

**ORIGINAL**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

ENTERED  
ON DOCKET

JAN 20 2000

By Deputy: *[Signature]*

FILED RECEIVED  
JAN 19 2000  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT TACOMA  
DEPUTY

DEC 18 1999

~~UNITED STATES DISTRICT COURT~~  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION,

Plaintiff,

v.

WAL-MART STORES, INC.,

Defendant.

CIVIL ACTION NO. C98-5535RJB  
CONSENT DECREE AND ORDER  
DISMISSING ACTION

**INTRODUCTION**

1. This action originated with a discrimination charge filed by Louena Yelverton and Angela Reyes with the Equal Employment Opportunity Commission (EEOC) alleging violations of Title VII of the Civil Rights Act of 1964 (Title VII). A copy of the charge is attached hereto as Exhibit 1.

2. The EEOC investigated this charge and issued an administrative determination on August 20, 1998, finding reasonable cause to believe that Defendant, Wal-Mart, Inc. ("Wal-Mart" or "the Defendant") had discriminated against Louena Yelverton and Angela Reyes and a group of similarly situated females in violation of Title VII. A copy of the Letter of Determination is attached hereto as Exhibit 2.

3. The EEOC subsequently filed this lawsuit in the United States District Court for the

**EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**  
Seattle District Office  
Federal Office Building  
909 First Avenue, Suite 400  
Seattle, Washington 98104-1061  
Telephone (206) 220-6883  
Fax (206) 220-6911  
TDD (206) 220-6882

18

1 Western District of Washington. The complaint was filed on September 29, 1998. Plaintiff  
2 alleged, *inter alia*, that Wal-Mart violated Title VII when it failed to provide employment  
3 applications to Yelverton and Reyes for cart-pusher positions because of their sex, female.

4 4. Defendant denied the allegations of discrimination in the EEOC's complaint.

5 5. The parties want to conclude fully and finally all claims arising out of EEOC's  
6 complaint and the charge of discrimination filed with EEOC by Louena Yelverton and Angela  
7 Reyes. They enter this Consent Decree to further the objectives of equal employment as set forth in  
8 Title VII.

9 **NONADMISSION OF LIABILITY AND  
10 NONDETERMINATION BY THE COURT**

11 6. This Consent Decree is not an adjudication or finding on the merits of this case and  
12 shall not be construed as an admission by Defendant of a violation of Title VII.

13 **JURISDICTION AND VENUE**

14 7. Jurisdiction of this Court is invoked pursuant to 28 U.S.C. §§ 451, 1331, 1337,  
15 1343 and 1345. This action is authorized pursuant to Sections 706(f)(1) and (3) of Title VII of the  
16 Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 2000e-5(f)(1) and (3), and Section 102 of the  
17 Civil Rights Act of 1991, 42 U.S.C. § 1981a. The employment practices alleged to be unlawful in  
18 the complaint filed herein occurred within the jurisdiction of the United States District Court for  
19 the Western District of Washington.

20 **SETTLEMENT SCOPE**

21 8. This Consent Decree effectuates the full, final and complete resolution of all  
22 allegations of unlawful employment practices encompassed by the complaint filed in this action  
23 and the charge of discrimination filed with the EEOC by Yelverton and Reyes. The resolution of  
24 this action includes all claims by all parties for attorney fees and costs.

25 **MONETARY RELIEF**

26 9. In settlement of this lawsuit, Wal-Mart agrees to pay Louena Yelverton \$4,000 and  
27 Angela Reyes \$1,500. Louena Yelverton and Angela Reyes will each execute an original Release of

1 Claims, a copy of which is attached as Exhibit 3. Wal-Mart agrees to mail a check to Ms. Yelverton  
2 and Ms. Reyes in the above amount within 14 business days following delivery to counsel for  
3 Defendant of the original Release of Claims. The settlement check shall be mailed to Ms. Yelverton  
4 at the following address: 2753 SW Minterbrook Road, Port Orchard, WA 98366. The settlement  
5 check shall be mailed to Ms. Reyes at the following address: 5430 Harbor Heights  
6 Port Orchard, WA 98366. Along with the settlement checks, Defendant will issue an IRS Form  
7 1099 to Ms. Yelverton and Ms. Reyes reflecting this payment.

