EXHIBIT 6

July 25, 2016

Ms. Brandie Marshall
U.S. Equal Employment Opportunity Commission
909 First Avenue, Suite 400
Seattle, Washington 98104
brandie.marshall@eeoc.gov

RE: EEOC Charge No. 551-2016-00486

Dear Ms. Marshall:

Please allow this letter and its enclosures to serve as Sandra Fowler's response to the position statement submitted by Mission Support Alliance ("MSA") in response to Ms. Fowler's charge. Thank you for permitting a brief extension of the due date to July 23, 2016 (extending to July 25, 2016 business day). I did not receive copies of the Exhibits (policies etc.) MSA provided, so am unable to respond fully. I respectfully request that the exhibits submitted by MSA be provided and that I be allowed a reasonable time to supplement this response.

While MSA attempts to deny Ms. Fowler's charge, a brief review of their submission reveals that their allegations are mere pre-text. As described in greater detail below, MSA's post claim allegations that Ms. Fowler engaged in substandard performance are undermined by their own pre-claim conclusion that Ms. Fowler had no performance issues that would negatively affect Ms. Fowler's pay. (cite to record) Their allegation that performance affects pay is further eroded by the fact that male Senior Executive Beyers' organization caused a $2.7655 million dollar loss to the company, yet he received full pay, full bonus – there was absolutely no negative financial consequences which followed; another male senior executive had sex with a subordinate in violation of MSA policies, was "demoted" in title and responsibility, but suffered no loss of pay.

MSA attempts to cite "a factor other than sex" to explain the disparate pay that Ms. Fowler received. The employer's explanation should account for the entire compensation disparity. Thus, even if the employer's explanation appears to justify some compensation disparity, if the disparity is much greater than accounted for by the explanation, as is present in this case, a cause finding is appropriate.

Ms. Fowler submits that a finding of cause is warranted in this case as MSA paid Ms. Fowler disparately to her male counterparts and retaliated against her for raising pay and other issues, and finally, constructively discharged her by refusing to remedy their discriminatory pay and employment practices.

I. STATEMENT OF FACTS

A. Overview of Mission Support Alliance.

The Hanford Site support Mission Services Contract was awarded by Department of Energy-Richland Office (RL) in April 2009 a $3,000,000,000.00 ($3BB) a ten year contract to Mission Support Alliance, LLC (a Lockheed Martin, Jacobs Engineering & Centerra joint venture), and includes a five-year base period with subsequent three- and two-year options (until 2019). MSA

scope of work provides support services across the former plutonium production facility in Washington state, including portfolio management, information technology, security, fire protection, public works-power, water, road maintenance, and management of the HAMMER training center. It employs approximately 1500 Union employees from HAMTC and Hanford Guards Union (HGU), and 600 exempt employees. The Board of Directors for MSA is comprised of the following: Lockheed Martin has the position of the chair and three directors, Jacobs has two directors and Centerra has one.

MSA received an 89 percent of fee earned for fiscal year 2015, slightly better than for fiscal 2014, when it earned 87 percent of the possible incentive pay. Mission Support Alliance received an "excellent" rating in objective scoring, which covers meeting DOE targets for completed work. It earned 94 percent of the pay available in that category, or nearly $13.9 million. For the subjective portion of the scoring, it was rated as "very good." The company qualified for 78 percent of the award available, or $4.9 million. Over all MSA qualified for $18.8 million in fee award for 2015 fiscal year.

B. MSA Policies and Procedures

To the extent that MSA's response argues that it cannot/did not discriminate because it has anti-discrimination policies and procedures, this is a red herring, a misstatement of applicable legal standards and it should be rejected. While it is true that MSA is required to have all of the federal and state DOL EEOC type anti-discrimination policies and procedures in place; those policies and procedures did not deter MSA executive management actions from discriminating against Ms. Fowler (and other of its female senior executive employees). MSA's Total Compensation Policy is not consistently applied for either actual performance and/or years of work experience as discussed below. As MSA's own compensation data reveals senior executive women were paid less than their male peers performing substantially equal work.

It is of grave concern that MSA's response to Ms. Fowler's EEOC complaint makes substantial allegations of 'substandard performance'. Not only were these alleged performance issues not sufficient to trigger company practices to address subpar performance prior to Ms. Fowler's departure from MSA, MSA concluded in about spring of 2014 that Ms. Fowler had no performance issues which would affect her pay[1]. These allegations smack of additional retaliation against Ms. Fowler for having filed this charge.

