No. 22-_____

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**In the Supreme Court of the United States**

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MARIA VAZQUEZ-JAVIER

*Petitioner,*

v.

UNION DE TRONQUISTAS DE PR LOCAL 901 AND SWISS CHALET, INC. D/B/A DOUBLETREE BY HILTON SAN JUAN

*Respondents*

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**On Petition for Writ of Certiorari to the Supreme Court of Puerto Rico**

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# PETITION FOR WRIT OF CERTIORARI

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## QUESTIONS PRESENTED

Whether the federal statutory and regulatory framework provides that any employee that files a Charge of Discrimination and Retaliation before the Equal Employment Opportunity Commission ("EEOC") related to federal and state laws that prohibits similar discrimination and retaliation employment practices alleged to be unlawful would toll the statute of limitations for the similar anti-discrimination and anti-retaliation state claims that seek the same remedies as the anti-discrimination and anti-retaliation federal claims.

## LIST OF PARTIES TO THE PROCEEDING

Maria Vazquez-Javier ("Petitioner") is the Petitioner. Petitioner was the Petitioner in the Puerto Rico Supreme Court.

Swiss Chalet, Inc. d/b/a Doubletree by Hilton San Juan ("Respondent") is the Respondent. Respondent was the Respondent in the Puerto Rico Supreme Court.

Union de Tronquistas de PR Local 901 were defendants below but did not participate in the proceedings before the Puerto Rico Supreme Court.

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## PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully petitions for a writ of certiorari to review the judgment of the Supreme Court of Puerto Rico ("State Supreme Court") denying the Petitioner's requests to reverse the decisions issued by the Court of Appeals of Puerto Rico ("State Appellate Court") and the First Instance Court of Puerto Rico ("State District Court") where they did not recognize that the Petitioner's Charge of Discrimination before the EEOC tolled the statute of limitations of the Puerto Rico anti-discrimination and anti-retaliation claims ("anti-discrimination and anti-retaliation State Claims") that prohibit similar discriminatory and retaliatory actions in employment that are also similarly protected by the federal anti-discrimination and anti-retaliation claims ("anti-discrimination and anti-retaliation Federal Claims").

## OPINIONS BELOW

The orders of the State Supreme Court are not reported but are set forth at App. 1-9. The judgment of the State Appellate Court is reported at 2020 PR App. LEXIS

2708 or 2020 WL 8460481 but are set forth at App. 24-27, 10-27. The judgment of the State District Court is not reported but is set forth at App. 28-44.

## JURISDICTION

The order of the State Supreme Court denying Petitioner's writ of certiorari was entered on March 4th, 2021. App. 7-9. Petitioner filed a timely First Petition for Rehearing on March 18th, 2021. The State Supreme Court order denying the First Petition of Rehearing was entered on May 25th, 2021. App. 4-6. Petitioner filed a timely Second Petition for Rehearing on May 28th, 2021. The State Supreme Court order denying the Second Petition of Rehearing was entered on October 13th, 2021. App. 1-3.

This Court has jurisdiction under 28 U.S.C. sec. 1258.

## STATEMENT OF THE CASE

### A. Factual Background

Petitioner worked for the Respondent as a "housekeeper", providing cleaning services to guest rooms.

During the course of her employment, the Petitioner filed her first Charge of Discrimination before the EEOC by herself. This EEOC Charge of Discrimination was given the EEOC case number of 515-2017-00368 ("First EEOC Charge").

On June 6th, 2017, the EEOC dismissed the First EEOC Charge. On July 13th, 2017, the Respondent terminated the Petitioner from her employment.

On July 26th, 2017, Petitioner filed her second Charge of Discrimination before the EEOC by herself. This EEOC Charge of Discrimination was given the EEOC case number of 515-2017-00768 ("Second EEOC Charge").

The Petitioner, a layperson, handwrote in both the First EEOC Charge and Second EEOC Charge that 1) the Petitioner was discriminated by the Petitioner based on her

national origin as a Dominican, and 2) the Petitioner was retaliated by the Petitioner because she had participated in protected activities.

On July 20th, 2018, the EEOC dismissed the Second EEOC Charge.

**B. The Proceedings Below**

On March 12th, 2019, the Petitioner filed a lawsuit against the Petitioner pursuant to anti-discrimination and anti-retaliation State Claims.