8 It is understood that Ms. Yelverton and Ms. Reyes each will be responsible for any  
9 withholding, taxes, or penalties on this amount. Wal-Mart will send copies to the EEOC of the  
10 settlement checks and Forms 1099 issued to Ms. Yelverton and Ms. Reyes.

11 **AFFIRMATIVE AND OTHER RELIEF**

12 A. General Provisions

13 10. Defendant reaffirms its ongoing commitment to comply with Title VII. In  
14 furtherance of this commitment, it will monitor the affirmative obligations of this Consent Decree.

15 11. Defendant will not retaliate against any person for making a charge of discrimination  
16 or for testifying, assisting, or participating in any investigation, proceeding, or hearing associated  
17 with this action.

18 B. Anti-Discrimination Policies and Procedures

19 12. Wal-Mart has and shall continue to carry out anti-discrimination policies and  
20 procedures. Wal-Mart shall continue to provide equal employment opportunities for all  
21 employees. Wal-Mart shall continue to train all supervisors and management personnel in their  
22 Washington stores on its anti-discrimination policies in hiring. Training in Wal-Mart's anti-  
23 discrimination policies in hiring shall also continue to be provided to all employees. Defendant  
24 will evaluate and exercise reasonable care to prevent and correct promptly the practices of its  
25 employees in order to prevent discrimination in hiring. Wal-Mart will exercise reasonable care to  
26 insure that its employees understand its Equal Employment Opportunity (EEO) policies and how  
27 those policies define and identify what constitutes discrimination.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
Seattle District Office  
Federal Office Building  
909 First Avenue, Suite 400  
Seattle, Washington 98104-1061  
Telephone (206) 220-6883  
Fax (206) 220-6911  
TDD (206) 220-6882

1 13. Wal-Mart will continue to post a Notice to Employees and a copy of its EEO policy at  
2 each job site in which it operates business offices in the State of Washington.

3 C. Training

4 14. Wal-Mart shall continue to provide the following training: All Port Orchard store  
5 management employees will receive training on equal employment opportunity issues at least two  
6 times each year. All Port Orchard store non-management employees will receive training on equal  
7 employment opportunity during initial training or other training which may include, but is not  
8 limited to, orientation or computer based learning.

9 15. Wal-Mart shall provide two (2) training sessions, one to be conducted in 1999 and  
10 another to be conducted in 2000, for its managers at the Port Orchard Wal-Mart store on how to  
11 investigate a complaint of discrimination.

12 16. Wal-Mart will use its best efforts to obtain from each employee who attends the  
13 training described in Paragraph 15, a completed and signed evaluation form following attendance  
14 at the training. Wal-Mart will notify the EEOC of the completion of the training and will specify  
15 the names and job titles of the employees who participated in and completed the training. Wal-  
16 Mart will also provide copies of all signed, post-training evaluation forms as part of its reporting  
17 to the EEOC.

18 D. Reporting

19 17. During the pendency of this Consent Decree, the Port Orchard Wal-Mart shall report  
20 in writing to the EEOC, beginning six (6) months from the date the Court enters this Consent  
21 Decree, and thereafter for the duration of the Decree the following information:

- 22 a. A list of attendees and copies of all training evaluation forms;  
23 b. Confirm that its EEO policy has been distributed to all current and newly hired  
24 employees;  
25 c. A list of any changes, modifications, revocations or revisions to its EEO policies  
26 and procedures which concern or affect the subject of discrimination based on sex;  
27 d. A summary of all complaints of sex discrimination filed with a governmental agency,

1 if any, which have reached the attention of Wal-Mart management concerning  
2 Defendant's business operations in Port Orchard, and the resolution of each  
3 complaint; and,

4 e. If the Defendant has not complied with any term of the Decree, the Defendant shall  
5 provide a statement specifying the areas of noncompliance, the reason for the  
6 noncompliance, and the steps taken to bring the Defendant into compliance.

7 **ENFORCEMENT**

8 18. If the EEOC determines that Wal-Mart has not complied with the terms of this  
9 Decree, the EEOC will provide written notification of the alleged breach to the Defendant. The  
10 EEOC will not petition the Court for enforcement of the Decree for at least thirty (30) days after  
11 providing written notification of the alleged breach. The 30-day period following the written  
12 notice shall be used by the parties for good faith efforts to resolve the dispute.

