



June 30, 2025

Andrea Lucas  
Acting Chair  
U.S. Equal Employment Opportunity Commission  
131 M Street, NE  
Washington, DC 20507

**Investigation Request: Los Angeles Dodgers, LLC and Guggenheim Partners, LLC**

Dear Ms. Lucas:

America First Legal Foundation (“AFL”) is a national, nonprofit organization working to protect the rule of law, due process, and equal protection for all Americans. We write to request that the U.S. Equal Employment Opportunity Commission (“EEOC”) investigate the Los Angeles Dodgers, LLC (“Los Angeles Dodgers” or “Dodgers”)<sup>1</sup> and Guggenheim Partners, LLC (“Guggenheim Partners”), an investment firm run by the Los Angeles Dodgers’ controlling owner, for violating Title VII of the Civil Rights Act of 1964. 42 U.S.C. § 2000e-2.<sup>2</sup> Their employment practices, as described below, appear to discriminate against employees, or prospective employees, solely because of their skin color or sex. This is patently unlawful. *See* 42 U.S.C. §§ 2000e-2(a), (d). Accordingly, we respectfully request that you issue a Commissioner Charge pursuant to 29 C.F.R. § 1601.6(a).

The Los Angeles Dodgers and Guggenheim Partners have represented to the public that they have engaged—and continue to engage—in unlawful employment discrimination under the guise of Diversity, Equity, and Inclusion (“DEI”). It is unlawful—even when using inclusive terminology—to segregate or classify employees or applicants for employment in ways that would deprive, or tend to deprive individuals of employment, training, or promotions because of their race, color, sex, or national origin. 42 U.S.C. § 2000e-2.

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<sup>1</sup> The Los Angeles Dodgers are principally located at 1000 Vin Scully Avenue Los Angeles, California 90012. *2025 Dodgers Media Guide* at 2, 3 L.A. DODGERS (available at <https://perma.cc/9PUQ-2UED>).

<sup>2</sup> Guggenheim Partners is “headquartered in Chicago and New York.” GUGGENHEIM, *Contact Us*, <https://perma.cc/2FWM-C3B7>.

## I. Los Angeles Dodgers

### a. DEI Mission

On its website, the Los Angeles Dodgers states the organization's mission:

The Dodgers are dedicated to championship baseball and providing first-class, fan-centric entertainment experiences, while building on our proud history of diversity, and maintaining a strong connection with our community.<sup>3</sup>

The Dodgers also list their DEI mission on the same webpage, which reads, in part:

Our charge is to direct and track impact, establish clear accountabilities, reporting standards, aspirational goals and measurements of success.<sup>4</sup>

The DEI mission statement indicates that the Dodgers are incorporating DEI into its workplace in quantifiable ways with identifiable goals to achieve "success," which appears to entail engaging in unlawful discriminatory hiring, training, and recruitment.

Together, these mission statements underscore the extent to which the Dodgers have infused DEI across its workplace and brand, demonstrating its commitment to unlawfully considering race, color, sex, or national origin in employment decisions.

### b. Unlawful Employment Practices

The Dodgers' website also has a dedicated page highlighting specific DEI initiatives.<sup>5</sup> On this page, the Dodgers admit to engaging in unlawful discrimination. The Dodgers state that, in pursuit of its DEI mission, the team is taking the following "Recruitment" actions:

- Investing in diverse pipeline programs
- Sponsoring programs geared to women and people of color
- Creating new avenues to attract senior level talent

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<sup>3</sup> *Join Our Team*, L.A. DODGERS, <https://perma.cc/AY23-P2KX>.

<sup>4</sup> *Id.* Despite the statements indicating that the Dodgers consider immutable characteristics like race, color, sex, and national origin in employment, the Dodgers' website also includes contradictory statements that it will consider "all applicants without regard to national origin, race, color, religion, age, sex, sexual orientation, disability, military status ... or any other characteristic protected by applicable state or federal civil rights law." Such boilerplate language should not shield the organization from scrutiny or protect it from liability for discriminating in furtherance of its DEI goals.

<sup>5</sup> *Los Angeles Dodgers Diversity, Equity, & Inclusion*, L.A. DODGERS, <https://perma.cc/87Z3-45VG>.