C. MSA's Legal Department

By way of clarification, MSA's reference to the job description which required 30 years of experience is referring to the position occupied by Mr. Steve Cherry, not the General Counsel position description. Ms. Fowler set the experience requirement at 30 years at the direction of Mr. Armijo as a strategy to ensure that Mr. Cherry would be hired and to avoid the possibility

[1] This was in an email MSA HR provided to Ms. Fowler and can be obtained from MSA. Ms. Fowler will also try and locate a copy of the email if it was not already provided and supplement the record. This email that was generated during the course of the 2014 pay evaluation MSA conducted of Ms. Fowler's position and which also refers to the increase eliminating the historical disparate pay practice of her direct report (Mr. Cherry) being paid more than Ms. Fowler.

that a former employee, Charlie McCloud would qualify. The 30 years of experience requirement was certainly not vital to the success of the position.

D. Ms. Fowler's alleged Poor Performance and Judgment

MSA evaluated Ms. Fowler's pay in 2014. During the course of that evaluation, MSA concluded that Ms. Fowler had no performance issues which would impact compensation. Now, in response to her EEOC (OFCCP) charge, MSA conjures multiple allegations of poor performance in an effort to provide a non-discriminatory reason for unequal pay. These post-claim allegations should be rejected on this basis alone. However, a critical evaluation of the allegations levied in response to Ms. Fowler's claim show that, even without their 2014 conclusion of Ms. Fowler's adequate performance, their allegations of poor performance are not worthy of belief.

MSA's makes a vague reference to "concerns regarding Ms. Fowler's legal experience, performance, and judgment." These vague and conclusory allegations should be rejected by the EEOC.

MSA alleges that use of outside counsel is evidence of Ms. Fowler's inexperience, however, in reality, MSA eliminated in-house positions and strategically elected to "pay by the drink". Ms. Fowler kept legal expenditures within budget. In 2012 Ms. Fowler responded to President Armijo's desire to increase in-house counsel. While there is an expressed desire to reduce costs of outside counsel, use of outside counsel is not a basis for a poor performance appraisal, nor is it used to justify a compensation decision. (Exhibit A) Cost control is an expectation of all senior level executives in MSA. This issue was present in 2012 and it did not impact Ms. Fowler's bonus compensation at that time, there is no reason to believe that it is a legitimate business reason for disparate pay. In fact, Ms. Fowler received a 50% increase in her bonus in 2012 over 2011.

MSA alleges that it needed to hire other internal lawyers to offset Ms. Fowler's lack of experience. This allegation should be rejected as the size and scope of MSA's legal department has not changed since her departure in August 2015.

MSA took over a DOE contract previously held by Fluor. Fluor's legal department consisted of up to five attorneys. The concept that use of outside counsel or hiring additional in-house attorneys is driven by Ms. Fowler's inexperience is ludicrous. In reality, the size and scope of legal services performed by contract or in-house counsel is driven by the scope and size of the work performed by MSA as described above.

The facts here also do not support the MSA allegation that Ms. Fowler's performance was "substandard". Per MSA's HR procedures an employee who was not performing satisfactorily was to be placed on a Performance Improvement Plan (PIP). MSA never raised, communicated or documented Ms. Fowler's performance as not acceptable during her tenure.

In fact, Ms. Fowler's good performance is documented throughout her tenure at MSA.

Francisco (Frank) Figueroa, President and General Manager of MSA wrote in September, 2010 "We hired Sandra as our General Counsel because of her many exceptional attributes and she rewarded us with exceptional performance." Mr. Figueroa went on to report, "Her work as the single point interface to the MSA Board of Directors was exceptional and drew many

compliments from our Board members, all of whom are high level executives of Lockheed Martin, Jacobs, and Wackenhut Services Inc." (Exhibit B)

In 2015 her good performance is noted by Mr. James Nagle (an attorney who has provided a number of years of legal services to MSA). Mr. Nagle notes that he worked with Ms. Fowler on "government contract matters,... commercial contracts, labor, employment, environmental safety and health." He reports that he found Ms. Fowler to be competent, professional, knowledgeable, and organized. Mr. Nagle complimented Ms. Fowler's ability to " productively interact in a collaborative, teamwork-oriented professional environment." (Exhibit C)

Additionally, MSA provides annual bonuses which are granted, at least in part, based on the prior year's performance and contributions toward organizational objectives. Ms. Fowler's annual bonuses, though meager compared to the MSA male executive staffs, increased $2,500 repeatedly for the first three years she was given a bonus. Ms. Fowler received her first bonus in 2011, $5,000; 2012, $7,500; 2013, $10,000; 2014, $11,000, and finally in 2015, $11,000.