The Petitioner's lawsuit before the State District Court alleged that the First EEOC Charge and Second EEOC Charge tolled the anti-discrimination and anti-retaliation State Claims, because the one (1) year statute of limitations of the anti-discrimination and anti-retaliation State Claims were tolled up until July 20th, 2019, one year after the EEOC dismissed the Second EEOC Charge on July 20th, 2018.

On March 21st, 2019, the Respondent filed its Motion to Dismiss for failure to state a claim, alleging that the Petitioner filed her lawsuit outside the one (1) year statute of

limitations of the anti-discrimination and anti-retaliation State Claims arguing that the one (1) year statute of limitations of the anti-discrimination and anti-retaliation State Claims were tolled up until June 6th, 2018, one year after the EEOC dismissed the First EEOC Charge on June 6th, 2017.

The Petitioner filed her respective opposition to the Respondent's Motion to Dismiss. The Petitioner cited the case of *Matos Molero v. Roche Products, Inc.*, 132 DPR 470, 488 (1993), which cites the federal statutory and regulatory framework that establishes that based on the work-sharing agreements entered between the EEOC and state Fair Employment Practice ("FEP") agencies, just like the Puerto Rico FEP agency, anti-discrimination and anti-retaliation State Claims that are similar to anti-discrimination and anti-retaliation Federal Claims are considered tolled when a Charge of Discrimination is filed before the EEOC.

The Respondent filed their respective reply to the Petition's opposition to the Motion to Dismiss.

On April 8th, 2020, the State District Court issued a Partial Judgment dismissing the anti-discrimination and anti-retaliation State Claims because it understood that the one (1) year statute of limitations of the anti-discrimination and anti-retaliation State Claims were tolled up until July 13th, 2018, one year after the Petitioner's employment termination on July 13th, 2017. App. 10-27.

On July 15th, 2020[1], the Petitioner timely filed her appeal of the State District Court's Partial Judgment dismissing the anti-discrimination and anti-retaliation State Claims.

On December 11th, 2020, the State Appellate Court issued its judgment confirming the State District Court's Partial Judgment dismissing the anti-discrimination and anti-retaliation State Claims. The State Appellate Court

[1] The Petitioner timely filed her appeal of the State District Court's Partial Judgment because the State Supreme Court issued a Covid Order No. EM-2020-12, where it extended all court deadlines between March 16th, 2020 and July 14th, 2020 until July 15th, 2020. The Petitioner respectfully requests this Honorable Court to take judicial notice of the Covid Order No. EM-2020-12.

determined that the EEOC lacked jurisdiction to receive the Second EEOC Charge. As such, the State Appellate Court deemed that the Second EEOC Charge did not toll the one (1) year statute of limitations of the anti-discrimination and anti-retaliation State Claims and confirmed the State District Court's determination that the one (1) year statute of limitations of the anti-discrimination and anti-retaliation State Claims were tolled up until July 13th, 2018, one year after the Petitioner's employment termination on July 13th, 2017. App. 28-44.

On January 4th, 2021, the Petitioner filed her Petition for Writ of Certiorari before the State Supreme Court. Again, the Petitioner cited the state and federal cases that supports the federal statutory and regulatory framework that establishes that based on the work-sharing agreements entered between the EEOC and Puerto Rico FEP agency, anti-discrimination and anti-retaliation State Claims that are similar to anti-discrimination and anti-retaliation Federal Claims are considered tolled when a Charge of

Discrimination is filed before the EEOC until it is dismissed.

The order of the State Supreme Court denying Petitioner's writ of certiorari was entered on March 4th, 2021. App. 7-9.

Petitioner filed a timely First Petition for Rehearing on March 18th, 2021.

The State Supreme Court order denying the First Petition of Rehearing was entered on May 25th, 2021. App. 4-6.

Petitioner filed a timely Second Petition for Rehearing on May 28th, 2021. In said Second Petition, the Petitioner directly cites the federal statutory and regulatory framework and the decisions of the federal district courts and federal circuit courts of appeals that support that anti-discrimination and anti-retaliation State Claims that are similar to anti-discrimination and anti-retaliation Federal Claims are considered tolled when a Charge of Discrimination is filed before the EEOC until it is dismissed.

The State Supreme Court order denying the Second

Petition of Rehearing was entered on October 13th, 2021. App. 1-3.