- Partner[ing] with diverse organization [sic] and schools.<sup>6</sup>

In addition, the Dodgers Diversity, Equity & Inclusion Committee—composed of senior representatives from across the organization—is responsible for “*embedding Diversity, Equity, and Inclusion strategies into every aspect of the organization.*”<sup>7</sup>

*c. Discriminatory Employee Groups Based on Immutable Characteristics*

The Dodgers also allow employees to join multiple Business Resource Groups (“BRGs”) within the organization, providing employees “a forum to gather with other employees who hold common interests, identities and/or social issues.”<sup>8</sup> While the groups appear to be open for all employees to join, some of the BRGs appear to provide material employment benefits to employees based on their race, color, sex, or national origin. For example:

- The Asian Professionals group’s “*empower[s] our Asian employees.*”<sup>9</sup>
- The Black Action Network “*foster[s] the growth, development, and well-being of the Dodger Black community that will ultimately result in opportunities for Black people on the field, in the stands, and in the front office, building upon our proud history of diversity.*”<sup>10</sup>
- The SOMOS LA group appears to provide Latino employees with employment benefits. Its mission “*is to ensure organizational representation and promote resources for professional development, business support, and community outreach that advances and empowers the Latinx community.*”<sup>11</sup>
- The Women’s Opportunity Network “*create[s] a safe and equitable space for women to thrive and to demonstrate that women add tangible value to the organization’s success.*”<sup>12</sup>

The Dodgers’ BRGs openly describe opportunities that are restricted based solely on the race, color, sex, or national origin of employees.

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<sup>6</sup> *Id.*

<sup>7</sup> *Id.* (emphasis added).

<sup>8</sup> *Id.*

<sup>9</sup> *Business Resource Groups*, L.A. DODGERS, <https://perma.cc/3NYB-5TW8> (emphasis added).

<sup>10</sup> *Id.* (emphasis added).

<sup>11</sup> *Id.* (emphasis added).

<sup>12</sup> *Id.* (emphasis added).

## II. Guggenheim Partners

### *a. DEI Mission*

“Mark Walter is the chairman and controlling owner of the Los Angeles Dodgers, and an investor, conservationist and social-justice advocate.”<sup>13</sup> Mark Walter is also Chief Executive Officer of Guggenheim Partners, a global investment and advisory firm with more than \$345 billion in assets.<sup>14</sup>

Like the Los Angeles Dodgers, Guggenheim Partners has publicly committed to using “Diversity and Inclusion” (“D&I”) to consider prohibited characteristics across the firm as it “integrate[s] D&I in everything we do.”<sup>15</sup>

Guggenheim Partners makes it clear that it defines “diversity” to explicitly include considering “protected class[es]” including, in part, those based on race, gender, ethnicity, age, religion, creed, national origin, sexual orientation, and gender identity.<sup>16</sup>

### *b. Unlawful Employment Practices*

The firm’s Diversity and Inclusion strategy appears to include unlawful employment practices. Incorporating the firm’s definition of “diversity” that includes immutable characteristics, into the firm’s D&I strategy has discriminatory implications. For example, Guggenheim Partners states its commitment to “Broadening Pipeline Diversity” involves “develop[ing] *diversity recruiting* and talent management strategies to *identify, attract, develop, and retain* top talent” to achieve its diversity goals.<sup>17</sup> When diversity motivates employment decisions, and “diversity” refers to race, color, sex, and national origin—as it does to Guggenheim Partners—the result is unlawful discrimination.

Guggenheim Partners also states its “focus on awareness, accountability, and *integration of diversity and inclusive practices throughout our Firm*” is a fundamental component of its focus on “diversity.”<sup>18</sup> In addition, a graphic describing how Guggenheim Partners is “Investing in Diversity and Inclusion” mentions more priorities that may be unlawfully discriminatory based on immutable characteristics:

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<sup>13</sup> *Front Office Directory, Mark Walter, L.A. DODGERS*, <https://perma.cc/PJ3K-6WHL>; *see also* L.A. DODGERS, *supra* note 1.

<sup>14</sup> GUGGENHEIM, <https://perma.cc/G54E-WFCZ>.

<sup>15</sup> *Diversity and Inclusion, Overview*, GUGGENHEIM, <https://perma.cc/VDG5-CMGN>.

<sup>16</sup> *Id.*

<sup>17</sup> *Id.* (emphasis added).

<sup>18</sup> *Id.* (emphasis added). Guggenheim Partners states in the same breath that it is “an equal opportunity employer” that does not discriminate and that it is “committed to advancing equitable policies and practices across our Firm.”