During the Fall Board in October 2014, Chairman, Tom Grumbly, specifically called out that the meeting minutes should reflect how Ms. Fowler had well served MSA and the Board.

Ms. Fowler received performance evaluations over the course of her years of service at MSA. An employee is rated on a scale from 1 – 5, with 1 being Unsatisfactory and 5 being Exceptional. In FY 2010, Ms. Fowler received an overall rating of 4. In FY 2011, Ms. Fowler was rated at 4.2 In FY 2012, Ms. Fowler was rated as 4.75. (Exhibit A) Ms. Fowler did not receive formal performance evaluations in 2013 or 2014. However, she did receive annual bonuses in both years of $11,000.00 as noted above. Again, in 2014 while conducting the salary review, MSA concluded there were no performance issues which would affect compensation.

It is unbelievable that Armijo or Johnson had any concerns about continued poor performance and or judgment throughout 2010-2014, and 2015, respectively, they did not vote with their bonus awards, or document any "substandard" performance issues or discuss them with Ms. Fowler and place her on a PIP.

An example of bias can be found, however in the performance review from Armijo and Ruscitto dated February 2013 (evaluating 2012 performance). Ms. Fowler was chided for taking 9 months to obtain 81% ($2.155MM) settlement with two insurance companies, even though the Board indicated weeks earlier they were extremely pleased with her performance in a teleconference Board meeting February 2013. MSA had incurred a $2.755 million dollar loss due to an omission by the VP HR, Todd Beyers organization which created multi-million dollar payment of funds from the MSA parent organizations (Lockheed Martin, Jacobs Engineering and Centerra) – his organization failed to withhold appropriate amounts from employee paychecks for payment of certain insurance coverage. Ms. Fowler successfully negotiated with two insurance companies and was able to recover 81% ($2.155 million dollars). As discussed below, despite this significant performance issue, VP HR Beyers did not suffer a diminishment in his compensation.

Ms. Fowler was criticized for using outside counsel (namely Susan Breckbill and Beth Kennar), even though in March 2011 after Armijo pressured Ms. Fowler to lay off two in house attorneys

for budget cuts, he openly stated he-MSA was better off "to pay by the drink instead of having more permanent legal counsels". Susan Breckbill covered HR issues, and Beth Kennar covered Union grievances.

Ms. Fowler was also erroneously accused with not clearly explaining a legal issue (the HEWT insurance negotiations) to a Board Member, Tom Grumbly, who had video teleconferenced (VTC) into a Board meeting. However, Stephanie Hill who was also VTC attempted to clear up this wrongful accusation during the meeting telling Tom he had not heard Ms. Fowler correctly. In essence what was a technology glitch is now being used as a pre-textual excuse for unequal pay.

Certainly no organization expects any of its employees to be without opportunity for growth – no organization expects its employees to be perfect. Like most organizations in the United States, MSA has mechanisms in place to handle substandard performance – in this case MSA had performance evaluations, performance improvement plans and annual bonuses to document substandard performance. None of these well established performance measuring strategies reveal that Ms. Fowler engaged in performance which would warrant the disparity in pay she received compared to her male counterparts. A cause finding is warranted.

Even if MSA's post charge revision of the importance of already identified and addressed "performance" issues is accepted, their allegation that Ms. Fowler's unequal pay is motivated by a legitimate business reason (performance) should be rejected as there are examples of male senior executives who had much more substantial performance issues and they did not suffer decreases in compensation. This disparity in treatment as compared to MSA male senior executives' performance is discussed more fully below.

