefed the Chair, General Counsel, and other senior leaders on pending appellate and Supreme Court litigation.
- Identified potential amicus curiae cases with state or local employers in Title VII and ADA cases and referred them to the Department of Justice's Civil Rights Division (CRD); coordinated with CRD on the joint filing of amicus briefs in those cases.
- Served as a moot court judge; supervised and mentored student interns.
- Coordinated with the EEOC's Office of Legal Counsel to review and comment on proposed federal statutes, regulations, and guidance documents.

Awards and Recognition

- "Circle of Excellence Team Award Winner" (2023) – For exceptional work on *EEOC v. Activision Blizzard, Inc. v. California Department of Fair Employment & Housing*, Nos. 22-55060 & 22-55587 (9th Cir.), and *EEOC v. Activision Blizzard, Inc. v. Gonzalez*, No. 22-55515 (9th Cir.), involving a challenge to the EEOC's \$18 million sexual-harassment suit consent decree.
- "Circle of Excellence Team Award Winner" (2021) – For appellate contributions to \$5.5 million resolution in *EEOC v. JBS USA, LLC*, No. 10-cv-2103 (D. Colo.), resolving long-

- running Title VII systemic case of discrimination and retaliation on behalf of Black Muslim employees from Somalia denied religious accommodations.
- “Champion of Opportunity Award Winner” (2018) - For groundbreaking work on *EEOC v. R.G. & G.R. Harris Funeral Homes, Inc.*, 884 F.3d 560 (6th Cir. 2018), *aff’d*, *Bostock v. Clayton County*, 590 U.S. 644 (2020), agreeing that transgender discrimination violates Title VII and that the Religious Freedom Restoration Act did not provide a defense.
- “Circle of Excellence Team Award Winner” (2018) – For contributions to the appellate team’s victory as amicus curiae in the Second Circuit in *Zarda v. Altitude Express, Inc.*, 883 F.3d 100 (2d Cir. 2018) (en banc), *aff’d*, *Bostock v. Clayton County*, 590 U.S. 644 (2020), holding that Title VII prohibits sexual orientation discrimination.

ADJUNCT PROFESSOR

Fall 2012

University of New Mexico School of Law, Washington, DC

Designed and taught inaugural “DC Semester” class to third-year students in weekly seminar.

ADJUNCT PROFESSOR

August 2009-May 2010; August 2002-May 2005

George Washington University Law School, Washington, DC

Taught legal writing and research to first-year students, including appellate advocacy; held individual conferences with students; evaluated students’ oral and written work; developed class material.

ATTORNEY

Spring 2003

National Labor Relations Board, Contempt Litigation Branch, Washington, DC

As part of EEOC Honors Program, completed detail in Contempt Litigation Branch; took depositions, drafted subpoenas, and assisted in enforcement of judgments against employers and unions.

LAW CLERK

1998-2000

Honorable James A. Parker, U.S. District Court Judge, Albuquerque, New Mexico

Drafted memorandum opinions and orders. Recommended disposition of pre-trial and post-trial motions. Prepared jury instructions and bench memoranda. Worked on civil and criminal cases.

EDUCATION

JURIS DOCTORATE

May 1998

University of New Mexico School of Law, Albuquerque, New Mexico

Graduated *cum laude*; Faculty Award, 1998; awarded Honors in Community Lawyering Clinic, 1998; National Moot Court team, 1997; teaching assistant for Legal Research and Writing, 1997.

BACHELOR OF ARTS

May 1994

Wesleyan University, Middletown, Connecticut

Awarded B.A. in English and American Studies; track and cross-country co-captain; student government; high school tutor; campus tour guide; semester abroad at Oxford University, England, Fall 1992; Spanish language and culture program, Michoacán, Mexico, Summer 1992.

PUBLICATIONS

Anne Noel Occhialino & Daniel Vail, “Why the EEOC (Still) Matters,” 22 Hofstra Lab. & Emp. L.J. 671 (2005)

PRESENTATIONS AND SPEAKING ENGAGEMENTS

- “EEOC and Federal Law Update” at the New Mexico State Bar Association’s Labor and Employment Law Conference (2023, 2021, 2020-2017, 2015-2013, 2011, 2010).
- “Persuasive Legal Writing” presentation for U.S. Office of Special Counsel’s Amicus Working Group (2023, 2021).
- “Handling an Oral Argument in an Employment Case on Appeal” at the American Bar Association’s Labor and Employment Conference (2017).
- “EEOC Update” at the Pennsylvania Bar Institute’s Employment Law Institute (2015).
- Developed and presented internal trainings addressing religious defenses and persuasive writing.