This Petition for Certiorari follows.

## REASONS FOR GRANTING THE PETITION

This Court should grant certiorari because a split exists between district courts and circuit courts on the question as to whether the federal statutory and regulatory framework provides that any employee that files a Charge of Discrimination and Retaliation before the EEOC related to federal and state laws that prohibits similar discrimination and retaliation employment practices alleged to be unlawful would toll the statute of limitations for the similar anti-discrimination and anti-retaliation State Claims that seek the same remedies as the anti-discrimination and anti-retaliation Federal Claims.

Additionally, this Court should grant certiorari because this Court should resolve and settle an important unsettled question of federal law as to whether an employee that files an EEOC Charge of Discrimination and Retaliation

based on the similar discrimination and retaliation employment practices that are prohibited by both anti-discrimination and anti-retaliation State Claims and anti-discrimination and anti-retaliation Federal Claims, does in fact toll the statute of limitations of anti-discrimination and anti-retaliation State Claims that seek the same remedies as anti-discrimination and anti-retaliation Federal Claims.

**I. The Court should grant Certiorari because a split exists between district courts and circuit courts on the question as to whether the anti-discrimination and anti-retaliation State Claims that seek the same remedies as anti-discrimination and anti-retaliation Federal Claims are tolled by the EEOC Charge of Discrimination and Retaliation**

**II. The Court should grant Certiorari because this Court should resolve and settle an important unsettled question of federal law as to whether the anti-discrimination and**

**anti-retaliation State Claims that seek the same remedies as anti-discrimination and anti-retaliation Federal Claims are tolled by the EEOC Charge of Discrimination and Retaliation**

Because both reasons are intertwined, the Petitioner will argue both.

In the case of *Nixon v. TWC Admin. LLC,* 2017 U.S. Dist. LEXIS 160175, the United States District Court for the Southern District of New York determined that that the anti-discrimination and anti-retaliation New York state claims were tolled when an employee filed an Charge of Discrimination before the EEOC related to federal and state laws that prohibits similar discrimination and retaliation employment practices alleged to be unlawful because the anti-discrimination and anti-retaliation New York claims seek the same remedies as the anti-discrimination and anti-retaliation federal claims.

In *Nixon v. TWC Admin. LLC, supra*, the Court

recognized that under New York law, a plaintiff must bring claims under the New York City Human Rights Law ("NYCHRL") within three years. N.Y. C.P.L.R. § 214(2). The Plaintiffs in *Nixon v. TWC Admin. LLC, supra*, argued that the statute of limitations was tolled during the pendency of Plaintiffs' EEOC charges.

In *Nixon v. TWC Admin. LLC, supra*, the Court recognized that the Second Circuit had not yet resolved the question of whether EEOC charges toll the statute of limitations for NYCHRL claims. However, the Court did recognize that many district courts within the Southern District of New York have concluded that EEOC charges do toll NYCHRL claims. See, e.g., *Esposito v. Deutsche Bank AG*, No. 07-CV-6722(RJS), 2008 U.S. Dist. LEXIS 101460, 2008 WL 5233590, at *4-6 (S.D.N.Y. Dec. 16, 2008) (finding acts timely for Plaintiff's NYCHRL claims because the EEOC charge tolls the limitations period); *Rogers v. Fashion Inst. of Tech.*, No. 14-CV-6420(AJN), 2017 U.S. Dist. LEXIS 40485, 2017 WL 1078572, at *9, n. 5 (S.D.N.Y. Mar. 21, 2017) (same);

*Taylor v. City of New York*, 207 F. Supp. 3d 293, 302 (S.D.N.Y. 2016) (same); *Lee v. Overseas Shipholding Group, Inc.*, No. 00-CV-9682(DLC), 2001 U.S. Dist. LEXIS 10622, 2001 WL 849747, at *8 (S.D.N.Y. July 30, 2001) (same); *Harris v. NYU Langone Med. Ctr.*, No. 12-CV-0454(RA)(JLC), 2013 U.S. Dist. LEXIS 99328, 2013 WL 3487032, at *23 (S.D.N.Y. July 9, 2013) (same), adopted as modified, 2013 U.S. Dist. LEXIS 139622, 2013 WL 3487032 (Sept. 27, 2013); *Siddiqi v. N.Y.C. Health & Hosps. Corp.*, 572 F. Supp. 2d 353, 373 (S.D.N.Y. 2008) (same); *Butler v. N.Y. Health & Racquet Club*, 768 F. Supp. 2d 516, 536 (S.D.N.Y. 2011) (same); *Goodwine v. City of New York*, No. 15-CV-2868(JMF), 2016 U.S. Dist. LEXIS 67794, 2016 WL 3017398 at *4-5 (S.D.N.Y. May 23, 2016) (agreeing on the law while declining to resolve issue on motion to dismiss).