1. "Unwilling to be mentored"

MSA provided no examples how Ms. Fowler was unwilling to be mentored. In fact, this statement is patently false. Quite the contrary, Ms. Fowler asked repeatedly for the mentoring promised to her by Armijo June 3, 2014. Bensussen refused to communicate with Ms. Fowler except for degrading her with comments like, "you should kiss the ground they (Frank Armijo and Dave Ruscitto) walk on that you still have a job"/"you are a man hater"/ Bensussen communicated with Mark Beller, Sr. Paralegal, he would give Mark the task of communicating assignments to Sherry Thielen and Ms. Fowler. Ms. Fowler had to have teleconferences with Paul Donahue, Rogers Starr and Stephanie Hill (MSA Board Members) in the Spring 2015 reminding them of the promises Armijo made before (Bill Johnson) provided her a mentor which they finally initiated in July 2015.

2. "Negatively impacted the workplace"

Again MSA can provide no specific examples. It is of note that there are no allegations that Ms. Fowler's performance caused MSA any money, subjected MSA to potential claims, litigation, investigations, reduced fee or other tangible negative consequences. The only potentially perceived "negative" impacts Ms. Fowler created to the Company MSA executive management (Armijo, Ruscitto, Beyers, Johnson, Bensussen) was when Ms. Fowler reminded the them on a

frequent basis how MSA demonstrated gender bias (for all intents and purposes only male VPs has an office on the Third Floor, only male VPS were asked to play golf at charity events, and of course disparity in pay).

3. "Embellished resume"

This is patently a false allegation. Ms. Fowler accurately reported her dual employment roles . Ms. Fowler accurately reported that she worked for CH2M Hill on a *temporary* basis as an Associate Counsel approximately during 2004/05, when she worked directly for Stan Bensussen performing management self-assessments, emerging issues, including, technology licensing agreements with subcontractors, intellectual property assessments, health and safety (chemical vapor exposures), time card fraud, legal research and reviewed compliance to Sarbanes-Oxley Act.

4. "Demonstrate poor performance/poor judgement"

The Feb. 2, 2015 – email welcoming Johnson did mention an actual occurrence of a gun discharge in a class room day five of the MSA contract operations August 28, 2009. It is unfortunate Mr. Johnson did not share the fast-pace humor of the Company that Ms. Fowler's email intended to relate. The BBQ text was shared as Ms. Fowler provided a sincere comment on what is known as an epidemic both in the USA and Richland, WA. While Mr. Johnson may not have appreciated Ms. Fowler's personality or humor, this is hardly a performance issue or an example of poor judgment.

E. Hiring of, Steve Cherry and use of outside counsel

In 2013 Steve Cherry, while working for Fluor in Ohio, approached Ms. Fowler for a job at MSA as he no longer wanted to travel to Ohio for his job. Due to the rising Union grievances, and environmental work, Frank Armijo approved this requisition for a senior counsel. MSA HR draft the requisition tailored expressly for Cherry as Armijo did not want their previously laid-off attorney to become eligible for the position. HR offered Cherry a salary slightly higher than his general counsel salary with Fluor. The job requisition for senior counsel had no bearing on the current General Counsel (Ms. Fowler's) position requirements.

By early 2014 Steve Cherry was already talking with WRPS for a job, presumably for a higher titled position and salary. He left MSA in May 2014.

In the Fall 2013 Stan Bensussen newly retired from CH2M Hill (it is believed that the evidence would establish that Mr. Bensussen was forced to retire after CH2M Hill entered into a settlement of $19MM with the DOJ) approached Ms. Fowler to do contracting work for her legal department. Ms. Fowler knew she needed a replacement for Union grievances, and agreed to bring Bensussen on as a contract attorney.

MSA claims the hiring of Stan Benssusen as Chief Counsel was not discriminatory because he "had both extensive legal experience and extensive experience with the Department of Energy/Hanford" but 'extensive' legal experience and 'extensive' experience with DOE was never a requirement for the general counsel and legal manager job description in 2009. By the time MSA hired Bensusen in June 2014, Ms. Fowler had been General Counsel/Corporate

Secretary to the Board of Directors and manager of the legal department for five years. MSA also is untruthful that "decision to hire [Bensussen] to conduct necessary legal work and mentor" are a pretext as Bensussen was already performing work as a contracting attorney for MSA working directly for Ms. Fowler, and Bensussen never engaged in any meaningful mentoring with Ms. Fowler after becoming Chief Counsel.

