

A. Introduction

1. Plaintiffs having filed a lawsuit pursuant to the New Jersey Law Against Discrimination, N.J.S.A. 10:5.1 et seq., as amended, and Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e et seq., as amended, and defendant having filed an answer contesting the allegations of the complaint and opposing the relief requested therein, and the parties having now agreed to fully settle and resolve all disputes between them, the parties hereby enter into this Consent Order upon the following terms.

B. Parties

2. The plaintiffs National Association for the Advancement of Colored People (“NAACP”), and New Jersey State Conference of Branches, NAACP (“New Jersey State Conference”), are voluntary associations committed to the improvement of the status of minority groups, the elimination of discriminatory practices and the achievement of civil rights. Their membership includes persons who are now, or may in the future be, interested in employment as New Jersey State Troopers, and persons whose children are now, or may in the future be, interested in employment as New Jersey State Troopers. They have sued on their own behalf and on behalf of their members.

3. The individual plaintiffs are all unhired African-American or Hispanic applicants for the defendant Division of State Police who were not hired in part or in whole because of the college educational requirement (plaintiffs Antonio Melendez, Antoine Ford, Anthony Graves, Frank Gregory, Ruan Hall, Jamal Poyner, and Sean Williams), or the defendant’s use of the applicants’ Law Enforcement Candidate Record (“LECR”) scores (plaintiffs Robert Guzman and Ryan Marsh).

4. The defendant State of New Jersey, Department of Law and Public Safety, Division of State Police (hereinafter “State Police”) is an agency of the State of New Jersey charged with providing law enforcement services throughout the State of New Jersey.

C. Pleadings

5. Plaintiffs’ Third Amended Complaint is hereby filed and the allegations therein are hereby deemed denied by defendant.

6. The Court approves the joinder of the additional plaintiffs named in the Third Amended Complaint.

D. Class Action

7. In their Third Amended Complaint, the plaintiffs have proposed a class defined as follows:

(a) All unsuccessful African-American and Hispanic applicants for entry-level jobs as State Troopers who previously applied for such positions in the 114th through 118th State Police Academy classes, or who are currently applicants for entry-level jobs as State Troopers, or who apply for entry-level jobs as State Troopers in the future; and

(b) All African-American and Hispanic persons who have been prevented or discouraged from applying for entry-level jobs as State Troopers since January 1993 because of the defendant’s college requirement for such positions, or who are currently prevented or discouraged from applying for such positions because of such requirement, or who will be prevented or discouraged from applying for such positions because of any educational requirement above high school.

8. For the purposes of settlement only, the parties stipulate that the requirements of R. 4:32–1(a) and -(b)(2) are met with respect to this class:

a. The class is so numerous that the joinder of all members is impracticable.

i. Plaintiffs have calculated that, even assuming that the LECR is job-related and consistent with business necessity, if a different but at least as job-related hiring test and procedure had been used instead of the LECR, 157.5 more African-American applicants, and 139.0 more Hispanic applicants would have been hired for the 114th through the 118th State Police Academy classes. The African-Americans and Hispanics who took the LECR and were not hired, or who suffered a delayed hire because of their scores, are clearly too numerous to be joined as parties.

ii. The defendant did not keep records of the numbers of persons who have been prevented from applying for entry-level jobs as State Troopers since January 1993 because of the college educational requirement, apart from a small number of persons who did not meet the educational requirement but were allowed to take the LECR for the 114th State Police Academy Class. The parties stipulate, however, that the number of African-Americans and Hispanics in New Jersey who are in the traditional recruiting ages, but who do not meet the college educational requirement, is too numerous to be joined in this action.

b. There are questions of law and of fact that are common to the class. These include, but are not limited to, the following:

i. Did the defendant's use of the LECR have a disproportionately adverse impact on African-American and Hispanic applicants, compared to white applicants?

ii. Did the defendant's use of the LECR result in a disproportionately longer waiting time before hire for the African-American and Hispanic applicants who were ultimately hired, compared to white applicants who were ultimately hired?

iii. Was the defendant's use of the LECR job-related and justified by business necessity?

iv. Was there a less discriminatory alternative to the defendant's use of the LECR that would comparably serve the defendant's legitimate interests?

v. Did the defendant's use of the LECR violate Title VII of the Civil Rights Act of 1964 and the New Jersey Law Against Discrimination?

vi. Does the college education requirement result in a significant disparate impact against African-Americans and Hispanics?

