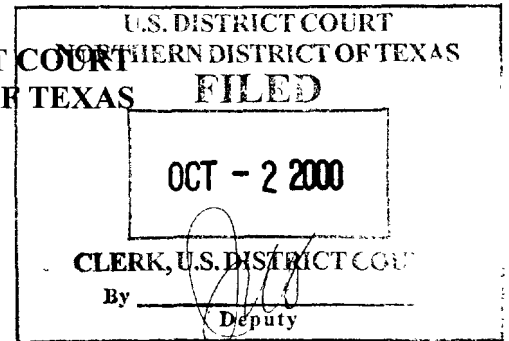


ORIGINAL

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION



EQUAL EMPLOYMENT OPPORTUNITY §  
COMMISSION, §

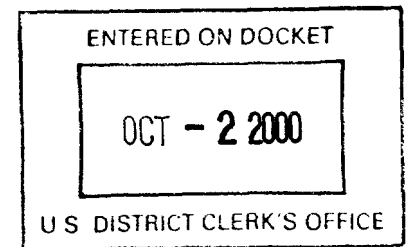
Plaintiff, §

vs. §

PRICEWATERHOUSECOOPERS LLP, §

Defendant. §

CIVIL ACTION NO. 3:99-CV-1439-X



CONSENT DECREE

THIS CONSENT DECREE is made and entered into by and between the Equal Employment Opportunity Commission ("EEOC"), and PRICEWATERHOUSECOOPERS LLP, successor in interest to COOPERS & LYBRAND L.L.P. ("PwC"), in the United States District Court for the Northern District of Texas, Dallas Division, with regard to the EEOC's Complaint filed on June 24, 1999 (Complaint), in Civil Action No. 3:99-CV-1439-X. The Complaint was based upon a Charge of Discrimination filed on June 14, 1995 by Deborah Michelle Bode ("Bode"), Charging Party, against the Defendant employer.

The above referenced Complaint alleges that in 1995, Coopers & Lybrand L.L.P. ("C&L"), violated Title VII of the Civil Rights Act of 1964 and Title I of the Civil Rights Act of 1991, by demoting and discharging Deborah Michelle Bode because of her pregnancy. PwC denies all of EEOC's allegations.

The EEOC, Ms. Bode and PwC, in order to avoid the cost, expense and inconvenience of litigation, agree to compromise and settle the differences embodied in the Complaint, and intend that

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the terms and conditions of the compromise and settlement be set forth in this Consent Decree ("Consent Decree").

NOW, THEREFORE, in consideration of the mutual promises and agreements set forth herein, the sufficiency of which is hereby acknowledged, the parties agree as follows, the Court finds appropriate, and therefore, it is ORDERED, ADJUDGED AND DECREED that:

1. This Consent Decree resolves all issues raised in EEOC Charge No. 310-95-2351. This Decree further resolves all issues in the Complaint filed by the EEOC in this civil action. The EEOC waives further claims and/or litigation on all issues raised in the above referenced charge and Complaint. The EEOC does not waive processing or litigating charges other than the above referenced charge.

2. The parties agree that this Consent Decree does not constitute an admission by PwC of any violation of Title VII of the Civil Rights Act of 1964 or Title I of the Civil Rights Act of 1991, any such violation being specifically denied.

3. PwC agrees that it has and shall continue to make every reasonable effort to conduct all employment practices in the Management Consulting Services Line of Service ("MCS") of PwC in Dallas, Texas in a manner which does not subject any employee to gender discrimination, including pregnancy discrimination under Title VII of the Civil Rights Act and Title I of the Civil Rights Act of 1991.

4. PwC agrees to post the Notice appended hereto as Attachment "A" on the employee bulletin board where other required notices are posted at all of the Dallas, Texas facilities of MCS within ten (10) days after the entry of this Consent Decree. PwC will report to the EEOC that it has complied with this requirement within 14 days after posting the notice. The posting of this notice

is to inform employees about pregnancy discrimination. EEOC's agreement that Attachment A be posted is in no way an endorsement or approval of the specific pregnancy discrimination policy as an effective anti-pregnancy discrimination policy.