He in fact excluded her from meaningful legal work, excluded her from senior executive staff meetings, gave her assignments through a male paralegal. MSA's hiring of Bensussen to Chief Counsel and legal manager demoted Ms. Fowler significantly. MSA paid Bensussen tens of thousands of dollars more than Ms. Fowler which once again supports MSA's culture of gender bias, outdated arguments for unequal pay, and reinforces MSA's culture of retaliation.

F. No Significant Difference between Chief Counsel and General Counsel Duties and [redacted]

MSA is again not being factual with regard to Ms. Fowler's demoted position even though she kept the title general counsel her duties were reduced to those of an associate counsel. The job descriptions for Chief Counsel and General Counsel in 2014/15 were essentially the exact same; even the direct reports within the legal organization remained the same. Ms. Fowler's performance over the years included successful mitigation of the DOT Site Hazardous Material Transportation fines in 2009/2010, which permitted MSA to continue its scope of work transporting hazardous materials at the Hanford Site. Otherwise, MSA would have been shut down.

Under Ms. Fowler's organization a plethora of Union grievances were successfully won by MSA. Ms. Fowler advised MSA management on (i) seven involuntary reductions of force lay-offs were successfully accomplished in the first five years of MSA's operations (without any wrongful termination claims); (ii) 2013 Congress initiated 'Sequestration'; (iii) 2013 potential HEWT and Hanford Guards Union strikes that were contemplated and plans were in place for contingencies; (iv) 2012 a very successful insurance claim reimbursement for the HR VP's error & omission that initially cost MSA $2.755MM, amongst other successful accomplishments during her term as General Counsel, Secretary and Manager of the Legal Department.

Since the beginning of August 2009, MSA sought approval from DOE-RL for its subcontract through a Consent Package for all Hanford IT Scope of Work (SOW). MSA maintained that the SOW was "commercial" and therefore waived from the FAR rules that prohibited *fee on fee* for a Prime Contractor and its *affiliate* subcontractor. MSA had bid the MSC with a Subcontractor, LMSI, to perform the IT SOW. However, a DOE Attorney's position from the formal protest period in 2008/09 is that the IT Hanford Subcontract SOW is not commercial and therefore subjected to the FAR rule prohibiting fee on fee. Armijo became CEO of MSA June 2010, and he personally worked hands on to get the LMSI Consent Package approval from DOE. (Armijo was the manager of LMSI prior to the MSC when LMSI was a subcontract to Fluor Hanford the predecessor to MSA. Armijo knew the LMSI business and subcontract inside and out.) By late 2013/early 2014, DOE-OCC/CO sent demands for auditing LMSI's incurred costs, MSA refused. Today, there is an on-going $66MM dispute between MSA and DOE because of the fee

on fee – commerciality issues. There is also a CID whereby the DOE-IG and DOJ are investigating [redacted]. Ms. Fowler [redacted]. Furthermore, to show the disparity of standards of performance, Stan Bensussen has not provided any greater legal counsel than Ms. Fowler especially with regard to the LMSI – DOE dispute on fee on fee. Lockheed Martin/MSA purportedly negotiated a settlement with DOE for $66MM, but later backed out of the deal. MSA is still negotiating with DOE over this dispute. Neither Stan Bensussen nor the DC law firm he contracted with to handle this fee-on-fee dispute have furthered MSA's position to-date.

G. MSA had knowledge of unequal pay

MSA had full documented knowledge of its OFCCP styled-reports and EEOC Annual Affirmative Action Goal reports revealed to MSA back in 2011/2012 that MSA's gender bias and unequal pay culture toward Ms. Fowler and other senior executive females.

MSA HR/EEOC manager and Staffing & Compensation manager kept detailed records of annual compensation. Every year since 2011 MSA had an outside expert (PeopleFluent) review its OFCCP-styled reports. The reports and expert's review patently show compensation disparities between senior executive women and men.

In the Fall 2015 MSA "made women whole" with regard to their salaries, whether inspired by the OFCCP Audit that was on-going since January 2012, or by Ms. Fowler's initial Demand Letter in September 2015 which Ms. Fowler raised the issue of unequal pay with Bill Johnson is not ascertainable. But various women working at MSA received salary increase in the Fall 2015 as its OFCCP- styled compensation records will indicate.