In *Nixon v. TWC Admin. LLC, supra*, the Court recognized that while few opinions have elaborated on the rationale for applying tolling in this context, it is based upon two different legal provisions, which, working in tandem,

support the tolling of the applicable statute of limitations for municipal law claims during the pendency of a complaint filed with the EEOC. First, in the State context, pursuant to a work-sharing agreement between the FEP agency New York State Department of Human Rights ("SDHR"), and the EEOC, charges filed with the EEOC are automatically considered dual-filed with the State — namely, with the SDHR. See *Esposito*, 2008 U.S. Dist. LEXIS 101460, 2008 WL 5233590, at *5 (analyzing the terms of the Work Share Agreement); *Hanley v. Chicago Title Ins. Co.*, No. 12-CV-4418(ER), 2013 U.S. Dist. LEXIS 88075, 2013 WL 3192174, at * 7 (S.D.N.Y. June 24, 2013) (same). Thus, a Plaintiff's EEOC complaint would be deemed filed with the SDHR. Second, the New York City Administrative Code states that "[u]pon the filing of a complaint with the city commission on human rights or the state division of human rights and during the pendency of such complaint and any court proceeding for review of the dismissal of such complaint, such three-year limitations period shall be tolled." N.Y.C. Admin.

Code § 8-502(d) (emphasis added). As a result, although the New York City Commission on Human Rights does not have its own work-sharing agreement directly with the EEOC as the SDHR does, the interaction of these two provisions — the EEOC/SDHR work-sharing agreement and the tolling provision in New York City Administrative Code § 8-502(d) — indicates that a charge filed with the EEOC would also toll the statute of limitations period for NYCHRL claims.[1] *Esposito*, 2008 U.S. Dist. LEXIS 101460, 2008 WL 5233590, at *4-6; accord *Pagan v. Morrisania Neighborhood Family Health Ctr.*, No. 12-CV-9047(WHP), 2014 U.S. Dist. LEXIS 14978, 2014 WL 464787, at *2 (S.D.N.Y. Jan. 22, 2014) (finding the statute of limitations tolled on plaintiffs NYCHRL claim based on the interplay of these two provisions).

In *Nixon v. TWC Admin. LLC, supra*, the Court

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[1] To the extent Defendants dispute the effect of the work-sharing agreement on NYCHRL claims as opposed to NYSHRL claims, they waive the argument by not addressing it.

reviewed the Supreme Court decision of *Johnson v. Railway Express Agency, Inc.*, 421 U.S. 454, 465-66, 95 S. Ct. 1716, 44 L. Ed. 2d 295 (1975). The Supreme Court in *Johnson v. Railway Express Agency, Inc., supra*, declined to toll the statute of limitations on a Section 1981 civil rights claim during the pendency of an administrative complaint in the EEOC. While the Supreme Court noted that failure to toll "will have the effect of pressing a civil rights complainant who values his Section 1981 claim into court," it relies on Congressional intent in creating Title VII and Section 1981 in justifying its holding. *Id*. at 459-61, 466.

In *Nixon v. TWC Admin. LLC, supra*, the Court also reviewed the unpublished opinion from the Second Circuit, *Ashjari v. Nynex Corp.*, No. 98-9411, 1999 U.S. App. LEXIS 13968, 1999 WL 464977, at *1 (June 22, 1999), which relies on *Johnson* in finding that an EEOC charge does not toll the time for "state law claims arising from the same events." Additionally, the Court reviewed a more recent Second Circuit opinion comes to a similar conclusion. See *Castagna*

*v. Luceno*, 744 F.3d 254, 258 (2014) (relying on *Johnson* in finding that filing an EEOC charge does not toll the time for filing state tort claims).

