

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

Mark Goldstein, Ducamp Beaulieu, and John Bryan, on behalf of themselves and all others similarly situated v. RTX Corporation (f/k/a Raytheon Technologies, f/k/a Raytheon Company), Raytheon Company (f/k/a Raytheon Intelligence & Space and Raytheon Missiles & Defense), Pratt & Whitney, Collins Aerospace, Rockwell Collins, Inc., and ARINC Inc.

Goldstein v. RTX Corp. · No. C.A. No. 24-1169-JLH-SRF · Decided December 29, 2025

SUMMARY

The United States District Court for the District of Delaware adopted, with modification, a magistrate judge’s Report and Recommendation concerning Plaintiffs’ ADEA claims against RTX Corporation and related entities. The Court dismissed claims against non-RTX Defendants, dismissed the ADEA disparate-impact claim, and dismissed certain state-law and pre-July 1, 2020 claims without prejudice, while allowing other advertising and disparate-treatment claims to proceed. The Court also granted conditional certification and authorized notice to certain applicants aged 40 or older who applied for and were denied recent-graduate positions, but denied certification for deterred applicants.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                            |
|-----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the District of Delaware                                                                                                                                                                                                                  |
| WRITING FOR THE COURT | Jennifer L. Hall                                                                                                                                                                                                                                                           |
| JURISDICTION          | United States District Court for the District of Delaware                                                                                                                                                                                                                  |
| DECIDED               | December 29, 2025                                                                                                                                                                                                                                                          |
| DOCKET                | C.A. No. 24-1169-JLH-SRF                                                                                                                                                                                                                                                   |
| DISPOSITION           | other                                                                                                                                                                                                                                                                      |
| PROCEDURAL POSTURE    | The district court reviewed the parties' objections de novo to a magistrate judge's report and recommendation addressing defendants' motion to dismiss and plaintiffs' motion for court-authorized notice under the ADEA's incorporated FLSA collective-action procedures. |
| STANDARD OF REVIEW    | De novo review of the objected-to portions of the Report and Recommendation under 28 U.S.C. § 636(b)(1)(C); clear-error review of recommendations to which no objection was made. The court                                                                                |

applied the Third Circuit's modest-factual-showing standard to conditional notice, while noting that it reached the same result even under de novo review.

**PRECEDENTIAL VALUE**

unpublished district court memorandum order

**TOPICS**

age discrimination

employment discrimination

motions to dismiss

statutory interpretation

civil procedure

**PRACTICE AREAS**

employment law

civil rights

civil procedure

**QUESTIONS PRESENTED**

1. Whether claims against Raytheon Company were timely under the ADEA's 90-day limitations period.
2. Whether claims against the other non-RTX defendants were barred because plaintiffs failed to exhaust administrative remedies and did not establish an exception to the exhaustion requirement.
3. Whether nonemployees and job applicants may bring an ADEA disparate-impact claim under 29 U.S.C. § 623(a)(2).
4. Whether plaintiffs plausibly alleged ADEA discriminatory advertising and disparate-treatment claims based on recent-graduate and limited-experience requirements as proxies for age.
5. Whether defendants' reliance on experience, training, or recruiting programs created a safe harbor under California Government Code § 12940(a)(5)(A) at the pleading stage.
6. Whether plaintiffs made the modest factual showing required for court-authorized notice under 29 U.S.C. § 216(b), and whether notice should extend to applicants deterred from applying.

**HOLDINGS**

1. Claims against Raytheon Company were untimely because the ADEA's 90-day period ran for more than 90 days before Raytheon Company was added as a defendant.
2. The claims against the non-RTX defendants other than Raytheon Company were dismissed because plaintiffs' EEOC charges did not name those entities and the alleged common-interest exception was not plausibly established.
3. The ADEA does not authorize nonemployees or job applicants to bring disparate-impact claims under 29 U.S.C. § 623(a)(2).
4. The First Amended Complaint plausibly alleged that defendants violated the ADEA by publishing advertisements requiring applicants to be recent graduates or to have limited work experience.
5. The First Amended Complaint plausibly alleged an ADEA disparate-treatment claim because recent-graduate and limited-experience requirements could operate as proxies for age.

6. California Government Code § 12940(a)(5)(A) did not require dismissal of the California-law claims because the complaint plausibly alleged that experience, training, and recruiting practices were used as proxies for intentional age discrimination rather than constituting lawful practices in themselves.
7. Plaintiffs made the modest factual showing required for court-authorized notice to applicants aged 40 or older who applied for and were denied recent-graduate positions and met the positions' basic qualifications, but not to individuals who were merely deterred from applying.