- Leverage a diverse and inclusive workplace;
- Implement equitable policies and practices;
- Maximize opportunities for our people; and
- Develop an inclusive mindset.<sup>19</sup>

The evidence suggests that these programs are unlawful commitments to discriminate in the workplace because they are listed on the firm’s “Diversity and Inclusion” website and are described as ways Guggenheim Partners is “Investing in Diversity and Inclusion.”<sup>20</sup> Each effort taken to pursue these D&I commitments—according to Guggenheim Partners’ definition of “diversity”—entails considering race, gender, ethnicity, age, religion, creed, national origin, sexual orientation, and gender identity.<sup>21</sup>

*c. Discriminatory Employee Groups Based on Immutable Characteristics*

Guggenheim Partners also operates Business Development Resource Groups (“BDRGs”) based on employees’ identity, furthering the firm’s DEI mission. The BDRGs are open to all employees yet provide employment benefits based upon particular immutable characteristics and are intended to further the firm’s DEI goals. The BDRGs function as spaces for employees to “*collaborate on diversity and inclusion initiatives* that foster awareness, innovation, leadership, *pipeline diversity, career development, mentoring, sponsorships*, client relationships, community impact, and shared best practices.”<sup>22</sup> Two of these groups are:

- The Women’s Innovation and Inclusion Network, which “Focuses on creating and *promoting a dynamic, gender-diverse workforce.*”
- The Multicultural Employee Business Network, which “Focuses on historically *underrepresented groups.*”

These BDRGs appear to provide unique employment benefits based on identity and sex, which are likely unlawfully creating “a feeling of inferiority as to their status in the community that may affect their hearts and minds in a way unlikely to ever be undone.”<sup>23</sup>

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<sup>19</sup> *Id.*

<sup>20</sup> *Id.*

<sup>21</sup> *Id.*

<sup>22</sup> GUGGENHEIM, *Diversity and Inclusion, Business Development Resource Groups*, <https://perma.cc/MX3F-Y9UZ> (emphasis added).

<sup>23</sup> *Brown v. Bd. of Educ.*, 347 U.S. 484, 494 (1954).

#### *d. Discriminatory Contracting*

Guggenheim Partners has also committed to “Strengthening Vendor Diversity,” which entails increasing the number of its vendors that are “at least 51% owned, controlled, and operated by one or more members of a diverse group, including minority, women, LGBT, and veterans.”<sup>24</sup> This commitment appears to violate 42 U.S.C. § 1981, which prohibits racial discrimination in the making, performance, modification, and termination of contracts, and in the enjoyment of all benefits, privileges, terms, and conditions of the contractual relationship, which applies to all phases and incidents of the contractual relationship.<sup>25</sup>

### **III. Request for Investigation**

Title VII prohibits employment practices that treat a person worse because of race, color, sex, or national origin. That “worse” treatment must pertain to—must be “with respect to”—employment “terms [or] conditions.” 42 U.S.C. § 2000e-2(a)(1). The “terms or conditions phrase is not used in the narrow contractual sense; it covers more than the economic or tangible.”<sup>26</sup>

The Los Angeles Dodgers and Guggenheim Partners admit that race, color, sex, and national origin play a motivating factor in their considerations for employment decisions. Yet these considerations, which both entities admit are embedded in their culture and day-to-day operations, are patently illegal. *See* 42 U.S.C. §§ 2000e-2(a), (d).<sup>27</sup> Under Title VII, an unlawful employment practice is established when the evidence demonstrates that race, color, sex, or national origin was a motivating factor for an employer. 42 U.S.C. § 2000e-2(m).

Discriminatory DEI policies openly discriminate against employees based on their race, sex, and other protected immutable characteristics. Despite arguments from discrimination advocates that—to meet the goals of “diversity” and “equity”—certain groups, such as straight white men, must be treated differently than diverse individuals by holding them to a higher evidentiary standard, the Supreme Court has directly rejected this position. It held that “Title VII does not impose such a heightened standard on majority-group plaintiffs.”<sup>28</sup>

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<sup>24</sup> *Diversity and Inclusion, Vendor Diversity*, GUGGENHEIM, <https://perma.cc/8DGA-7VAM> (Click “Vendor Diversity FAQs,” then click “What is a certified diverse vendor?”).

<sup>25</sup> 42 U.S.C. § 1981(b).

<sup>26</sup> *Muldrow v. City of St. Louis*, 601 U.S. 346 (2024) (cleaned up); *Bostock v. Clayton County, Ga.*, 590 U.S. 644, 658, 681 (2020).

