

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

FILED 3A
U.S. DISTRICT COURT
DISTRICT OF NEW MEXICO

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Robert J. [Signature]
CLERK OF COURT

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION

Plaintiff,

v.

NEW MEXICO NEWSPAPERS, INC.,
d/b/a THE DAILY TIMES,
GARDEN STATE NEWSPAPERS, INC.,
and NORTHWEST NEW MEXICO
PUBLISHING COMPANY,

Defendants.

CIV. 00-469 LH/RLP

**STIPULATION FOR
DISMISSAL WITH
PREJUDICE**

STIPULATION FOR DISMISSAL WITH PREJUDICE

As the parties have settled this matter as reflected in the attached Settlement Agreement, incorporated herein by reference, it is hereby stipulated by Plaintiff Equal Employment Opportunity Commission and Defendants New Mexico Newspapers, Inc, d/b/a the Daily Times, Garden State Newspapers, Inc., and Northwest New Mexico Publishing Company, through their respective counsel undersigned, that the above-entitled action may be dismissed, with prejudice, with the parties to bear their own respective costs and attorneys' fees.

Respectfully submitted this 20 day of February, 2001

RICHARD R. TRUJILLO
Regional Attorney

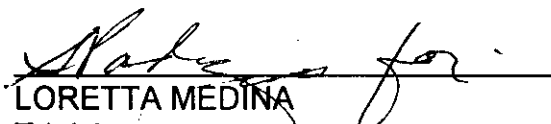
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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION	)	CIV. 00-469 LH/RLP
	)	
Plaintiff,	)	
v.	)	
	)	
NEW MEXICO NEWSPAPERS, INC., d/b/a THE DAILY TIMES, GARDEN STATE NEWSPAPERS, INC., and NORTHWEST NEW MEXICO PUBLISHING COMPANY,	)	SETTLEMENT AGREEMENT
	)	
Defendants.	)	
	)	

SETTLEMENT AGREEMENT

1. The United States Equal Employment Opportunity Commission (the "Commission" or "EEOC") filed a Complaint, in the United States District Court in the District of New Mexico (CIV 00-469 RLP/LH), against Defendants, New Mexico Newspapers, Inc, d/b/a the Daily Times, Garden State Newspapers, Inc., and Northwest New Mexico Publishing Company Title VII of the Civil Rights Act of 1964 and Title I of the Civil Rights Act of 1991. In the Complaint, the Commission alleged that Garry Moes and other employees and applicants were discriminated against by New Mexico Newspaper Inc., d/b/a the Daily Times because they did not hold the same religious beliefs as the defendant's owner-publisher. The Commission

alleged that, because of religion, Mr. Moes and a class of individuals were disciplined, discharged, constructively discharged, denied hire or promotion, and subjected to hostile work environment. In addition, the Commission alleged the Daily Times limited its applicant pool because of religion. Defendants deny the allegations of the Commission's Complaint and assert that they have not violated Title VII and, more specifically, that it did not discriminate on the basis of religion.

2. The EEOC alleged, and Defendants denied, that Defendants Garden State Newspapers, Inc., and Northwest New Mexico Publishing Company were successors to Defendant New Mexico Newspapers, Inc. Plaintiff made no allegations of discriminatory conduct against these two Defendants.

Consequently, when the obligations described in the Paragraphs below have been fully satisfied, Defendants Garden State Newspapers, Inc., and Northwest New Mexico Publishing Company are dismissed as parties.

3. This Settlement Agreement ("Agreement") does not constitute an admission of liability by the Defendants, nor an adjudication on the merits of the allegations of the Complaint. This Agreement is not admissible in any proceeding, except a proceedings(s) to enforce the terms of the Agreement.

4. This Agreement resolves any and all claims of Garry Moes and the EEOC arising out of Charge Nos 390-96-0690 and 390-97-0733 against Defendant New Mexico Newspapers, Inc., including without limitation, claims for back pay and compensatory damages, interest, injunctive relief, attorney's fees and costs

arising out of the issues in this lawsuit during New Mexico Newspaper, Inc.'s, ownership of the Daily Times.

5. Defendant New Mexico Newspapers, Inc., agrees to pay the amount of \$ 95,000.00 to Garry Moes in full settlement of his claim for compensatory damages. Defendant will make this payment to him in a lump sum and will issue a 1099 for this amount. Garry Moes shall be responsible for payment of all applicable taxes.

6. Defendant New Mexico Newspapers, Inc., agrees to pay the amount of \$ 20,000.00 to Mark Redfearn in full settlement of his claim for compensatory damages. Defendant this payment to him in a lump sum and will issue a 1099 for this amount. Mark Redfearn shall be responsible for payment of all applicable taxes.

7. Defendant New Mexico Newspapers, Inc., agrees to pay the amount of \$ 20,000.00 to Catherine Gray Beuten in full settlement of her claim for compensatory damages. Defendant will make this payment to her in a lump sum and will issue a 1099 for this amount. Ms. Beuten shall be responsible for payment of all applicable taxes.

8. Defendant New Mexico Newspapers, Inc., agrees to pay the amount of \$ 40,000.00 to Christine Vasonez in full settlement of her claim for compensatory damages. Defendant will make this payment to her in a lump sum and will issue a 1099 for this amount. Ms. Vasonez shall be responsible for payment of all applicable taxes.

9. Defendant New Mexico Newspapers, Inc., agrees to pay the settlement amounts described in Paragraphs 5 - 8 via business checks within thirty (30) days of the execution of this Agreement.

10. The checks provided for in Paragraphs 5 - 8 shall be made payable to the named individuals and shall be mailed directly via certified mail to them at the address provided by the EEOC. Within five days of issuance of the checks, Defendant New Mexico Newspapers, Inc., shall submit a copy of the checks and related correspondence to the Regional Attorney, Equal Employment Opportunity Commission, Phoenix District Office, 3300 N. Central, Suite 690, Phoenix, Arizona 85022.

Respectfully submitted this 20 day of February, 2001

C. EMANUEL SMITH
Acting Regional Attorney


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