vii. Is the college education requirement job-related and justified by business necessity?

viii. Is there a less discriminatory alternative to the college education requirement that would comparably serve the defendant's legitimate interests?

ix. Does the college education requirement violate Title VII of the Civil Rights Act of 1964 and the New Jersey Law Against Discrimination?

x. What is the appropriate relief under the circumstances of this case?

c. The claims of the plaintiffs are typical of the claims of the class. The individual plaintiffs can succeed on their individual claims only if they prevail on the same issues that are dispositive for the class. Plaintiffs NAACP and the New Jersey State Conference

can serve their own organizational goals, and serve the interests of their members, only if they prevail on the same issues that are dispositive for the class.

d. The plaintiffs will fairly and adequately protect the interests of the class. They have no conflict of interest with the class, and can prevail for themselves only through prevailing on the class issues. They are represented by capable local counsel and by out-of-State counsel who have substantial experience and expertise in this area of the law.

e. The defendant has acted on grounds generally applicable to the class, thereby making appropriate prospective relief with respect to the class as a whole. Tests and educational requirements are necessarily administered to a large number of persons at the same time, and on the same basis. Allegations of a discriminatory test or of a discriminatory educational requirement should accordingly be resolved and remedied in one proceeding, rather than in a numerous series of individual challenges.

9. Accordingly, and for the purposes of settlement only, the court certifies the class sought by plaintiffs, and adopts the plaintiffs' proposed definition of the class.

D. Stipulated Prospective Relief

10. The Third Amended Complaint alleges that the defendant has engaged in discriminatory recruitment practices, to the disadvantage of African-American and Hispanic persons who would otherwise have been interested in applying for entry-level positions as State Troopers.

11. (a) The State of New Jersey has conducted a review of the defendant's past recruiting, selection and hiring practices for state troopers and has acknowledged that such practices have not accomplished the State's goal of a State Police organization that fully reflects the diversity of the qualified candidates for State Troopers in New Jersey.

(b) The defendant has denied the plaintiffs' allegations of intentional discrimination, and has denied the plaintiffs' allegations that it has unlawfully used selection and recruitment practices that have a disproportionately adverse impact on African-Americans and on Hispanics. All parties have examined the data on recruitment practices, applications, and hiring practices from January 1993 to date, as well as the explanations provided to date by the defendant. Under the relevant statutes and case law, all parties recognize that they face significant risks of an adverse result, as well as significant risks of delay, if this case were to be tried, decided, and appealed.

(c) The parties stipulate that it is not the purpose of this Consent Order to alter, in any way, any of the disqualifying factors listed on the second page of the application form for State Trooper attached hereto as Attachment A (hereinafter in its entirety, "application form").

(d) As used herein, the term "invited applicants" refers to applicants who have not been disqualified because of any of the factors listed on the second page of the application form, whose applications have survived such additional screening based on responses on the application form or materials attached to the application form, as the defendant decides hereafter to implement, and who are invited to take the examination described below.

(e) The State Police has made major changes in its recruitment program to increase the number of minorities and women applying to be State Troopers, and has shared its plans with the plaintiffs. While there has not been agreement on the adequacy of those recruitment plans, the parties have agreed to review and modify those plans so as best to achieve the State's aim of recruiting applicants who reflect the diversity of the qualified available pool. The parties agree that there is no need to pursue the allegations of the Third Amended Complaint as to recruitment, or to provide specific relief therefor, so long as the State Police realizes its aim of recruiting

invited applicants who reflect the diversity of the qualified available pool. If that aim is not substantially achieved for any class, the plaintiffs may, subject to the limitations set forth elsewhere in this Consent Order, and as set forth in paragraph 30, seek modifications or increases in the recruitment program, and pursuant to those limitations may file a motion for such relief in the recruitment program.

12. Prior to 1993, State Troopers were only required to have a high school education. Beginning in January 1993 with the 114th Class, the State Police instituted a new educational requirement for applicants for State Trooper, namely, either (1) a four-year college degree from an accredited college or university or (2) sixty college credits and two years of military service or two years prior police experience. This requirement has remained in effect since 1993. The Third Amended Complaint challenges the defendant's college education requirement and its implementation by the State Police, as having a significant disparate impact against African-Americans and Hispanics, without data showing that the education requirement is necessary for successful job performance or is otherwise job related and required by business necessity.