13 **RETENTION OF JURISDICTION**

14 19. The United States District Court for the Western District of Washington shall retain  
15 jurisdiction over this matter for the duration of the Decree.

16 **DURATION AND TERMINATION**

17 20. This Decree shall be in effect beginning on the date the Court approves and enters  
18 the Consent Decree, and until the completion of the second training provided in paragraph 15. If  
19 the EEOC petitions the Court for breach of the Decree, and the Court finds Wal-Mart to be in  
20 violation of the terms of the Decree, the Court may extend the duration of the Decree.

21 **CONCLUSION**

22 21. The parties are not bound by any provision of this Decree until it is signed by  
23 authorized representatives of each party and entered by the Court.

24 DATED this 10<sup>th</sup> day of December, 1999.

25 A. LUIS LUCERO, JR.  
26 Regional Attorney

C. GREGORY STEWART  
General Counsel Designate

27 BARBARA J. STANDAL

GWENDOLYN YOUNG REAMS

**EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**  
**Seattle District Office**  
Federal Office Building  
909 First Avenue, Suite 400  
Seattle, Washington 98104-1061  
Telephone (206) 220-6883  
Fax (206) 220-6911  
TDD (206) 220-6882

1 BARBARA J. STANDAL  
Supervisory Trial Attorney

GWENDOLYN YOUNG REAMS  
Associate General Counsel

2 MICHELLE GONZALEZ  
3 Senior Trial Attorney

4 EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION

EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION

5 Seattle District Office  
6 909 First Avenue, Suite 400  
7 Seattle, Washington 98104  
Telephone (206) 220-6914

Office of the General Counsel  
1801 "L" Street, N.W.  
Washington, D.C. 20507

8 BY: *A. Luis Lucero Jr.*  
Attorney for Plaintiff

10 WAL-MART, INC.  
11 702 SW Eighth Street  
12 Bentonville, AR 72716-8095  
13 (501) 277-2689

14 BY: *[Signature]* *AW*  
LINDA WHITTAKER  
Attorney for Defendant

18 **ORDER APPROVING CONSENT DECREE AND DISMISSING ACTION**

19 The Court having considered the foregoing stipulated agreement of the parties, HEREBY  
20 ORDERS THAT the foregoing settlement agreement is approved as the final decree of this Court in  
21 full settlement of this action. This lawsuit is hereby dismissed with prejudice and without costs or  
22 attorneys' fees to any party. The Court retains jurisdiction of this matter solely for purposes of  
23 enforcing the Consent Decree approved herein.

24 DATED this 19 day of Jan, 2000  
1999.

25 *[Signature]*  
26 UNITED STATES DISTRICT JUDGE  
27

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
Seattle District Office  
Federal Office Building  
909 First Avenue, Suite 400  
Seattle, Washington 98104-1061  
Telephone (206) 220-6883  
Fax (206) 220-6911  
TDD (206) 220-6882

This form is affected by the Privacy Act of 1974; See Privacy Act Statement before completing this form.

FEPA  
 EEOC

380981023

Washington State Human Rights Comm and EEOC  
State or local Agency, if any

NAME (Indicate Mr., Ms., Mrs.) HOME TELEPHONE (Include Area Code)  
Ms. Angela Reyes (360) 895-2949

STREET ADDRESS CITY, STATE AND ZIP CODE DATE OF BIRTH  
C/O 2753 S.W. Minterbrook Rd., Port Orchard, WA 98366 09/23/80

NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one list below.)

NAME NUMBER OF EMPLOYEES, MEMBERS TELEPHONE (Include Area Code)  
Wal-Mart Cat B (101-200) (360) 874-9060

STREET ADDRESS CITY, STATE AND ZIP CODE COUNTY  
3497 Bethel Rd. S.E., Port Orchard, WA 98366 035

NAME TELEPHONE NUMBER (Include Area Code)  
STREET ADDRESS CITY, STATE AND ZIP CODE COUNTY

CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es)) DATE DISCRIMINATION TOOK PLACE  
 RACE  COLOR  SEX  RELIGION  NATIONAL ORIGIN EARLIEST LATEST  
 RETALIATION  AGE  DISABILITY  OTHER (Specify) 10/03/97 10/03/97  
 CONTINUING ACTION

THE PARTICULARS ARE (If additional space is needed, attach extra sheet(s)):  
On or about October 3, 1997 I went to this store and requested an application for employment.  
  