H. Retaliation by Armijo, Bensussen and MSA male senior executives

1. Salary Review Requests initiating in 2009, then every subsequent year

The MSA Transition commenced May 2009 after sustaining a Contract Award Protest from 2008. Ms. Fowler received her initial job offer in the Summer 2008 before the Protest. Toward the end of July 2009, Ms. Fowler learned that many of the soon to be MSA employees (previously Fluor Hanford or LMSI) were getting a 'bump" in pay prior to start of Operations on August 24, 2009. Ms. Fowler asked Todd Beyer's whether she was getting a bump in pay; after a few weeks it was apparent she would not. Every year following the start of Operations, Ms. Fowler asked for a salary review. In October 2012 Todd Beyers called a meeting with Frank Armijo and Dave Ruscitto unknown to Ms. Fowler; Todd began to accuse her of filing a gender discrimination claim against MSA due to her request for a salary review. Ms. Fowler denied the

accusation, and stated she merely made a request for a salary review. Frank Armijo ended the meeting stating if Ms. Fowler wanted to talk about her salary, she only could do so with Frank.

Ms. Fowler repeated her request for a salary review with Armijo in March/April 2014. Subsequently, she was demoted (Ms. Fowler's duties were all but reduced to that of an "associate counsel") to report to Stan Bensussen, Chief Counsel, Frank made the statement, "you talked to staff about your salary". Stan Bensussen was the only individual Ms. Fowler had talked to regarding her title and salary goals. Frank only could have been referencing Stan.

2. Ms. Fowler's employee's concern over an unethical – self-dealing Practice by Armijo

Sometime after Armijo became CEO MSA, June 2010, he began a very unethical practice of asking for and receiving reimbursement from MSA for his and his wife's charitable donations, ranging from $5K to $8K or even $9K. This practice continued until January 2015. Through the insistence of another LM Senior Counsel, Ms. Fowler reluctantly provided LM Internal Audit (Leo Mackay, VP Ethics Craig Cash, Ethics, and Neil Cannon, LM Attorney) the about conduct. Need-less-to-say, LM IA found everything to be "Unsubstantiated" as report back to Ms. Fowler in March 2015; it appeared from the outbriefing from Craig and Neil the conclusion was due to 'everyone knowing about it'. Months later Ms. Fowler discussed this issue with Paul Donahue, CEO Centerra, and he indicated he was never contracted by LM IA. Armijo determined that Ms. Fowler had initiated the ethics concern, and repeatedly retaliated against her. Snubbing her at a charity event with two MSA tables executives. On an airplane flight back to Pasco, WA from MSP in first class while sitting side-by-side across the aisle, Armijo never acknowledged Ms. Fowler's presence. Armijo even though he was no longer the CEO MSA continued to call Bensussen regularly throughout this period of time (February 2015 through August 2015). It was also during this time that Bensussen initiated disparaging comments and verbal abuses toward Ms. Fowler for no reason but to retaliate against her for engaging in protected activity with regard to her employee ethics concern against Frank Armjio.

3. Ms. Fowler's informal Demand Letter to MSA leads to threat from MSA to file criminal charges against Ms. Fowler

Ms. Fowler attempted to resolve this matter informally by providing a Pre-Complaint letter to MSA. In response, MSA accused Ms. Fowler of engaging in extortion and threatened criminal prosecution. Clearly Ms. Fowler's attempt to submit her claim and offer to resolve it informally is engaging in protected activity. It is absolutely improper for MSA to accuse Ms. Fowler of engaging in criminal activity and threaten criminal prosecution for advancing her unequal pay claim. This is an outrageous act against Ms. Fowler though totally in line with MSA's Executive Team's practice of retaliation. (See Exhibit D) Ms. Fowler wants to be clear that she has had very positive dealings with, and holds great respect for the Board Members at MSA. Ms. Fowler believes whole heartedly that the Board would disavow these types of tactics, as well as unequal pay practices if it understood the ramifications of the executive team's decisions.

4. Ethics Violations for Protected Activity

MSA claims Ms. Fowler is engaging in an ethical violation for mentioning an OFCCP report which proves (knowledge) that MSA has known that its compensation toward women managers compared to male peers is disparately applied. This appears to be yet another attempt to silence Ms. Fowler and stop her from advancing her claim.

Confidentiality Information on OFCCP data – "no female attorney would ever be able to make a claim of Unequal Pay, if threatened of confidentiality violation on information she received in the line of work." However, Ms. Fowler brought up the fact that Stan Bensussen had previously informed her that was pulling a salary of $230K at CH2M Hill.