However, the Court in *Nixon v. TWC Admin. LLC, supra*, understood that the reasoning of *Ashjari, Castagna* and many other cases in New York district courts that follow this reasoning and that decline to toll the applicable statute of limitations arise in the inapposite contexts of state law and common law tort claims unrelated to the NYCHRL (or the NYSHRL) — the specific statute at issue that establishes the anti-discrimination and anti-retaliation state claims. See, e.g., *Pasqualini v. Mortgage IT, Inc.*, 498 F. Supp. 2d 659, 668-69 (S.D.N.Y. 2007) (no tolling for common law torts of intentional infliction of emotional distress, defamation, assault and battery, and intentional interference with prospective economic advantage); *Duran v. Jamaica Hosp.*, 216 F. Supp. 2d 63, 68 (E.D.N.Y. 2002) (no tolling for the common law tort claim of slander); *Hargett*, 552 F. Supp. 2d at 400-401 (no tolling of intentional infliction of emotional

distress tort claim); *Stordeur v. Computer Assocs. Int'l*,, 995 F. Supp. 94, 98-102 (E.D.N.Y. 1998); accord *Pagan*, 2014 U.S. Dist. LEXIS 14978, 2014 WL 464787, at *2, n. 2 (finding the torts cases inapposite).

The Court in *Nixon v. TWC Admin. LLC, supra* clarified that the fact that these cases arise in alternate contexts renders them inapposite because, unlike with the Congressional intent at issue in *Johnson*, the presence of the work-sharing agreement, the municipal code provision, and an additional state law that tolls the statute of limitations when a complaint is filed with the SDHR, furnishes clear proof of New York's intent that tolling should apply to claims brought under the NYSHRL and NYCHRL. See N.Y. Exec. Law § 297(9) (tolling the statute of limitations upon the filing of the administrative complaint and during its pendency before the SDHR, until the administrative proceeding was terminated); N.Y.C. Admin. Code § 8-502(d); accord *Kennedy v. Fed. Express Corp*., No. 5:13-CV-1540(MAD), 2016 U.S. Dist. LEXIS 133146, 2016 WL 5415774, at * 10 (N.D.N.Y.

Sept. 28, 2016) (finding that "while Castagna holds that Title VII does not toll the statute of limitations for state tort claims based on the same set of facts, it does not necessarily follow that filing with the EEOC does not toll claims filed under the NYSHRL"), No. 16-3634 (2d Cir. argued Sept. 25, 2017); *Morse v. JetBlue Airways Corp*., No. 09-CV-5075(KAM), 2014 U.S. Dist. LEXIS 78778, 2014 WL 2587576 at *1, n. 1 (E.D.N.Y. June 9, 2014) (same).

As a result, the Court in *Nixon v. TWC Admin. LLC, supra.* determined that the line of cases that follow *Johnson* is inapplicable in the case context where an employee files an EEOC Charge pursuant to similar anti-discrimination and anti-retaliation state claims that prohibit the same unlawful employment practices that anti-discrimination and anti-retaliation federal claims prohibit.

Therefore, the Court in *Nixon v. TWC Admin. LLC, supra* determined that NYCHRL claims, while EEOC charges are pending, are tolled. It determined that the pendency of the EEOC charges tolled the statute of

limitations. *Nixon v. TWC Admin. LLC, supra.*

This same reasoning was reflected in the case of *Matos v. Roche*, 132 DPR 470 (1993). There, the Supreme Court of Puerto Rico ("State Supreme Court") cites that the public policy of anti-discrimination legislation is to give agencies the first opportunity to consider complaints for discrimination. This is why when a charge is filed with the EEOC, during the administrative process, during this time the charge is in "suspended animation" until the administrative proceedings are completed. *Matos v. Roche, supra*, 478 (citing *Love v. Pullman,* 404, US 522, 30 L. Ed. 2d 679, p. 684 (1972).

The State Supreme Court in *Matos v. Roche, supra*., recognized the same principle of the "work sharing agreement" as was discussed in the case of *Nixon v. TWC Admin. LLC, supra.*

Applying these principles, in *Srio. of Work v. Finetex Hosiery Co., Inc.*, 116 D.P.R. 823 (1986), the State Supreme Court considered the notification to the employer of a complaint before the Puerto Rico FEP Agency, as an

extrajudicial claim that has the effect of tolling the statute of limitations. That is, a complaint filed with the EEOC will always be deferred by this agency to the Puerto Rico FEP Agency, regardless of whether or not it is processed by said Unit based on what was agreed in the "Worksharing Agreement" or if the state FEP agency determines it will not process it. The practical effect of this procedure is that filing a charge with the EEOC is equivalent to filing the charge with the Puerto Rico FEP Agency, since it will always be deferred to the latter and notified to the defendant.

