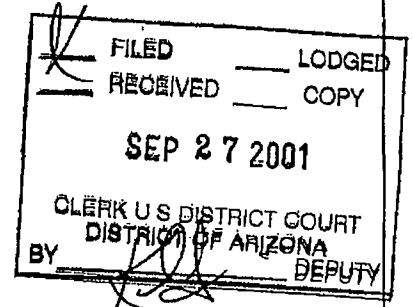




IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Equal Employment Opportunity No. CIV-00-1860-PHX-SMM (VAM)
Commission,)
Plaintiff,) **ORDER**
vs.)
Arrowhead Bagel Company, LLC,)
Defendant.)

The Court having reviewed de novo the Magistrate Judge's Report and Recommendation dated June 5, 2001 and June 20, 2001 and no party having filed any objection to either Report and Recommendation,

IT IS HEREBY ORDERED that the Magistrate Judge's Report and Recommendation dated June 5, 2001 (Doc. No. 22) and Report and Recommendation dated June 20, 2001 (Doc. No. 25) are accepted and adopted by the Court;

IT IS FURTHER ORDERED that the Plaintiff's Motion to Amend Complaint to Conform to Evidence (Doc. No. 20) is granted;

IT IS FURTHER ORDERED that default judgment is entered against Defendant in the following amounts and as to the following injunctive relief:

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1 1. On behalf of Danielle Welker, back pay in the amount of \$2568.00 plus interest
2 for the period December 1, 1998 until the date of judgment, plus compensatory damages of
3 \$25,000.00 and punitive damages of \$25,000.00;

4 2. On behalf of Terry Boroff, compensatory damages of \$5,000.00 and punitive
5 damages of \$5,000.00;

6 3. On behalf of Jessica Young, compensatory damages in the amount of
7 \$25,000.00 and punitive damages of \$25,000.00;

8 4. On behalf of April Heinzerling, back pay of \$10,424.70 plus interest from
9 February 1, 1999 until the date of judgment, plus compensatory damages of \$25,000.00 and
10 punitive damages of \$25,000.00;

11 5. On behalf of Melissa Barker, back pay and interest in the amount of
12 \$17,846.77, plus compensatory damages of \$25,000.00 and punitive damages of \$25,000.00;

13 6. On behalf of Amy Sweitzer, compensatory damages of \$10,000.00 and punitive
14 damages of \$20,000.00;

15 7. On behalf of Amber Bean, compensatory damages of \$10,000.00 and punitive
16 damages of \$20,000.00;

17 8. On behalf of Dennis Parson, back pay in the amount of \$7840.00 plus interest
18 from February 15, 1999 to the date of judgment, plus compensatory damages of \$10,000.00
19 and punitive damages of \$20,000.00;

20 9. On behalf of the EEOC, injunctive relief, for a period of 5 years from the date
21 of final judgment, which requires Defendant, Arrowhead Bagel Company, LLC, to do the
22 following if it conducts any further business:

23 a. Immediately give notice of its resumption of business to the nearest
24 EEOC office;

25 b. Prepare and submit to the EEOC, a sexual harassment policy to be
26 reviewed and approved by the EEOC;

1 c. Once approved, Defendant is to post its EEOC policy in a prominent
2 location within the work area where all employees will have access to the
3 policy;

4 d. Conduct training for all employees on the sexual harassment policy at
5 least twice a year;

6 e. Designate someone who has responsibility for receiving and acting on
7 sexual harassment complaints and advise the employees of the name of the
8 person designated;

9 f. Post, in the work place, the address and phone number for the closest
10 EEOC office with a statement that sexual harassment complaints may be
11 reported to the EEOC;

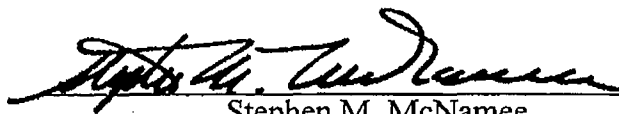
12 g. Defendant is to report to the EEOC all complaints from employees
13 regarding sexual harassment;

14 h. If Steven Oceretko continues to be an owner of Defendant or work for
15 the Defendant in any way, he is to attend a seminar regarding preventing
16 sexual harassment in the work place at least twice a year and certify his
17 attendance to the EEOC.

18 The Clerk of the Court is directed to enter judgment accordingly; and

19 **IT IS FURTHER ORDERED** that the exhibits marked and admitted in this case
20 shall be returned to Plaintiff's counsel. Counsel is directed to retain custody of the exhibits
21 until the case has been completely terminated, including all appeals. The Clerk of the Court
22 is directed to mail the exhibits to Plaintiff's counsel.

23 DATED this 25 day of September, 2001.

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27 Chief United States District Judge
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