<sup>27</sup> *See, e.g., United Steelworkers of Am. v. Weber*, 443 U.S. 193, 208 (1979); *Johnson v. Transp. Agency*, 480 U.S. 616, 621-641 (1987); *see also Bostock*, 590 U.S. at 644.

<sup>28</sup> *Ames v. Ohio Dep't of Youth Servs.*, No. 23-1039, slip op. at 9 (U.S. June 5, 2025).

These ongoing employment practices are patently unlawful, deeply harmful, and immoral.<sup>29</sup> Decades of case law hold that—no matter how well-intentioned—policies that seek to impose racial balancing are prohibited.<sup>30</sup> More broadly, the discrimination described by the Los Angeles Dodgers and Guggenheim Partners necessarily foments contention and resentment; it is “odious and destructive.”<sup>31</sup> It truly “is a sordid business, this divvying us up” by race or sex.<sup>32</sup>

Accordingly, the EEOC should investigate the claims described herein to identify the extent to which the Dodgers’ and Guggenheim Partners’ policies discriminate against employees on the basis of race, color, sex, and national origin. The EEOC can investigate, for example, application data and internal human resources policies or practices to identify whether the policies make explicit reference to employment preferences based on race, color, sex, and national origin in violation of federal law. Furthermore, the EEOC should investigate the employee resource groups to ensure that they are not offering employment benefits to only those employees of a certain race, color, sex, or national origin.

Thank you for your consideration of this matter. Please do not hesitate to contact us if we can be of further assistance.

Sincerely,

/s/ Will Scolinos

America First Legal Foundation

CC: Kalpana Kotagal, EEOC Commissioner  
Andrew Rogers, EEOC General Counsel  
Amrith Kaur Aakre, Director, EEOC Chicago District Office  
Gregory M. Gochanour, Regional Attorney, EEOC Chicago District Office  
Christine Park-Gonzalez, Director, EEOC Los Angeles District Office  
Anna Y. Park, Regional Attorney, EEOC Los Angeles District Office  
Arlean Nieto, Acting Director, EEOC New York District Office  
Kimberly Cruz, Regional Attorney, EEOC New York District Office

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<sup>29</sup> *Bob Jones Univ. v. United States*, 461 U.S. 574, 593 (1983) (“racial discrimination in education violates a most fundamental national public policy, as well as rights of individuals”).

<sup>30</sup> *See, e.g., United Steelworkers*, 443 U.S. at 208; *Johnson*, 480 U.S. at 621-641; *see also Bostock*, 590 U.S. at 650.

<sup>31</sup> *Texas v. Johnson*, 491 U.S. 397, 418 (1989).

<sup>32</sup> *League of United Latin Am. Citizens v. Perry*, 548 U.S. 399, 511 (2006) (Roberts, C.J., concurring in part).

# APPENDIX



A screenshot of the Los Angeles Dodgers website. The top navigation bar includes "LOS ANGELES DODGERS" on the left and "DODGERS.COM" on the right. Below the navigation bar is a menu with "TICKETS PREMIUM MEMBERSHIPS SCHEDULE SCORES STATS ROSTER VIDEO NEWS ...". A banner for the "MLB App" is visible, with "Download on the App Store" and "GET IT ON Google Play" buttons. The main content area features the text "Los Angeles Dodgers" and "DIVERSITY, EQUITY &amp; INCLUSION" in large, bold, blue letters. Below this, the text reads: "Our Mission" and "Our mission is to create a culture where diverse voices and experiences are valued, our people feel empowered by their connections to each other, and the Team and all employees feel they can succeed." At the bottom, it states: "Our charge is to direct and track impact, establish clear accountabilities, reporting standards, aspirational goals and measurements of success." There are also logos for "World Champions" and "LA" on the sides.

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## Diversity, Equity & Inclusion

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Our mission is to create a culture where diverse voices and experiences are valued, our people feel empowered by their connections to each other, and the Team and all employees feel they can succeed.

Our charge is to direct and track impact, establish clear accountabilities, reporting standards, aspirational goals and measurements of success.

[More Information](#)

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## Committee

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*The Dodgers Diversity, Equity & Inclusion Committee is a senior level policymaking entity charged with embedding Diversity, Equity, and Inclusion strategies into every aspect of the organization to leverage our innovative workforce, compete in the marketplace and serve the community. The Committee is a collaborative effort across the organization.*

## Front Office Directory

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**Mark Walter**

*Owner & Chairman*

Mark Walter is the chairman and controlling owner of the Los Angeles Dodgers, and an investor, conservationist and social-justice advocate. He also leads the Los Angeles Dodgers Foundation.