5. Within six months after the Consent Decree is entered, PwC agrees to conduct Pregnancy Discrimination Training for all MCS Directors and Partners based in Dallas, Texas, advising them of the requirements and prohibitions of Title VII of the Civil Rights Act of 1964. The training will inform the participants of the complaint procedure for individuals who believe they have experienced pregnancy discrimination. The training will also advise participants of the consequences of violating Title VII. The training will also include a specific discussion or instruction relating to the issues of sex discrimination, including pregnancy discrimination. The training shall be at least 30 minutes in duration. No less than 30 days after the training is conducted, PwC agrees to give written notice to the EEOC as to the date and location of the training, the name of the person or persons providing the training and the substance of the training. PwC will provide information regarding its anti-discrimination policies and internal complaint procedures to all other MCS employees based in Dallas Texas by either: 1) posting on the Intranet site; or 2) information will be provided by the MCS Partners and Directors based in Dallas, Texas. PwC also will provide information regarding its anti-discrimination policies and complaint procedures to all MCS new hires based in Dallas, Texas for the term of this Decree.

6. PwC agrees to remove from all personnel files of Deborah Michelle Bode all documents, entries and references relating to the Charge and the complaint filed by the EEOC in federal court based upon her Charge.

7. PwC agrees, upon inquiry, to provide a neutral employment reference for Deborah Michelle Bode limited to name, dates of employment, and position(s) held.

8. PwC agrees that it shall make every diligent effort to ensure there will be no retaliation of any kind against any person who has participated in any manner in the investigation of, litigation of, or any other proceeding involving the Complaint and/or Charge which is the subject of this Decree.

9. PwC agrees to pay Ms. Bode the amount of \$40,000.00 to resolve all claims arising out of the EEOC Charge and the Complaint for all state and federal claims of any sort, attorney's fees and costs of this action.

10. The payment referenced in paragraph 9, above, shall be made ten (10) business days after the date of entry of this Consent Decree by check made payable to Bode as agreed by the EEOC and PwC. The payment shall be sent by overnight mail to EEOC attorney William C. Backhaus.

11. PwC agrees to report to the EEOC within 90 days of entry of this Consent Decree regarding its compliance with the agreements set forth in paragraphs 4 and 6 through 10, above. PwC will also report to the EEOC regarding its compliance with the agreements set forth in paragraph 5 above.

12. All reports to the EEOC required by this Decree shall be sent to William C. Backhaus, Senior Trial Attorney, EEOC, third floor, 207 S. Houston, Dallas, Texas 75202.

13. Neither the EEOC, Deborah Michelle Bode nor PwC shall contest the validity of this Consent Decree nor the jurisdiction of the federal district court to enforce this Consent Decree and its terms or the right of either party to the Consent Decree to bring an enforcement action upon

breach of any term of this Consent Decree by either such party. The EEOC also reserves the right to seek sanctions for non-payment and non-compliance with this Court Order.

14. The parties to this Consent Decree agree to bear their own costs and attorney's fees associated with the above-referenced Complaint.

15. The term of this Decree shall be for one (1) year.

16. The parties acknowledge and agree that this Consent Decree constitutes the complete and entire agreement between PwC and the EEOC; that PwC and the EEOC have executed this Consent Decree based upon the express terms and provisions set forth herein; and that all previous agreements, either oral or written, between PwC and the EEOC are expressly superseded and revoked by this Consent Decree.

SO ORDERED, ADJUDGED AND DECREED this 30<sup>th</sup> day of September, 2000.

  
\_\_\_\_\_  
U.S. DISTRICT COURT JUDGE

AGREED AS TO FORM AND SUBSTANCE:

Signed this 28 day of September, 2000.



ROBERT A. CANINO

Regional Attorney

Oklahoma State Bar No. 011782

SUZANNE M. ANDERSON

Supervisory Trial Attorney

Texas Bar No. 14009470

WILLIAM C. BACKHAUS

Senior Trial Attorney

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Dallas, Texas 75202

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**ATTORNEYS FOR DEFENDANT**

AGREED AS TO FORM AND SUBSTANCE:

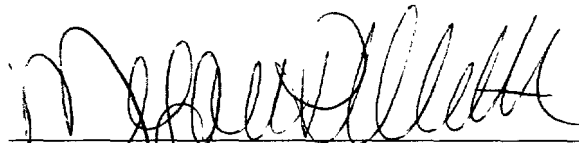
Signed this 28<sup>th</sup> day of September, 2000.

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