I was told the only position for which applications were being accepted was that of cart pusher and that males are usually hired to fill this position. I requested an application anyway and was refused.  
  
I believe I was refused an application to apply for the position of cart pusher because of my gender, female, in violation of Title VII of the Civil Rights Act of 1964, as amended.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or telephone number and cooperate fully with them in the processing of my charge in accordance with their procedures. NOTARY - (When necessary for State and Local Requirements)  
I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

I declare under penalty of perjury that the foregoing is true and correct. SIGNATURE OF COMPLAINANT  
  
SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (Day, month, and year)

Angela M. Reyes

Date Charging Party (Signature)



CHARGE OF DISCRIMINATION

AGENCY NAME NUMBER

This form is affected by the Privacy Act of 1974; See Privacy Act Statement before completing this form.

FEPA  
 EEOC

380980/110

Washington State Human Rights Comm and EEOC  
State or Local Agency, if any

NAME (Indicate Mr., Ms., Mrs.) HOME TELEPHONE (Include Area Code)  
Ms. Louena Yelverton (360) 895-9487

STREET ADDRESS CITY, STATE AND ZIP CODE DATE OF BIRTH  
2753 S.W. Minterbrook Rd, Port Orchard, WA 98366 04/15/79

NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one list below.)

NAME NUMBER OF EMPLOYEES, MEMBERS TELEPHONE (Include Area Code)  
Wal-Mart Cat B (101-200) (360) 874-9060

STREET ADDRESS CITY, STATE AND ZIP CODE COUNTY  
3497 Bethel Rd. S.E., Port Orchard, WA 98366 035

NAME TELEPHONE NUMBER (Include Area Code)

STREET ADDRESS CITY, STATE AND ZIP CODE COUNTY

CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es)) DATE DISCRIMINATION TOOK PLACE  
 RACE  COLOR  SEX  RELIGION  NATIONAL ORIGIN EARLIEST LATEST  
 RETALIATION  AGE  DISABILITY  OTHER (Specify) 10/03/97 10/03/97  
 CONTINUING ACTION

THE PARTICULARS ARE (If additional space is needed, attach extra sheet(s)):  
On or about October 3, 1997 I went to this store and requested an application for employment.

I was told the only position for which applications were being accepted was that of cart pusher and that males are usually hired to fill this position. I requested an application anyway and was refused.

I believe I was refused an application to apply for the position of cart pusher because of my gender, female, in violation of Title VII of the Civil Rights Act of 1964, as amended.

RECEIVED  
EEOC-EEOC  
OCT 31 A 10:20

I want this charge filed with both the EEOC and the State or Local Agency, if any. I will advise the agencies if I change my address or telephone number and cooperate fully with them in the processing of my charge in accordance with their procedures.

NOTARY - (When necessary for State and Local Requirements)  
I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

I declare under penalty of perjury that the foregoing is true and correct.  
Date 10/30/97  
Charging Party (Signature) Louena Yelverton

SIGNATURE OF COMPLAINANT  
Louena Yelverton  
SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (Day, month, and year) 10/30/97  
Notary Signature  
SHANNON M ELLIS-BROCK  
NOTARY PUBLIC  
WASHINGTON  
COMMISSION EXPIRES 12/31/98

EEOC FORM 5 (Rev. 05-97)  
EXHIBIT 1

RESPONDENT'S COPY  
SHANNON M ELLIS-BROCK FILE





U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Seattle District Office

AUG 20 1998

Federal Office Building  
909 First Ave., Suite 400  
Seattle, WA 98104-1061  
PH: (206) 220-6883  
TDD: (206) 220-6882  
FAX: (206) 220-6911

Charge No. 380981023

Angela Reyes  
c/o 2753 S. W. Minterbrook Rd.  
Port Orchard, WA 98366

Charging Party

Wal\*Mart Stores Inc.  
702 S. W. 8th Street  
Bentonville, AR 72716-8095

Respondent

DETERMINATION

Under the authority vested in me by the Commission, I issue the following determination as to the merits of the subject charge filed under Title VII of the Civil Rights Act of 1964, as amended (Title VII).

All requirements for coverage have been met. Charging Party alleged that she was discriminated against in violation of Title VII in that she was denied an application for employment as cart pusher because of her gender, female.