13. For a period of three years from preliminary approval of this Consent Order by the Court, the State Police agrees not to use the four-year college degree requirement as the exclusive educational requirement, but instead shall recruit and select applicants based on the following educational requirement similar to what has been stated in the past: either (1) a four-year college degree from an accredited college or university or (2) an Associate's degree—or the successful (i.e. "C" average) completion of sixty college credit hours from an accredited college or university—plus at least two years of experience indicating the maturity of the applicant. The

experience part of the requirement shall be satisfied by at least two years of military experience culminating in an honorable discharge, or two years of satisfactory employment experience. The State Police agrees that it will not make a distinction among recruits, cadets, or entry-level State Troopers satisfying the educational requirement, based on which of the two ways described in this paragraph they satisfied the requirement.

14. The State Police shall be free to employ a four-year college degree requirement on an exclusive basis when, after three years of recruitment, the State Police demonstrates that it has been successful in recruiting invited applicants to take the written examination having four-year college degrees that on a cumulative basis have been at least 22% African-American and at least 11% Hispanic, provided that in making this determination the State Police may disregard performance for one class. The State Police agrees that if it has been unable to satisfy this standard it will comply with the provisions of ¶ 13 above for the recruitment of entry-level State Troopers for an additional four years, during which time the plaintiffs, subject to the procedural limitations of ¶ 30, shall be free to seek prospective relief on the college education requirement pursuant to the Third Amended Complaint.

15. (a) As used herein, the terms “good predictors of job performance” and “good predictive job performance” refer to Title VII’s standard of job-relatedness and consistency with business necessity.

(b) The State Police agrees that it will administer a selection device other than the LECR (which the State Police was encouraged to use by the U.S. Department of Justice, and which it has used for the 114th through the 118th classes) during the duration of this Consent Order. In determining what examination or examinations to use in place of the LECR, and in determining their manner of use, the State Police has agreed to select one or more examinations and manners

of use that, based upon available validity studies and impact data, are likely to be good predictors of job performance and have significantly less adverse impact against African-Americans and Hispanics than the selection device and manners of use previously used, and than other examinations available. An applicant's score on the examination shall not be considered for any additional purpose in the selection process, in training, in initial assignments, or for any other post-employment purpose.

16. The State Police agrees that it will obtain the information on predictive job performance and the adverse-impact information on the new examination or examinations as it relates to African-Americans, Hispanics and other groups—such as Asians and women—with which the parties are rightfully concerned and shall consult with the plaintiffs and thereafter select an alternative examination or test battery for further study. Absent good cause, it shall select the alternative having good predictive job performance with the least adverse impact against African-Americans or against Hispanics. The State Police agrees that it will forthwith conduct a validation study of the alternative. During the validation study, the State Police agrees that it will freely make its expert(s), plans, documents, and data available to plaintiffs and their expert(s), attempting to resolve differences as they arise in order to avoid if possible any disagreement over the validity of the alternative. The tasks described in this paragraph shall be completed prior to announcement of the 121st State Police Academy class.

17. In the event that the validation study demonstrates that the new examination or examinations or selected alternative is job-related and consistent with business necessity within the meaning of Title VII of the Civil Rights Act of 1964, and meets the standards of the Uniform Guidelines on Employee Selection Procedures, 29 C.F.R. §§ 1607.1 *et seq.*, and the New Jersey Law Against Discrimination, the State Police agrees that it will use that new examination or

examinations or selected alternative in selection for the 121st and subsequent classes of the State Police Academy. In the event that the validation study does not demonstrate that the alternative meets these standards, in accordance with the provisions of ¶ 16 above, the State Police agrees that it will select another alternative to study for the 121st and subsequent State Police Academy classes.

18. The State police agrees that the standards of ¶¶ 16 and 17 shall apply to the second alternative selected for further study, if one is required to be selected. In the event that the second alternative meets the standards of ¶ 17, it shall be used in selection for the 122nd and subsequent State Police Academy classes.

19. Nothing in this Consent Order shall be construed to prevent the State Police from simultaneously studying the validity of more than one alternative examination or test battery.