Note the disparity of treatment for poor performance/judgement: Bensussen called Ms. Fowler a "man hater" and told her "she should kiss the ground they walk on"; In contrast if Ms. Fowler's performance was considered substandard, then MSA demonstrates a significant disparity of treatment in how it promotes, and increases salaries and bonuses toward its male senior executives.

Todd Beyers, VP HR, organization lack of due diligence, cost MSA $2.755MM through the HEWT Benefits omission. Ms. Fowler successfully obtained 81% or $2.25MM from two insurances policies. She is declared a poor performer while Beyers is given a substantial bonus in spite of his organization's huge gaffe.

Mike Wilson, originally VP Site Infrastructure and Logistics, was later switched with Lori Fritz, originally Environmental, Fritz performed an Extent of Conditions review of SIL (SIL), and found extensive requirements violations. She was trashed for "not being a team player" while Mike went on to his new position unscathed. The message was Ms. *Fritz findings* cost MSA hundreds of thousands of dollars in lost fee.

I. MSA's disparity in total compensation/Ms. Fowler was paid less than all MSA male senior executives, and is lawfully due compensatory and punitive damages

MSA does not follow its Total Compensation policies and procedures and never consistently applied the pay scales with senior executive positions covering the years since 2009. MSA has not consistently applied its policies and procedures for salaries, bonuses and/or advancement. Senior executive women were paid less salaries consistently than their male peers. The years of experience, number of direct reports and overall organization size was never actually part of MSA's determination of male senior executives' salary. Male senior executives were given overall total higher compensation than women at MSA.

MSA fails to recognize that the prior salary earned by a male comparator may itself be the product of sex discrimination or may simply reflect the residual effects of the traditionally enhanced value attached to work performed by men. This is particularly true where MSA matched the salary of highly paid male without regard for whether his experience, skills and talents are any different from the lower paid female employee.

Since my previous calculations in the OFCCP complaint were for pay differential was limited to Stan Bensussen and Steve Cherry, due to MSA's inconsistent application of its Total Compensation policies/pay scale for senior executive, Ms. Fowler's male comparators could include all the male senior executives and seconded senior executive employees of Lockheed Martin.

Disparity of Pay Among Senior Executives Salaries

1. PK Brockman, VP Interface Management, initially only a few employees in his organization. Paid ~$240K.
2. Steve Young, VP Portfolio Management had few direct report and less than 30 employees in organization. Paid ~$240K.
3. Lori Fritz, VP Public Works had an organization reporting to her in the hundreds, and her salary was substantially less than Brockman and Young. Paid ~$200K.

Disparity of Salary after a male and female senior executives "demotion" and a female out-layer

1. Scott Boyton, ex-VP, was demoted for having sex with a direct report, but his salary never changed. Paid $200K. Unlike Robin Madison, ex-VP, who was demoted for no cause, but her salary was cut by $75K. Originally paid $240K but after demotion paid $175K.
2. Debbie Kelly (Hovley), Chief of Staff, had no *real* direct reports, but received substantial bonuses due to her family relationship with Frank Armijo. Kelly is the female outlier due to 'familial' relationships between the Armijos and the Hovleys; Misters Armijo and Hovley stood up for each-other at their respective weddings, families vacationed together at least up until the Hovleys divorced in 2014. Further, under Connecticut v. Teal, 457 U.S. 440, 455 (1982) ("Congress never intended to give an employer license to discriminate against some [members of a protected class] merely because he favorably treats other members of the employees' group.").

Average Male Senior Executive's Salary at $240K, and Male VP Average Bonuses at 15% approximately (2009-2015)

In summary for all the above arguments Ms. Fowler's complaint for gender bias based on unequal pay and subsequent retaliation is factual. Ms. Fowler respectfully requests that the scope of these claims should be investigated by the EEOC initiating a review of MSA's last seven years of its OFCCP-styled Compensation Data and EEOC Affirmative Action Goals which will support her claim of unlawful pay discrimination.

Ms. Fowler respectfully requests a finding of cause and that the EEOC take this matter to the conciliation phase and that she be made whole for all damages suffered as well as costs and attorney fees as allowed by law, and reverses her right to amend this response.

Respectfully submitted,

Sandra Fowler