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WESTERN DISTRICT OF LOUISIANA  
SHREVEPORT, LOUISIANA

U.S. DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
FILED

MAY - 7 2002

ROBERT M. SHEM WELL, CLERK  
BY [Signature] DEPUTY

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
SHREVEPORT DIVISION

CHRIS BANKS, JACKIE STRICKLAND,  
AND  
U.S. EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION,

Plaintiffs

v.

LORILLARD TOBACCO COMPANY

Defendant

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CONSOLIDATED CIVIL ACTION  
NO. 01-1345; 01-1564; 01-2035  
JUDGE STAGG  
MAGISTRATE PAYNE

CONSENT DECREE IN CIVIL ACTION NUMBER 01-2035

On October 1, 2001 the Equal Employment Opportunity Commission ("the Commission") instituted Civil Action Number 01-2035 in the United States District Court for the Western District of Louisiana, charging Defendant Lorillard Tobacco Company ("Lorillard"), with violation of Section 703 of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e-2(a) ("Title VII"), alleging that Lorillard discriminated against Ms. Jackie Strickland

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("Jackie Strickland" or "Ms. Strickland") by denying her a promotional and/or employment opportunity as a sales representative on the basis of her race, white.

The Commission and Lorillard now wish to resolve all claims and controversies encompassed by this lawsuit without the burden, expense or delay of further litigation, subject, however, to the approval of this Court.

**THEREFORE, IT IS HEREBY AGREED BETWEEN THE COMMISSION AND LORILLARD AND ORDERED, ADJUDGED, AND DECREED that:**

1. This Court has jurisdiction over the subject matter of this lawsuit and over the parties to this lawsuit.
2. The purposes of Title VII will be furthered by the entry of this Decree, the terms of which constitute a fair and equitable settlement.
3. The negotiation, execution and entry of this Decree will resolve any and all claims of the Title VII violations brought by the Commission against Lorillard arising out of Commission Charge Number 270-A1-0834 and this lawsuit, Civil Action Number 01-2035.
4. This Decree relates only to the alleged violations of Title VII raised in Commission Charge Number 270-A1-0834 and by the Commission's suit. It is expressly acknowledged and agreed by the Commission and Lorillard that this Decree does not relate to or purport to settle any claims or suits brought individually by Ms. Strickland. It is also expressly acknowledged and agreed by the Commission and Lorillard that this Decree does not relate to or purport to settle Civil Action Numbers 01-1345 and 01-1564, with which the Commission's suit has been consolidated for certain purposes. Further, this Decree does not relate to or purport to settle any individual claims of Jackie Strickland as Plaintiff-Intervenor in Civil Action Number

01-2035; and the parties acknowledge that due to Ms. Strickland's intervention in Civil Action Number 01-2035, any monetary and individual relief that may be obtained by her against Lorillard in that action shall be incorporated by reference into this agreement between the Commission and Lorillard as constituting any relief that the Commission would seek on her behalf arising out of any and all claims raised by EEOC Charge Number 270-A1-0834 and the Commission's lawsuit.

5. Neither the negotiation, execution nor entry of this Decree shall constitute an acknowledgment or admission of any kind by Lorillard, that its officers, agents or employees have violated or have not been in compliance with Title VII or with any other applicable law, regulation or order.

6. Lorillard agrees to comply with all requirements of Title VII. Lorillard agrees not to discriminate on the basis of race in all phases of employment, including recruitment, application, job screening and testing, assignment, promotion, training, discharge, and all terms, conditions or privileges of employment. Lorillard agrees not to discriminate or retaliate against any person because of opposition to any practice declared unlawful under the Title VII or because of the filing of a charge, giving of testimony or assistance; or because of participation in any manner in any investigation, proceeding, or hearing under the Title VII.

7. Lorillard agrees to conduct, for the duration of this decree, an annual training program on Title VII for all its Louisiana-based managers and supervisors and for all its managers and supervisors, regardless of their work location, who have human resource or personnel-related responsibilities for Lorillard's Louisiana operations. This training program shall include the topic of race discrimination. The initial training program shall be conducted

within six (6) months from the entry of this Consent Decree. Six (6) months from the entry of this Consent Decree, Lorillard or its counsel shall report all Title VII training that it provided in accordance with this paragraph to the Commission's New Orleans District Office Regional Attorney. This report shall include the date(s) training occurred, the names and positions of those who attended the training, and a summary of the subject matter covered during the training session(s).

8. In accordance with federal anti-discrimination laws that are enforced by the Commission, Lorillard agrees to post conspicuously the Commission's poster entitled: "Equal Employment Opportunity Is The Law" in prominent and accessible places, where it can be readily observed by employees and applicants for employment in all Louisiana office locations for Lorillard.

9. Lorillard agrees to maintain its current anti-discrimination policy, which includes a prohibition against discrimination on the basis of race.

10. This Consent Decree shall remain in force for three years after the date of entry of this Decree.

11. Should any provision of this Decree be declared or be determined by any Court to be illegal or invalid, the validity of the remaining parts, terms and provisions shall not be affected thereby, and said illegal or invalid part, term or provision shall be deemed not to be a part of this Decree.

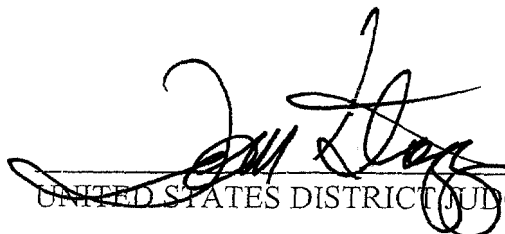
12. The Commission and Lorillard will each bear its own attorneys' fees and costs incurred in connection with the litigation of this lawsuit.

13. This Court shall retain jurisdiction over this action for the purpose of enforcing this Decree, if necessary; and either party is empowered to enforce this Decree through the applicable judicial enforcement procedures.

14. This Decree sets forth the entire agreement between the Commission and Lorillard, and it fully supersedes any and all prior agreements or understandings between the Commission and Lorillard pertaining to the subject matter herein. There are no other provisions, agreements or understandings that are contained herein; and this Decree cannot be altered by oral agreement between the parties, but only by written Court-ordered modification.

**IT IS SO ORDERED.**

Shreveport, Louisiana, this 6<sup>th</sup> day of May, 2002.

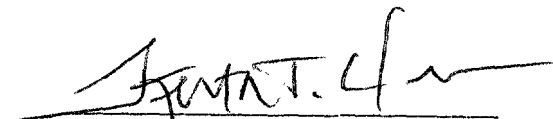
  
UNITED STATES DISTRICT JUDGE

SUBMITTED AND APPROVED BY:


Date: 4/29/02

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No Bar Roll Number

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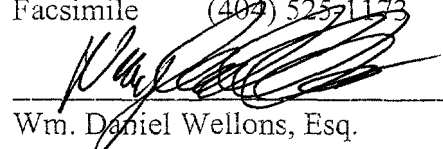
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