20. After the selection and implementation of an alternative examination or test battery under the provisions of ¶¶ 17 or 18 above, the defendant State Police shall remain free to investigate the availability of further alternatives that may further reduce the adverse impact of the alternative examination or test battery. It may administer a further alternative to applicants during the selection of candidates for an upcoming class, on a trial basis and without any requirement that it make use of the scores in selections for that class. The State Police agrees that it shall promptly share with plaintiffs the complete adverse-impact information as to the further alternative. In the event that implementation of the further alternative would substantially reduce the adverse impact on African-Americans or Hispanics of the examination or test battery then in use, without causing unacceptable increases in adverse impact against Asians or women, the State Police agrees that it will forthwith conduct a validation study of the further alternative. During the validation study, the State Police agrees that it will freely make its expert(s), plans,

documents, and data available to plaintiffs and their expert(s), attempting to resolve differences as they arise in order to avoid if possible any disagreement over the validity of the alternative. In the event that such further alternative would result in predictive job performance comparable to or better than that of the other test(s) in use or under consideration, and meets the standards of ¶ 17, the State Police agrees that it shall be used in selection for subsequent State Police Academy classes and the prior alternative shall not be used for any purpose.

21. The Third Amended Complaint alleges that the defendant has used selection procedures, apart from the use of the LECR as a written examination, that have a disparate impact and are not job-related and required by business necessity. The State Police has agreed to use selection procedures having the least adverse impact, unless there is good cause not to do so. Good cause shall include the State Police's need to select qualified applicants.

22. Plaintiffs reserve the right to challenge the validity of any selection procedure, including an examination, with disparate impact against African-Americans or Hispanics, in the event that they are unable to resolve these issues with the defendant. The parties stipulate that selection procedures having a disparate impact are unlawful, unless shown to be job-related and required by business necessity under Title VII, the Uniform Guidelines on Employee Selection Procedures, and the New Jersey Law Against Discrimination, as set forth above. The parties have agreed that in resolving any disagreements between them, the overall selection process may be considered, as well as the different parts of the selection process.

E. Stipulated Classwide Retrospective Relief

23. (a) The State Police agrees to invite each of the unhired African-American applicants, and each of the unhired Hispanic applicants, for the 114th through 118th Academy classes to re-apply for the 119th or 120th State Police Academy classes. Each of the class members who re-

applies, and who is not subject to disqualification for any of the reasons set forth at page 2 of the application form, shall be treated as an invited applicant.

(b) The State Police agrees to allow each of the unhired African-American applicants, and each of the unhired Hispanic applicants, who had verifiably taken and passed the LECR administered by the New Jersey Department of Personnel and were on an eligibility list for referral for other law enforcement positions in 1997 but were not allowed to pursue an application for entry-level jobs as State Troopers because they did not meet the educational requirement then in force, to re-apply for the 119th or 120th State Police Academy classes. Each of the class members who re-applies, and who is not subject to disqualification for any of the reasons set forth at page 2 of the application form, shall be treated as an invited applicant.

(c) The term “re-applying class members” shall include each of the class members who re-apply under the provisions of subparagraph (a) or (b).

24. Because of the provisions of N.J.S.A. 53:5A-5, the State Police cannot waive the maximum age limit for applicants of not having reached their 35th birthday at the time of graduation from the State Police Academy. However, class members who re-apply under the provisions of ¶ 23, and who are already members of the New Jersey Police and Fire Retirement System, will be considered for pension purposes as if they had graduated from the State Police Academy as of the date of their enrollment in the New Jersey Police and Fire Retirement System, and will be credited in the State Police Retirement System for the service credit they have accumulated in the New Jersey Police and Fire Retirement System.

25. The defendant shall use its best efforts to select for the State Police Academy as many re-applying class members as possible, subject to their successful completion of the written examination, the physical agility examination, the initial oral interview, the background

investigation, the oral board and the post-offer medical and psychological evaluations, subject to the ceiling of the past shortfall in their hiring as described in ¶ 8(a)(I) above. Re-applying class members shall be evaluated in accordance with the same standards applied to all invited applicants. The plaintiffs shall have the right to examine the defendant's documents and information, in order to determine whether the defendant has in fact exerted its best efforts. In the event that plaintiffs contest the adequacy of the defendant's efforts, they shall have the right to file a motion seeking supplemental relief.

F. Recordkeeping and Reporting

26. The State Police agrees to provide to plaintiffs on a semi-annual basis a breakdown, by race, national origin, sex, and educational level, of:

- a. the applicants for entry-level positions as Troopers;
- b. the invited applicants for entry-level positions as Troopers;
- c. the applicants for entry-level positions as Troopers entering each stage of the selection process;
- d. the applicants for entry-level positions as Troopers disqualified from each stage of the selection process;
- e. the applicants for entry-level positions as Troopers successfully completing each stage of the selection process;
- f. the applicants for entry-level positions as Troopers selected for the State Police Academy;
- g. the applicants for entry-level positions as Troopers graduating from the State Police Academy, and
- h. the number of sworn State Police enlisted personnel.