During the investigation, all relevant, available witnesses were interviewed, and all relevant documents were reviewed. I have considered all the evidence disclosed during the investigation and have determined that there is reasonable cause to believe that there is a violation of the Title VII with regard to Charging Party's allegation that she was denied an application for employment as a cart pusher because of her gender, female.


Upon finding that there is reason to believe that violations have occurred, the Commission attempts to eliminate the alleged unlawful practices by informal methods of conciliation. Therefore, the Commission now invites the parties to join with it in reaching a just resolution of this matter. The Commission will also consider compensatory and punitive damages under

EXHIBIT 2

If the Respondent declines to discuss settlement or when, for any other reason, a settlement acceptable to the office Director is not obtained, the Director will inform the parties and advise them of the court enforcement alternatives available to aggrieved persons and the Commission. A Commission representative will contact each party in the near future to begin conciliation.

On behalf of the Commission

**AUG 20 1998**

  
\_\_\_\_\_  
JEANETTE M. LEINO  
DISTRICT DIRECTOR



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
Seattle District Office

**AUG 20 1998**

Federal Office Building  
909 First Ave., Suite 400  
Seattle, WA 98104-1061  
PH: (206) 220-6883  
TDD: (206) 220-6882  
FAX: (206) 220-6911

Charge No. 380980110

Louena Yelverton  
2753 S. W. Minterbrook Rd.  
Port Orchard, WA 98366

Charging Party

Wal\*Mart Stores Inc.  
702 S.W. 8th Street  
Bentonville, AR 72716-8095

Respondent

DETERMINATION

Under the authority vested in me by the Commission, I issue the following determination as to the merits of the subject charge filed under Title VII of the Civil Rights Act of 1964, as amended (Title VII).

All requirements for coverage have been met. Charging Party alleged that she was discriminated against in violation of Title VII in that she was denied an application for employment as cart pusher because of her gender, female.

During the investigation, all relevant, available witnesses were interviewed, and all relevant documents were reviewed. I have considered all the evidence disclosed during the investigation and have determined that there is reasonable cause to believe that there is a violation of the Title VII with regard to Charging Party's allegation that she was denied an application for employment as a cart pusher because of her gender, female.

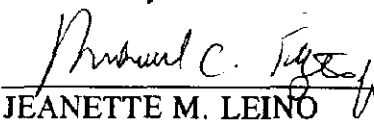
Upon finding that there is reason to believe that violations have occurred, the Commission attempts to eliminate the alleged unlawful practices by informal methods of conciliation. Therefore, the Commission now invites the parties to join with it in reaching a just resolution of this matter. The Commission will also consider compensatory and punitive damages under

**EXHIBIT 2**

If the Respondent declines to discuss settlement or when, for any other reason, a settlement acceptable to the office Director is not obtained, the Director will inform the parties and advise them of the court enforcement alternatives available to aggrieved persons and the Commission. A Commission representative will contact each party in the near future to begin conciliation.

On behalf of the Commission

**AUG 20 1998**

  
\_\_\_\_\_  
JEANETTE M. LEINO  
DISTRICT DIRECTOR

RELEASE AGREEMENT

RECEIVED  
EEOC-EEOC

THIS RELEASE AGREEMENT ("agreement") is executed by Wal-Mart Stores, Inc. and Louena Yelverton.

NOW, THEREFORE, in consideration of the mutual undertakings set forth herein, the undersigned parties agree as follows:

- 1. Louena Yelverton, on her own behalf and for her successors and assigns, acknowledges receipt from Wal-Mart Stores, Inc. of \$4,000.00, less applicable withholding required by law.
- 2. Louena Yelverton, on her own behalf and for her successors and assigns, and in accordance with the provisions of the settlement of the lawsuit brought by the Equal Employment Opportunity Commission against Wal-Mart Stores, Inc., hereby forever releases, acquits, and discharges the latter and their directors, officers, agents, employees, successors, and assigns, from any and all claims, actions, causes of action, rights, or damages which she may have on behalf of herself or others, known or hereafter discovered by her, arising from the claims and allegations of discrimination contained in Charge Number 380980110, the Letter of Determination issued by the Equal Employment Opportunity Commission as a result of that charge, and the Commission's resulting lawsuit.
- 3. Louena Yelverton understands that she has the right to consult an attorney of her choice and has consulted the Equal Employment Opportunity Commission regarding this release and, knowing and understanding so, as her own act, she voluntarily accepts the above total amount of \$4,000, less applicable withholding required by law, as full settlement of the above claims and allegations without duress, coercion, or undue influence.

