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13 Attorney's for Plaintiff

14 UNITED STATES DISTRICT COURT

15 DISTRICT OF NORTHERN MARIANA ISLANDS

16 EQUAL EMPLOYMENT OPPORTUNITY) CIVIL ACTION NO.98-0055
17 COMMISSION,)
18)
19 Plaintiff,) CONSENT JUDGMENT
20)
21 EJ INTERNATIONAL, INC., dba MOODS)
22 & MUSIC dba THE COLONEL'S PLACE)
23)
24 Defendants.)
25)

26 CONSENT JUDGMENT

27 Plaintiff has filed it's Complaint and the Defendants having
28 appeared, hereby withdraw their Answer and waive any defense to
the Complaint filed herein, waive findings of fact and
conclusions of law, and agree to the entry of this Judgment
without contest. It is therefore, upon motion of the attorneys
for Plaintiff, and for cause shown:

1. **ORDERED, ADJUDGED AND DECREED.** This Order applies to
EJ International, Inc. dba Moods & Music Cocktail Lounge, dba,
The Colonel's Place, and Elizabeth P. Castenada, SS # [REDACTED]
as an individual, their officers, agents, servants, employees,
and all persons acting or claiming to act in their behalf and
interest (hereinafter referred to collectively as "Defendants").

FILED
Clerk
District Court

JUN 11 1999

For The Northern Mariana Islands
By _____
(Deputy Clerk)

Handwritten initials or mark.

1 The Defendants hereby are permanently enjoined and restrained
2 from violating the provisions of Title VII of the Civil Rights
3 Act of 1964, as amended, 42 U.S.C. Sec. 2000 et.seq. and Sec. 102
4 of the Civil Rights Act of 1991, 42 U.S.C. Sec. 1981a, as
5 follows:

6 The Defendants shall not discriminate on the basis of sex
7 and shall not subject employees to sexual harassment, nor
8 knowingly allow and or encourage customers to sexually harass
9 employees. The Defendants shall not retaliate against any
10 employee, witness or any individual who opposed unlawful
11 employment discrimination practices, or participated in any
12 manner in this investigation and lawsuit.

13
14 2. **IT IS FURTHER ORDERED** that the Plaintiff shall recover
15 from the Defendants the sum of Fifty Thousand Dollars each
16 (\$50,000.00) for charging parties Omniejainab Hapa, and Jenifer
17 Parinas for a total amount of One Hundred Thousand Dollars
18 (\$100,000.00). Further, Plaintiff shall recover from Defendants
19 the sum of Fifty Thousand dollars each (\$50,000.00) for the
20 following women identified as class members who were subjected to
21 sexual harassment during their employment at Moods & Music
22 nightclub for a total of Two Hundred and Fifty Thousand dollars
23 (\$250,000.00):

24 Raquel Primero, Baby Grace Nuez, Marilyn Yuson, Olivia Santos
25 Garote, and Lorilie Salazar.

26 The Defendants have established to the satisfaction of
27 the Plaintiff that they presently have no assets or funds which
28 could be utilized to pay the Judgment. The corporations, are no

1 longer in business and none have any furniture, fixtures, or
2 property that could be sold. Defendant Elizabeth P. Castaneda
3 has entered a plea of guilty to one count of 18 U.S.C. Sec. 2 &
4 2421, Transportation and Aiding and Abetting Transportation for
5 Illegal Sexual Activity, and pursuant to a Plea Bargain Agreement
6 with the U.S. Attorney in Criminal Action No. 97-00038 will be
7 incarcerated in a Federal prison in the mainland United States or
8 be placed on probation, a condition of which would be for her
9 immediate deportation from the Commonwealth of the Northern
10 Mariana Islands. Should any of the Defendants, at any time,
11 obtain assets which can be utilized to pay the judgment owing to
12 the charging parties and class members those assets shall be used
13 for that purpose.

14 Any payment shall be by certified checks, cashier's
15 checks, or money orders drafted to the order of the named
16 charging parties and class members identified in paragraph 2 and
17 shall be mailed to:

18 U.S. EEOC
19 P.O. Box 500082
20 300 Ala Moana Blvd.#7123A
Honolulu, Hawaii 96850-0051

21 All checks shall be accompanied by a letter identifying the
22 case name as EEOC v. E.J. International, et. al. U.S.D.C.N.M.I.
23 (No. 98-0055) and include the employers' tax identification
24 numbers.