#### KEY QUOTATIONS

*“the use of ‘or otherwise’ serves to stitch the prohibitions and scope of [§ 623(a)(2)] into a whole, first by making clear that the proscribed acts cover all conduct ‘otherwise affect[ing] his status as an employee,’ and, second, by limiting the reach of the statutory protection to an individual with ‘status as an employee.’” (¶ 11)*

*“The “sole consequence” of conditional certification is the dissemination of court-approved notice to potential collective action members. Conditional certification, therefore, is not a true certification, but rather an exercise of a district court’s discretionary authority to oversee and facilitate the notice process.” (¶ 16)*

*“All dismissed claims are DISMISSED WITHOUT PREJUDICE. Plaintiffs are granted leave to amend the FAC to address the above-identified deficiencies within 14 days.” (Conclusion ¶ 4)*

#### FACTUAL BACKGROUND

Plaintiffs alleged that defendants advertised jobs requiring applicants to be recent college graduates or to have limited professional experience, and that older applicants were denied employment after submitting applications. Goldstein's EEOC charge named Raytheon Company, but the original complaint did not name that entity; it was added only in the First Amended Complaint after the relevant limitations period had run. Plaintiffs also alleged that defendants maintained enterprise-wide recruiting processes and posted recent-graduate positions across business units.

#### PROCEDURAL HISTORY

Plaintiffs filed a First Amended Complaint alleging that defendants violated the ADEA by advertising positions for recent graduates or applicants with limited work experience and by rejecting older applicants. Magistrate Judge Fallon recommended granting defendants' motion to dismiss in part and granting in part plaintiffs' motion for court-authorized notice. The district court overruled both sets of objections, adopted the Report and Recommendation as modified, dismissed specified claims without prejudice with leave to amend, and authorized notice to a defined group of applicants.

#### DISPOSITION

other

#### CASES CITED

- Hayes v. N.J. Dep't of Hum. Servs., 108 F.4th 219, 222 (3d Cir. 2024)
- Schafer v. Bd. of Pub. Educ. of Sch. Dist., 903 F.2d 243, 251–52 (3d Cir. 1990)

- *Glus v. G. C. Murphy Co.*, 562 F.2d 880, 888 (3d Cir. 1977)
- *Sullivan v. DiSalle*, No. 25-366, 2025 WL 3454298, at \*6–7 (W.D. Pa. Dec. 2, 2025)
- *Webb v. Int'l Bhd. of Elec. Workers*, No. 04-3613, 2005 WL 2373869, at \*8 (E.D. Pa. Sept. 23, 2005)
- *Kleber v. CareFusion Corp.*, 914 F.3d 480, 482–85 (7th Cir. 2019) (en banc)
- *Villarreal v. R.J. Reynolds Tobacco Co.*, 839 F.3d 958, 963–64 (11th Cir. 2016) (en banc)
- *Loughrin v. United States*, 573 U.S. 351, 358 (2014)
- *Russello v. United States*, 464 U.S. 16, 23 (1983)
- *Hazen Paper Co. v. Biggins*, 507 U.S. 604, 611–12 (1993)
- *Arafat v. Sch. Bd. of Broward County*, 549 F. App'x 872, 875 (11th Cir. 2013)
- *Grossman v. Dillard Dep't Stores, Inc.*, 109 F.3d 457 (8th Cir. 1997)
- *Gyda v. F.B.I. Crime Lab'y*, No. 13-7591, 2015 WL 4077009 (E.D. Pa. July 6, 2015)
- *Halle v. W. Penn Allegheny Health Sys. Inc.*, 842 F.3d 215, 224 (3d Cir. 2016)
- *Richards v. Eli Lilly & Co.*, 149 F.4th 901, 913 (7th Cir. 2025)
- *Clark v. A&L Homecare & Training Ctr., L.L.C.*, 68 F.4th 1003, 1011 (6th Cir. 2023)
- *Swales v. KLLM Transports Servs., L.L.C.*, 985 F.3d 430, 441 (5th Cir. 2021)
- *Kaynaroglu v. Avis Budget Grp., Inc.*, 773 F. Supp. 3d 169, 186–87 (D.N.J. 2025)
- *Burrell v. Lackawanna Recycling Ctr., Inc.*, No. 14-1891, 2024 WL 2055003, at \*5–6 (M.D. Pa. May 6, 2024)
- *Symczyk v. Genesis Healthcare Corp.*, 656 F.3d 189, 193 (3d Cir. 2011), rev'd on other grounds, 569 U.S. 66 (2013)
- *Archer v. Defenders, Inc.*, No. 18-470, 2018 WL 5962470, at \*3 (D. Del. Nov. 14, 2018)