IN WITNESS WHEREOF, the parties have signed and executed this agreement this

Nov. of 28, 1999.

WAL-MART STORES, INC.  
BY: [Signature]  
TITLE: attorney

LOUENA YELVERTON  
[Signature]

RECEIVED  
EEOC-EEOC  
NOV DEC - 9  
A 11: 39

EXHIBIT 3

**RELEASE AGREEMENT**

THIS RELEASE AGREEMENT ("agreement") is executed by Wal-Mart Stores, Inc. and Angela Reyes.

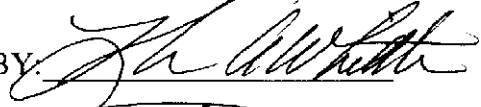
NOW, THEREFORE, in consideration of the mutual undertakings set forth herein, the undersigned parties agree as follows:

1. Angela Reyes, on her own behalf and for her successors and assigns, acknowledges receipt from Wal-Mart Stores, Inc. of \$1,500.00, less applicable withholding required by law.
2. Angela Reyes, on her own behalf and for her successors and assigns, and in accordance with the provisions of the settlement of the lawsuit brought by the Equal Employment Opportunity Commission against Wal-Mart Stores, Inc., hereby forever releases, acquits, and discharges the latter and their directors, officers, agents, employees, successors, and assigns, from any and all claims, actions, causes of action, rights, or damages which she may have on behalf of herself or others, known or hereafter discovered by her, arising from the claims and allegations of discrimination contained in Charge Number 380981023, the Letter of Determination issued by the Equal Employment Opportunity Commission as a result of that charge, and the Commission's resulting lawsuit.
3. Angela Reyes understands that she has the right to consult an attorney of her choice and has consulted the Equal Employment Opportunity Commission regarding this release and, knowing and understanding so, as her own act, she voluntarily accepts the above total amount of \$1,500, less applicable withholding required by law, as full settlement of the above claims and allegations without duress, coercion, or undue influence.

IN WITNESS WHEREOF, the parties have signed and executed this agreement this

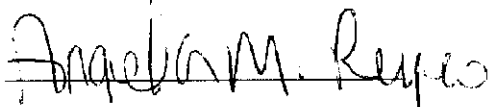
11 of November 1999.

WAL-MART STORES, INC.

BY: 

TITLE: attorney

ANGELA REYES



COPY

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing CONSENT DECREE AND ORDER DISMISSING ACTION on:

D. Michael Reilly  
LANE POWELL SPEARS LUBERSKY  
1420 Fifth Avenue, Suite 4100  
Seattle, WA 98101

Linda A. Whittaker  
Corporate Litigation Counsel  
702 SW 8th Street  
Bentonville, AR 72716

Attorneys for Defendant

by the following indicated method or methods:

by **mailing** a copy thereof in a sealed, first-class postage-paid envelope, addressed to the attorney(s) listed above, and deposited with the United States Postal Service at Seattle, Washington, on the date set forth below.

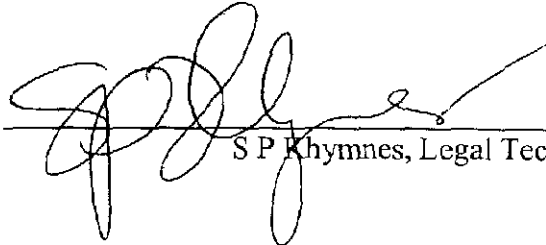
by **hand delivering** a copy thereof to the attorneys for Defendant listed above, on the date set forth below.

by **sending via overnight courier** a copy thereof in a sealed, postage paid envelope, addressed to the attorney(s) listed above, on the date set forth below.

by **faxing** a copy thereof to the attorney(s) at the fax number(s) shown above, on the date set forth below.

DATED this 10 day of December, 1999.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION



S P Rhymes, Legal Technician

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
Seattle District Office  
909 First Avenue, Suite 400  
Seattle, Washington 98104-1061  
Telephone: (206) 220-6883  
Facsimile: (206) 220-6911  
TDD: (206) 220-6882