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FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MAR 30 2000

JAMES P. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON

8 U.S. DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF WASHINGTON
10 AT SPOKANE

11 EQUAL EMPLOYMENT OPPORTUNITY)
12 COMMISSION,)
13 Plaintiff,)
14 and)
15 MARCUS CHALMERS,)
16 Plaintiff-in-Intervention)
17 v.)
18 LORNE BANGERT FORD, INC.)
19 Defendant.)
20

CIVIL NO. CT-98-5037-FVS

AGREED STIPULATION FOR
DISMISSAL AND ORDER
DISMISSING ACTION

21 I. INTRODUCTION

22 1. This action originated with a charge of discrimination filed with the plaintiff, Equal
23 Employment Opportunity Commission ("EEOC" or "Commission"), by Marcus Chalmers. The
24 charge alleged that defendant, Lorne Bangert Ford, Inc., ("Lorne Bangert"), terminated him from
25 his employment because of his race (black) in violation of Title VII of the Civil Rights Act, 42
U.S.C. §2000e *et seq.* ("Title VII"). On February 2, 1999, Mr. Chalmers intervened in this action

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CLERK, U.S. DISTRICT COURT

SPOKANE, WASHINGTON

AGREED STIP. FOR DISMISSAL AND ORDER - Page 1

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1 through private counsel.

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**II. NONADMISSION OF LIABILITY AND
NONDETERMINATION BY THE COURT**

2. This agreed stipulation for dismissal is not an adjudication or finding on the merits of this case and shall not be construed as an admission by the defendant of a violation of Title VII.

III. SETTLEMENT SCOPE

3. This agreed stipulation for dismissal is the final and complete resolution of all allegations of unlawful employment practices contained in Marcus Chalmers' discrimination charge, in the EEOC's Letter of Determination, and in the complaint filed in this action, including all claims by the parties for attorney fees and costs.

IV. INJUNCTIVE RELIEF

4. The EEOC will not seek injunctive relief because defendant has ceased to exist for purposes of injunctive relief.

VI. ENFORCEMENT

5. The United States District Court for the Eastern District of Washington shall retain jurisdiction over this matter until such time as this stipulated agreement of dismissal is entered by the court.

DATED this 15th day of March, 2000.

Respectfully submitted,

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Attorneys for LORNE BANGERT FORD,
INC.

ORDER

2 The court having considered the foregoing stipulated agreement of the parties, IT IS
3 HEREBY ORDER THAT the foregoing stipulated agreement of dismissal be, and the same is,
4 approved as the final decree of this Court in full settlement of this action. This lawsuit is hereby
5 dismissed with prejudice and without costs or attorneys' fees to any party. The Court retains
6 jurisdiction of this matter until such time as this stipulated agreement of dismissal is entered by
7 the court.

8 DATED this 30 day of March, 2,000.

Fred W. Bickle

**FRED L. VAN SICKLE
UNITED STATES DISTRICT JUDGE**