# Business Resource Groups



## Asian Professionals

Our mission is to empower our Asian employees, along with our allies, and honor our diverse Asian culture while simultaneously working to strengthen our position within the Los Angeles community and the sports industry as a whole.



## Black Action Network

Create an environment that will foster the growth, development and well-being of the Dodger Black community that will ultimately result in opportunities for Black people on the field, in the stands and in the front office, building upon our proud history of diversity.



## PRIDE

The group's mission is to encourage an open environment where employees can feel safe to be their authentic selves and supported to be who they are.



## SOMOS LA

The mission of SOMOS LA is to ensure organizational representation and promote resources for professional development, business support, and community outreach that advances and empowers the Latinx community.



## Women's Opportunity Network

To create a safe and equitable space for women to thrive and to demonstrate that women add tangible value to the organization's success.

### Investing in Diversity and Inclusion

We believe a diverse and inclusive workforce is important in developing innovative solutions to address increasingly complex challenges in evolving global markets. When multiple perspectives are valued and considered, we are poised for greater creativity, enhanced business strategies and development of products and services, and increased employee engagement and collaboration.

### Our Diversity and Inclusion Strategy

Our diversity and inclusion (D&I) strategy is intrinsically linked with enhancing the performance of our businesses, and is deepened by the engagement of our senior leaders, managers, and professionals to integrate D&I in everything we do.

Our D&I strategy encompasses a variety of efforts, internally and externally, consisting of the following objectives:

#### Developing an Inclusive Mindset

Focus on awareness, accountability, and integration of diversity and inclusive practices throughout our Firm.

#### Investing in Our People

Maximize the full potential of our people by creating opportunities for professional and personal development.

#### Broadening Pipeline Diversity

Partner with our hiring managers and Human Resources teams to develop diversity recruiting and talent management strategies to identify, attract, develop, and retain top talent.

#### Supporting Veterans Initiatives

Continue our commitment to supporting returning men and women of the armed forces through our Guggenheim Invests in Veterans Everyday (GIVE) strategy.

#### Strengthening Vendor Diversity

Develop a sustainable, diverse vendor base and an inclusive vendor process that strengthens our supply chain, which in turn, improves quality, efficiency, and innovation.

### How We Define Diversity

We define diversity in its broadest context. Our understanding of diversity is seen through several different dimensions:

#### Demographic

- race | gender | ethnicity | age | religion |
- creed | national origin | ancestry |
- disability status | sexual orientation |
- gender identity | veteran/military status |
- other protected class

#### Experience

- occupation | educational level |
- family/lifestyle | socioeconomic
- background | geographic
- background | military experience |
- language

#### Thought

- work style | leadership approach | conflict
- style | skill set

Investing in Inclusion.

### Delivering Innovative Solutions.

#### Lead

- Leverage a diverse and inclusive workplace
- Achieve competitive advantage
- Execute sustainable strategies

#### Deliver

- Maximize opportunities for our people
- Deliver innovative solutions to our clients
- Drive business development in communities



#### Collaborate

- Value differences
- Empower multiple perspectives
- Build capacity to address new challenges and opportunities

#### Transform

- Develop an inclusive mindset
- Implement equitable policies and practices
- Strengthen the supply chain through vendor diversity



## Business Development Resource Groups (BDRGs)

Employee networks create new opportunities for our people to engage, learn, and collaborate on diversity and inclusion initiatives that foster awareness, innovation, leadership, pipeline diversity, career development, mentoring, sponsorships, client relationships, community impact, and shared best practices.

Guggenheim has several employee networks known as "Business Development Resource Groups" (BDRGs). Our BDRGs are open to all employees.

### Women's Innovation and Inclusion Network (WIIN)

Focuses on creating and promoting a dynamic, gender-diverse workforce

### Multicultural Employee Business Network (MEBN)

Focuses on historically underrepresented groups



## Leveraging New Voices

Guggenheim is an equal opportunity employer. We are committed to advancing equitable policies and practices across our Firm. We support a diverse, innovative, and inclusive workplace that enables all employees to bring their whole selves to the table, and contribute their unique insights and abilities.

Guggenheim works with a number of key external organizations to help bring new voices that enrich our awareness, align our inclusive strategy with innovative practices, and connect us to our communities in different ways.