In *Matos v. Roche, supra.,* the State Supreme Court determined that the statute of limitations term is suspended during the prosecution of the charge before the EEOC, as it happens when the charge is presented before the Puerto Rico FEP Agency. The Supreme Court concluded that due to the existing relationship between the EEOC and the Puerto Rico FEP Agency, the processing of a complaint by the EEOC, under the terms of the "Worksharing Agreement" has the effect of tolling the one (1) year statute of limitations

pursuant to the anti-discrimination and anti-retaliation state claims, until the EEOC administrative process is completed.

In fact, the State Supreme Court in *Matos v. Roche, supra.,* cites the Ninth Circuit Court of Appeals where it reached the same conclusion in *Salgado v. Atlantic Richfield Co.*, 823 F.2d 1322 (1987). There the Ninth Circuit Court of Appeals stated that federal and state procedures and remedies against employment discrimination are fully integrated and related. It understood that the practical relationship between Title VII and state law, as incorporated in the "Worksharing Agreement", provides the basis for the tolling of the one-year statute of limitations to go to court because of EEOC proceedings. *Matos v. Roche, supra.*, Pp. 485-487.

In this case the Petitioner is requesting this Honorable Court to grant the Petition for Writ of Certiorari to review the decision of the State Supreme Court which confirmed the State Appellate Court and State District Court determinations because 1) the determinations below are in

clear conflict and demonstrates a split between district courts and circuit courts on the question as to whether the federal statutory and regulatory framework provides that any employee that files a Charge of Discrimination and Retaliation before the EEOC tolls the statute of limitations for the anti-discrimination and anti-retaliation State Claims that seek the same remedies as the anti-discrimination and anti-retaliation Federal Claims, and 2) the determinations below must be resolved and settled because it is an important unsettled question of federal law as to whether an employee that files an EEOC Charge of Discrimination and Retaliation does in fact toll the statute of limitations of anti-discrimination and anti-retaliation State Claims that seek the same remedies as anti-discrimination and anti-retaliation Federal Claims.

In this case the Petitioner had filed her First EEOC Charge under the EEOC case number of 515-2017-00368. The EEOC dismissed the First EEOC Charge on June 6th, 2017.

Afterwards, on July 13th, 2017, the Respondent

terminated the Petitioner from her employment.

As such, the Petitioner filed her Second EEOC Charge on July 26th, 2017, under the EEOC case number of 515-2017-00768. The EEOC dismissed the Second EEOC Charge on July 20th, 2018.

Similar to the case law explained above, as determined in the United States District Court for the Southern District of New York case of *Nixon v. TWC Admin. LLC, supra*, the Ninth Circuit Court of Appeals case of *Salgado v. Atlantic Richfield Co.*, *supra.,* and the State Supreme Court case of *Matos v. Roche, supra.;* both Petitioner's First EEOC Charge and Second EEOC Charge does in fact toll the statute of limitations of anti-discrimination and anti-retaliation State Claims that seek the same remedies as anti-discrimination and anti-retaliation Federal Claims. That is because the same federal and state procedures and remedies against employment discrimination are fully integrated and related. See *Nixon v. TWC Admin. LLC, supra*, *Salgado v. Atlantic Richfield Co.*, *supra.,* and *Matos v. Roche, supra.*

As such, the Petitioner's lawsuit was filed within the one (1) year statute of limitations of the anti-discrimination and anti-retaliation State Claims because the one (1) year statute of limitations was tolled by the filing of the Second EEOC Charge until it was dismissed on July 20th, 2018. Therefore, the Petitioner had until July 20th, 2019 to file her lawsuit pursuant to the anti-discrimination and anti-retaliation State Claims, which she diligently did on March 12th, 2019.

## CONCLUSION

Based on the above, Petitioner respectfully requests this Court to grant the petition for certiorari.

**RESPECTFULLY SUBMITTED,** in San Juan, Puerto Rico, this 11th of January, 2022.

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