The parties agree to meet and confer in good faith on such other reasonable requests for data that plaintiffs may make to allow them to assess defendants' performance under the terms of this Consent Order.

27. The State Police agrees to provide to plaintiffs a semi-annual statement of the number, dates and kinds of paid advertisements, by date, source (newspaper, radio station, TV cable or broadcasting station, etc.), with the text of same, and the number and places of recruiting visits to educational and other institutions, with data showing the composition, by race and gender of the students or members of the institutions visited, and applications or interest resulting therefrom.

28. The State Police will make and keep records necessary or appropriate to show what actions it has taken under this Consent Order, including application forms and the record showing why each invited applicant who was not hired was rejected. Upon reasonable written request, the defendant shall furnish copies of such records to the plaintiffs or permit inspection thereof at a mutually convenient time. The parties agree that if defendant believes that any material requested by the plaintiffs is confidential, the defendant may so designate it as such and inspection or copying of the information will only be allowed in accordance with the terms of the Protective Order entered on February ____, 2000.

G. Retention of Jurisdiction and Resolution of Disputes

29. This Court shall retain jurisdiction over this action to enforce this Consent Order and to hear and resolve any motions seeking supplemental relief or challenging any actions taken by the defendant affecting the relief provided by this Consent Order. The plaintiffs shall not be required to file any additional charges of discrimination under State or Federal law in order to seek such relief under the terms of this Consent Order, under Title VII of the Civil Rights Act of 1964, or under the New Jersey Law Against Discrimination. The defendant may move to

dissolve this Consent Order at any time more than three years after its final approval by the Court, and if it can show that it has achieved its recruiting plans set forth in ¶ 11(e), that it is entitled under ¶ 14 to use the bachelor's degree requirement exclusively, that it has not used selection procedures having an adverse impact against African-Americans or Hispanics that was not justified under terms of this Order, that any motions for supplemental relief have been resolved, and that it has complied with all of the terms of this Order, it shall be entitled to dissolution of the Order.

30. Prior to filing a motion seeking the judicial resolution of any dispute or seeking any supplemental relief, the parties shall exchange information, and meet and confer in a good-faith effort to resolve the problem without an adversarial proceeding in court.

H. Monetary Relief for the Named Plaintiffs

31. In recognition of their role as named class representatives, the defendant shall pay Robert Guzman and Ryan Marsh \$50,000 each, in addition to the other relief provided by this Consent Order, in settlement of all of their claims.

32. In recognition of their role as named class representatives, the defendant shall pay plaintiffs Antonio Melendez, Antoine Ford, Anthony Graves, Frank Gregory, Ruan Hall, Jamal Poyner, and Sean Williams, \$35,000 each, and \$10,000 to Sean Carter for his role in 1996 and 1997, in addition to the other relief provided by this Consent Order, in settlement of all of their claims.

33. All payments to the named plaintiffs shall be made within fifteen days after the grant of final approval to this Consent Order.

I. Obligation to Defend this Order

34. The parties agree that the defendant is obliged to defend this Consent Order against any direct or indirect challenge, and that the plaintiffs will participate in that defense if requested to do so in writing by the defendant. In addition, the parties agree that plaintiffs will be allowed to participate in the defense of this Consent Order, if they both determine that it is appropriate to do so, or if the Court determines that the plaintiffs' defense of the Consent Order will add value to the defense of the Consent Order. These obligations shall also apply to any Order entered in implementation or clarification of this Consent Order.

J. Attorneys' Fees and Expenses

35. The State Police agrees that it will pay the reasonable attorneys' fees, costs and expenses (including expert fees and expenses), in an amount to be negotiated by the parties or determined by the Court, for all services performed by counsel for plaintiffs in this case, and for all reasonable future services to be performed and expenses to be incurred through the date on which the district court grants final approval to this Consent Order. The parties shall attempt to negotiate in good faith over the amount of such recovery.

