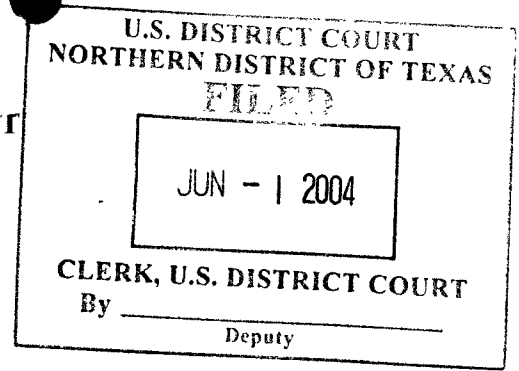


**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION**



EQUAL EMPLOYMENT OPPORTUNITY)
 COMMISSION,)
)
 Plaintiff,)
)
 v.)
)
 CARE TRAK OF LUBBOCK, INC.,)
)
 Defendant.)
 _____)

Civil Action No. 5:03-CV-0243-C

CONSENT DECREE

The parties to this Consent Decree are the Plaintiff, United States Equal Employment Opportunity Commission (“EEOC”), and Defendant, Care Trak of Lubbock, Inc. (“Care Trak”). This Consent Decree resolves the above-referenced Civil Action No.5:03-CV-0243-C. The EEOC initiated this lawsuit under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§2000e, *et seq.* (“Title VII”) and Title I of the Civil Rights Act of 1991, 42 U.S.C. § 1981a.

Plaintiff’s Complaint in this lawsuit asserts unlawful employment practices on the basis of gender, and seeks to provide relief to Vanessa K. Braziel, who was adversely affected by these unlawful employment practices. More specifically, Ms. Braziel is female, and Plaintiff EEOC alleges in the Complaint that she was subjected to discrimination, in violation of Title VII, when her work hours were limited, when she was not allowed to work weekends, when she was not allowed to work “on-call,” and when she was discharged because of her gender. Defendant Care Trak denies the allegations contained in the EEOC’s Complaint.

The EEOC and Care Trak wish to settle this Action, without the necessity of further litigation, pursuant to the terms delineated in this Decree.

IT IS ORDERED, ADJUDGED AND DECREED as follows:

1. This Court has jurisdiction of the subject matter of this action and the parties, venue is proper, and all administrative prerequisites to the filing of this action have been met. The Complaint states claims on behalf of Vanessa K. Braziel which, if proved, would authorize this Court to grant relief against Care Trak, pursuant to Title VII.

2. This Consent Decree resolves all issues raised in Vanessa Braziel's Charge of Discrimination, Charge No. 361-A3-00102, and EEOC's Complaint in this case. EEOC waives further litigation of all issues raised in the above-referenced Charge and Complaint. EEOC expressly reserves its right, however, to process and litigate any other charges which may now be pending or may in the future be filed against Care Trak.

3. The duration of this Consent Decree shall be three years from the date of its filing with the Court. This Court shall retain jurisdiction of this action during the period of this Consent Decree and may enter such other and further relief as it deems appropriate to ensure implementation and enforcement of its provisions. Any violation of the Consent Decree by Care Trak, or its agents shall toll the running of this three-year period as of the date of the violation. If the Court subsequently determines this Consent Decree was violated, the three-year period shall recommence and continue from the date of entry of an Order setting out such a violation or until such time as ordered by the Court. Should the Court find this Consent Decree was not violated, the three-year period shall recommence, retroactive to the date of the filing of the pleading alleging that a violation had occurred.

4. Care Trak, in settlement of this dispute, shall pay to Vanessa K. Braziel the sum total of \$38,000. The payment shall be sent directly to Ms. Braziel at 6413 13th Street, Lubbock, TX

79416. A copy of the settlement check and any accompanying transmittal documents shall be forwarded to the EEOC to the attention of Robert B. Harwin, Regional Attorney, 5410 Fredericksburg Road, Suite 200, San Antonio, TX 78229.

5. Charlie Hall will personally draft and sign a positive letter of reference regarding Vanessa K. Braziel. That letter of reference shall be sent directly to Ms. Braziel at 6413 13th Street, Lubbock, TX 79416. Additionally, Care Trak shall make no mention of the filing of the Complaint, or the underlying discrimination charge filed by Ms. Braziel.

6. Care Trak shall expunge the personnel files of Vanessa K. Braziel of all documents specified by the EEOC after its review of those files.

7. Care Trak, its agents, officers, employees, and servants are enjoined, during the term of this Consent Decree, from discriminating against any employee on the basis of gender. The conduct enjoined includes, but is not limited to, limiting the number of hours which its female employees work because of their gender, refusing to allow its female employees to work weekends because of their gender, refusing to allow its female employees to work "on-call" because of their gender, and discharging any of its female employees because of their gender.

8. Care Trak, its agents, officers, employees, and servants are also enjoined, during the term of this Consent Decree, from retaliating in any manner whatsoever against Vanessa K. Braziel and/or any other past, present, or future employee, who opposes any employment practice which she reasonably believes to be unlawful, pursuant to Title VII, or who files a discrimination charge, gives testimony or assistance, or participates in any manner in any investigation, proceeding, hearing or action under Title VII.

9. Care Trak, its agents, officers, employees, and servants shall provide its employees

with a place of employment free of discrimination on the basis of gender, and free of retaliation.

