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*CRST Van Expedited, Inc. v. EEOC*, No. 14-1375

Title VII of the Civil Rights Act of 1964 provides for an award of attorney's fees and costs to prevailing parties. In *Christiansburg Garment Co. v. EEOC*, the Supreme Court held that prevailing defendants in a Title VII suit are entitled to an award of fees if they can show that the plaintiffs' claims are "frivolous, unreasonable, or without foundation." The EEOC brought Title VII claims against CRST, a long-haul trucking firm, alleging that CRST female employees had been sexually harassed in the workplace. The district court dismissed 67 of those individual claims because the EEOC failed to fulfill its statutory obligation to investigate the claims, find reasonable cause, and attempt to conciliate them prior to bringing suit. The district court awarded attorney's fees and expenses to CRST, finding that it satisfied the *Christiansburg* standard. The Eighth Circuit affirmed the dismissal of the 67 claims but reversed the award of attorney's fees, holding that because the district court's dismissal of the claims was not on the "merits" it could not be a basis for a fee award. The Supreme Court has granted certiorari to determine whether the dismissal of a Title VII claim because of the EEOC's failure to comply with its pre-suit investigation obligations provides a basis for a fee award.