36. Within fifteen days after the grant of preliminary approval to this Consent Order by the Court, counsel for plaintiffs shall informally submit to the defendant their claim for attorneys' fees and expenses for work done through the date of preliminary approval, with supporting breakdowns. Within fifteen days after the receipt of this submission, the defendant shall provide its response, which shall include (1) an itemized list of each of its objections to the submission, if any, indicating the particular items to which it objects and the reasons for the objection; (2) its proposed resolution of each objection; and (3) the amount which it does not contest, and contends would be a reasonable amount for the award of attorneys' fees and

expenses herein. The defendant shall forthwith pay the uncontested amount. The parties do not agree as to whether or not pre-judgment interest is due and owing from the defendant to the plaintiffs on reasonable attorneys' fees and other expenses. For the fees and expenses on which there is a dispute, if that dispute has not been resolved within 60 days of the date of preliminary approval of this Consent Order, nothing in this Consent Order shall prevent the plaintiffs from seeking and the defendant contesting plaintiffs' asserted right to pre-judgment interest on the reasonable fees and expenses found by the Court to be owing to plaintiffs above and beyond any undisputed amount. The parties agree that if the Court determines that interest is due, it shall be computed at the rate provided by the New Jersey Court Rules.

37. The procedure described in ¶ 36 shall also be applied to the additional services performed and expenses incurred from the grant of preliminary approval to the Consent Order until the Court's grant of final approval to the Consent Order. Plaintiffs may make their informal submission at any time after the grant of final approval.

38. The defendant shall pay the reasonable attorneys' fees, plus costs and expenses (including reasonable expert fees and expenses in the amounts actually charged to counsel for plaintiffs), of plaintiffs for future services in monitoring the defendant's compliance with this Consent Order, and in defending this Consent Order against attack pursuant to ¶ 34 above. The annual cap on plaintiffs' claims for attorneys' fees, costs and expenses (other than expert fees and expert expenses, which shall not be capped), shall be \$50,000 for the first year and \$30,000 for each of the second and third years, provided, however, that if it appears that the plaintiffs have reached the cap or are likely to reach it in any year and that they have done so with only a reasonable expenditure of time for the tasks required, either party may move for an increase in the cap, to compensate the plaintiffs for the attorneys' time reasonably spent and expenses

reasonably incurred. The cap shall not apply to time and expenses incurred on motions for supplemental relief, or for contempt, on which the plaintiffs prevail. The procedure and mechanism described in ¶ 36 shall be applied to awards of attorneys' fees for monitoring compliance with the Consent Order, and shall not apply to plaintiffs' services in opposing any direct or indirect challenge to this Consent Order. Nothing in this paragraph shall be construed to limit the defendant's right to challenge any time claimed by plaintiffs, or to challenge any expense incurred by plaintiffs, on the ground that it was not reasonable, or was not adequately documented, or was duplicative, or was not efficiently spent or incurred. Plaintiffs shall decide when to submit their statements.

K. Grant of Preliminary Approval, Provision of Notice, and Setting of the Fairness Hearing

39. The Court hereby preliminarily grants approval to this Consent Order, for purposes of providing notice to the members of the class and to all others who may be affected, and for the holding of a hearing on the propriety of granting final approval.

40. A copy of the accompanying form of Notice, Attachment B hereto, shall be mailed to the last known address of each class member who applied for an entry-level position as a Trooper in the 114th through 118th Academy classes. The Clerk shall be informed of the date Notice was provided.

41. Simultaneously with the provision of copies of the Notice by mail, the State shall publish, once weekly for four weeks, in newspapers of general circulation throughout the State or in major parts of the State, and once weekly in each newspaper in the State with a predominantly African-American or Hispanic readership, notice of the existence of this lawsuit, notice that there is a proposed settlement and that there will be an opportunity to file objections, and notice that a copy of this Consent Order may be obtained in person or by mail from the State Police, Division

of State Police, Equal Employment Opportunity/Affirmative Action Bureau, P. O. Box 7068, West Trenton, New Jersey 08628-0068. The text of the published Notice is attached hereto as Attachment C.

42. Any objections to this Consent Order must be in writing and filed with the Clerk by the close of business on March __, 2000, or they shall not be considered. The Clerk shall provide copies of all objections and other communications to all counsel of record. Counsel for plaintiffs shall summarize the objections and file their summary. The hearing on objections shall be held on March __, 2000, at _____A.M. in Courtroom __. In the event that no objections are filed by the deadline, the proposed Consent Order shall stand without further Order of the Court as finally approved.

43. The parties, having agreed to the above Consent Order, must comply with its terms and provisions, unless the Consent Order is disapproved or modified by this Court.

Neil H. Shuster, J.S.C.

Dated: February __, 2000

WE SO STIPULATE AND AGREE TO THIS:

PUBLIC INTEREST LAW CENTER
OF NEW JERSEY

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