10. Care Trak, its agents, officers, employees, and servants shall post a notice regarding their practices, policies, and intent not to discriminate or retaliate against any employee in violation of Title VII. Such notice shall be as set forth in Exhibit "A", which is attached to this Consent Decree. A copy of Exhibit "A" shall be posted on all employee bulletin boards, and other areas where employees are likely to congregate. The notice shall be posted within 10 days of the filing date of the Consent Decree, and shall remain posted for the duration of this Consent Decree.

11. To further the ends of this Consent Decree, within ninety (90) days of entry of this Decree, all of Care Trak's shareholders, management, and staff shall participate in equal employment opportunity training of not less than three (3) hours. This training shall: (a) explain the law relating to discrimination in employment based on gender; and (b) explain the damaging effects of discrimination based on gender to victims, their families, their co-workers, and the workplace environment. Within 30 days prior to the date scheduled for this training, Care Trak shall furnish to the EEOC a written report describing the training to be attended by its employees, identifying the instructor(s) and describing their qualifications to conduct such training, and the EEOC shall have the right, within ten days of its receipt of this information, to disapprove the training and the instructor.

12. The EEOC shall have the right to ensure compliance with the terms of this Consent Decree.

13. The terms of this Consent Decree shall be binding upon the EEOC and Care Trak, their agents, officers, employees, and servants, as to the issues resolved herein.

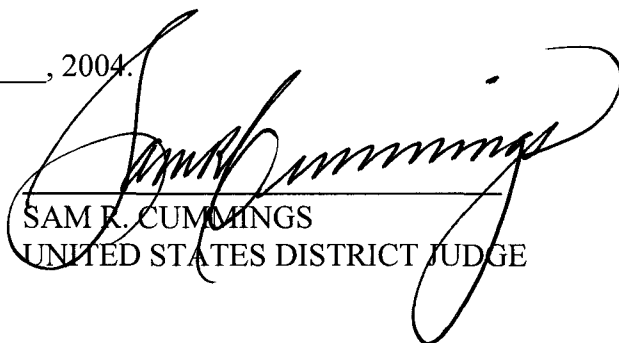
14. Each party shall bear its own costs, including attorney's fees incurred in this action.

15. The parties agree that there is no prevailing party in this action or proceeding.

The Clerk shall furnish a copy hereof to each attorney of record.

SO ORDERED.

Signed this 1st day of June, 2004.



SAM R. CUMMINGS
UNITED STATES DISTRICT JUDGE

Dated: 5-28-04

Respectfully submitted,

ERIC S. DREIBAND
General Counsel

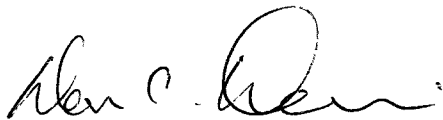
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ATTORNEYS FOR PLAINTIFF

EXHIBIT A

NOTICE TO ALL EMPLOYEES

CARE TRAK OF LUBBOCK, INC. IS FIRMLY COMMITTED TO TREATING EMPLOYEES ACCORDING TO MERIT WITHOUT REGARD TO THEIR RACE, RELIGION, COLOR, NATIONAL ORIGIN, SEX, AGE, DISABILITY, OR THEIR HAVING ENGAGED IN ACTIVITY PROTECTED BY TITLE VII OF THE CIVIL RIGHTS ACT OF 1964, AS AMENDED. THIS POLICY APPLIES TO ALL EMPLOYMENT DECISIONS, AND ALL OTHER TERMS AND CONDITIONS OF EMPLOYMENT.

CARE TRAK WILL SPECIFICALLY NOT TOLERATE GENDER DISCRIMINATION. CARE TRAK WILL ALSO SPECIFICALLY NOT TOLERATE RETALIATION AGAINST ANY EMPLOYEE WHO PROTESTS AGAINST GENDER DISCRIMINATION.

IF YOU BELIEVE YOU ARE BEING DISCRIMINATED AGAINST IN ANY TERM OR CONDITION OF YOUR EMPLOYMENT BECAUSE OF YOUR RACE, RELIGION, COLOR, AGE, DISABILITY, NATIONAL ORIGIN, OR GENDER, YOU ARE ENCOURAGED TO SEEK ASSISTANCE FROM SUPERVISORY PERSONNEL, OR FROM THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION, WHICH IS ALSO KNOWN AS THE EEOC, 300 E. MAIN, SUITE 500, EL PASO, TEXAS 79901, (915) 534-6700 OR 1-800-669-4000. NO RETALIATORY ACTION MAY BE TAKEN AGAINST YOU FOR SEEKING ASSISTANCE, FILING A CHARGE, OR COMMUNICATING WITH THE EEOC.

THE EEOC ENFORCES TITLE VII OF THE CIVIL RIGHTS ACT OF 1964, WHICH PROHIBITS EMPLOYMENT DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX OR NATIONAL ORIGIN; THE AGE DISCRIMINATION IN EMPLOYMENT ACT; THE EQUAL PAY ACT, SECTIONS OF THE CIVIL RIGHTS ACT OF 1991, AND TITLE I OF THE AMERICANS WITH DISABILITIES ACT, WHICH PROHIBITS DISCRIMINATION AGAINST PEOPLE WITH DISABILITIES IN THE WORKPLACE.