

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,

CURTIS BAKER, DAVID HENDERSON, and
JOE A. CEDILLO.

$v_{\cdot}$

Defendant.

3:04-0839

Judge Echols

Magistrate Judge Griffin

Case 3:04-cv-00839 Document 34 Filed 10/17/2005 Page 1 of 6

The Commission, J. Alexander's, and the Intervenor's have agreed in this Consent Decree to settle all of the claims involved in this lawsuit.

The Court has reviewed the terms of this Decree in light of the applicable laws and regulations, and hereby approves this Decree. **THEREFORE**, it is hereby **ORDERED**:

I. JURISDICTION

The United States District Court for the Middle District of Tennessee, Nashville Division, has jurisdiction over the parties and subject matter of this lawsuit, and will retain jurisdiction over this Decree for purposes of enforcement and dispute resolution.

II. DISCLAIMER

By the agreement to this Decree J. Alexander's does not admit or acknowledge that any of its employees, officers, directors, or agents have violated Title VII and expressly denies said allegations and is willing to enter into this agreement solely to avoid future costs and inconvenience.

III. AGREEMENT

J. Alexander's, its managers, supervisors, officers, directors, agents, and successors agrees that it will hire, transfer, or reassign without regard to gender. J. Alexander's also agrees that it will conduct training for all managers located at its restaurant located in Franklin, Tennessee regarding their responsibility not to discriminate based on gender in making hiring, transfer, and reassignment decisions, and regarding the company's policy that restaurant general managers are responsible for all hiring, transfer, and reassignment decisions.

IV. SETTLEMENT PAYMENTS

J. Alexander's will pay \$5,000 to each of the three Interveners, \$9,878 in attorney's fees and expenses for Intervenor's attorney David Cooper, and \$1,885 in attorney's fees and expenses for Intervenor's attorney Larry McElhaney III. The payments will be made, within twenty days after the entry of this Decree by the Court, by mailing checks to Interveners' attorney David Cooper drafted in accordance with his instructions. When the checks are mailed, copies of the checks will be mailed at the same time to:

Carson L. Owen, Senior Trial Attorney
EEOC
1407 Union Ave., Suite 621
Memphis, TN 38104

V. POSTING OF NOTICE

Within ten days after receiving a copy of this Decree entered by the Court, J. Alexander's will post the notice attached to this Decree for thirty days in conspicuous places upon the premises of its Franklin, Tennessee restaurant where notices to employees are customarily posted. Within thirty days after receiving a copy of this Decree entered by the Court, J. Alexander's will send a letter to Carson L. Owen, at the address indicated above, verifying that this has been done.

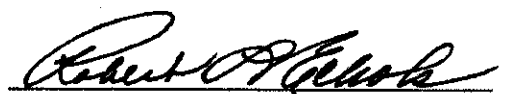
VI. ATTORNEY'S FEES AND COSTS

The Commission and J. Alexander's will each bear its own attorney's fees and costs incurred in this lawsuit.

VII. DISMISSAL

This case will be dismissed with prejudice, when the requirements of paragraphs III, IV, and V have been satisfied, by the parties submitting to the Court the attached proposed Agreed Order.

SO ORDERED this 14th day of October, 2005.


ROBERT L. ECHOLS
UNITED STATES DISTRICT JUDGE

(Concluded on next page.)

Consented to on behalf of the respective parties:

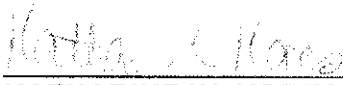
FOR PLAINTIFF EEOC:

JAMES LEE

Deputy General Counsel

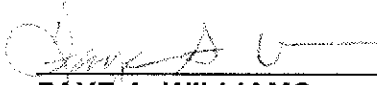
GWENDOLYN YOUNG REAMS

Associate General Counsel


KATHARINE W. KORES

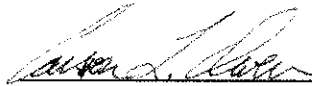
Regional Attorney

Tennessee Bar No. 006283


FAYE A. WILLIAMS

Supervisory Trial Attorney

Tennessee Bar No. 011730


CARSON L. OWEN

Senior Trial Attorney

Tennessee Bar No. 009240

**EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION**

1407 Union Avenue, Suite 621

Memphis, Tennessee 38104

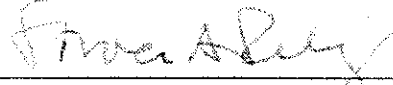
Telephone No. (901) 544-0133

FOR DEFENDANT:


JOHN MICHAEL MOORE

V.P. of Human Resources & Administration

J. ALEXANDER'S RESTAURANTS, INC.


STEVEN ALLEN RILEY

AMY E. NEFF

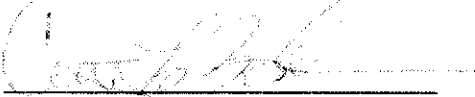
**BOWEN, RILEY, WARNOCK
& JACOBSON, PLC**

1906 West End Ave.

Nashville, TN 37203

Telephone No. (615) 320-3700

FOR THE INTERVENORS:


CURTIS BAKER


JOE A. CEDILLO, JR.


DAVID HENDERSON


DAVID L. COOPER

LAW OFFICE OF DAVID L.

COOPER, P.C.

208 Third Ave., N., Suite 300

Nashville, TN 38201

Telephone No. (615) 256-1008

NOTICE

Federal law requires an employer to maintain a workplace free from discrimination based on sex (gender), as well as race, color, religion, national origin, age (40 or older), or disability. It is a violation of Title VII of the Civil Rights Act, 42 U.S.C. §2000e, et seq., to fail to hire, promote, transfer, or reassign an employee because of the employee's gender.

J. Alexander's complies with this Federal law in all respects, and will not tolerate or condone unlawful discrimination, which is a violation of company policy as well as federal law. Violation of this company policy by anyone employed by J. Alexander's will result in disciplinary action up to and including termination.

Title: _____

J. Alexander's Restaurants, Inc.