

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
OKLAHOMA

Mark A. Pendergraft v. David P. Steiner, Postmaster General

Pendergraft · No. CIV-24-1000-D · Decided April 28, 2026

SUMMARY

The United States District Court for the Western District of Oklahoma denied without prejudice Plaintiff Mark A. Pendergraft’s motion for a blanket Privacy Act order authorizing disclosure of specified United States Postal Service records. The court found the request premature and insufficiently specific, and directed the parties to meet and confer before any renewed request concerning specified documents or information.

CASE DETAILS

COURT	United States District Court for the Western District of Oklahoma
WRITING FOR THE COURT	Timothy D. DeGiusti
JURISDICTION	United States District Court for the Western District of Oklahoma
DECIDED	April 28, 2026
DOCKET	CIV-24-1000-D
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for entry of a Privacy Act order under 5 U.S.C. § 552a to authorize disclosure of specified United States Postal Service records in connection with his employment-discrimination action.
PRECEDENTIAL VALUE	nonprecedential district court order

TOPICS

- discovery dispute
- civil procedure
- employment discrimination
- title vii
- racial discrimination

PRACTICE AREAS

- civil procedure
- employment law
- federal employment law
- civil rights
- privacy law

QUESTIONS PRESENTED

- Whether the court should enter a blanket Privacy Act order authorizing disclosure of the broad categories of USPS records identified in Plaintiff’s motion.

2. Whether Plaintiff's request was sufficiently specific and ripe for consideration before discovery had been served and the parties had identified particular documents and privacy interests.

HOLDINGS

1. A broad, unspecified request for a Privacy Act order is insufficiently specific and premature, and therefore should be denied.
2. The denial is without prejudice, and either party may request a Privacy Act order for specified documents and information as discovery progresses.

KEY QUOTATIONS

“Upon consideration, the Court agrees with Defendant that Plaintiff's request for a blanket Privacy Act order is insufficiently specific and premature.” (Order)

“IT IS THEREFORE ORDERED that Plaintiff's Motion for Entry of a Privacy Act Order [Doc. No. 56] is DENIED, without prejudice to resubmission as set forth herein.” (Order)

FACTUAL BACKGROUND

Plaintiff alleges that the Postmaster General discriminated against him based on race, age, and color and retaliated against him for protected activity. He sought authorization for disclosure of a broad range of USPS records, including his personnel file, records concerning supervisors and decision-makers, safety and disciplinary records, internal complaints, communications, and EEO materials. At the time of Defendant's response, Plaintiff had not served discovery requests, and the requested order did not identify specific individuals or documents whose disclosure might implicate privacy interests.

PROCEDURAL HISTORY

Plaintiff brought claims alleging race, age, and color discrimination and retaliation under Title VII. He then moved for a broad Privacy Act order covering personnel, safety, disciplinary, communications, EEO, and other records. Defendant opposed the motion as premature and insufficiently specific, noting that Plaintiff had not yet served discovery requests. The court denied the motion without prejudice and directed the parties to meet and confer before any renewed request.

DISPOSITION

other

CASES CITED

- *Andrews v. Veterans Administration of U.S.*, 838 F.2d 418, 421-22 (10th Cir. 1988)
- *Palmieri v. United States*, 194 F. Supp. 3d 12, 17 (D.D.C. 2016)
- *Luster v. Vilsack*, 667 F.3d 1089, 1098 (10th Cir. 2011)