25 3. **IT IS FURTHER ORDERED** that until all monies due under
26 this Judgment have been paid in full, the Defendants will make
27 available to Plaintiff, at Plaintiff's request, all records which
28 show the Defendants financial records, including updated tax
returns.

1 4. **IN IS FURTHER ORDERED** that Plaintiff shall distribute
2 the monies paid by Defendants under this Judgment to the charging
3 parties and class members identified in paragraph 2 or to the
4 estates, if that is necessary, in the amounts set forth therein.
5 Any money not so paid within one (1) year after the payment of
6 the final installment because of the inability to locate said
7 employees or because of their refusal to accept said proceeds
8 shall be deposited with the Treasurer of the United States
9 pursuant to 28 U.S.C. Section 2041.

10 5. **DEFENDANTS' WARRANTY.** The Defendants agree that they
11 will not raise the filing of this action as a defense in any
12 action that may be brought against the Defendants by any of their
13 employees not named in the Consent Judgment herein for alleged
14 violation of Title VII, Civil Rights Act.


15 6. **ACCURATE INFORMATION.** It is expressly understood by
16 the parties that Plaintiff's agreement to the monetary terms of
17 this Judgment is premised upon the truthfulness and accuracy of
18 the Financial Statements of Debtors documents, and attachments,
19 executed under penalty of perjury by Defendants EJ International,
20 Inc., and Elizabeth P. Castaneda, individually, which Elizabeth
21 P. Castaneda and corporate Defendants shall provide to Plaintiffs
22 within fifteen (15) days of the entry of this Consent Judgment.
23 Should Plaintiff discover that the information provided by the
24 Defendants relative to their financial disclosure documents is
25 inaccurate or incomplete, Plaintiff shall be entitled to
26 immediate full payment with interest and costs.

27 7. **IT IS FURTHER ORDERED,** The Defendant agrees that this
28 Consent of Judgment may not be discharged, in whole or in part,


1 by any present or future bankruptcy proceeding.

2 8. IT IS FURTHER ORDERED, ADJUDGED AND DECREED that each
3 party shall bear its own fees and other expenses incurred by such
4 party in connection with any stage of this proceeding.

5 Dated this 11TH day of June, 1999

6
7 
8 ALEX R. MUNSON
9 United States District Judge
District of the Northern
Mariana Islands

10 Presented by:

11 
12 DAPHNE E. BARBEE-WOOTEN
13 Senior Trial Attorney
U.S. EEOC

14 DATED: 6-10-99

15 ENTRY OF THIS JUDGMENT HEREBY
16 CONSENTED TO AND NOTICE OF
17 PRESENTATION IS WAIVED:

18 EJ INTERNATIONAL, INC., AND
19 ELIZABETH P. CASTANEDA, an individual

20 BY: _____
21 ELIZABETH P. CASTANEDA, individually
22 and as President of EJ INTERNATIONAL, INC.
23 and owner of Moods and Music nightclub

24 DATED: _____
25
26
27
28

1 by any present or future bankruptcy proceeding.

2 8. IT IS FURTHER ORDERED, ADJUDGED AND DECREED that each
3 party shall bear its own fees and other expenses incurred by such
4 party in connection with any stage of this proceeding.

5 Dated this 11TH day of JUNE, 1999

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7 

8 ALEX R. MUNSON
9 United States District Judge
10 District of the Northern
11 Mariana Islands

12 Presented by:

13 

14 DAPHNE E. BARBEE-WOOTEN
15 Senior Trial Attorney
16 U.S. EEOC

17 DATED: _____

18 ENTRY OF THIS JUDGMENT HEREBY
19 CONSENTED TO AND NOTICE OF
20 PRESENTATION IS WAIVED:

21 EJ INTERNATIONAL, INC., AND
22 ELIZABETH P. CASTANEDA, an individual

23 BY: Elizabeth P. Castaneda
24 ELIZABETH P. CASTANEDA, individually
25 and as President of EJ INTERNATIONAL, INC.
26 and owner of Moods and Music nightclub

27 DATED: June 11, 1999

28 