

The parties stipulate to the jurisdiction of the Court and waive a hearing and the entry of findings of fact and conclusions of law.

IT IS THEREFORE ORDERED:

1. This Consent Decree is entered by Plaintiff Equal Employment Opportunity Commission and Defendants (hereinafter collectively referred to as the “parties”) in full and complete settlement of any and all claims arising out of or contained in EEOC Charge Nos. 310-A0-2141 and 310-A2-0181 and Civil Action No. 3-02CV-1262K. The agreements herein are made in full and final settlement of the claims asserted by the Commission on behalf of Jackson in Civil Action No. 3-02-CV-1262K. This matter is resolved without a finding of liability by the Court or an admission of liability by Defendants. Defendants continue to deny the allegations contained in Civil Action No. 3-02CV-1262K, but have agreed to this Consent Decree solely to avoid incurring additional expenses and costs of litigation.

2. This Decree shall remain in effect for one year from the date of signing. During that year, the Court shall retain jurisdiction to assure compliance with this Decree.

3. During the term of this Consent Decree, Defendants agree that they will comply with Title VII of the Civil Rights Act of 1964, as amended in 1991 (“Title VII”) and will not retaliate against any employee or applicant because of his or her engaging in protected activity as defined by Title VII. Defendants also agree that they will not retaliate against any employee or applicant because he or she has made a charge, testified, assisted, or participated in any manner in the investigation by the Commission or court proceeding in connection with this case.

4. In response to a written or oral request for a job reference from a third party about Wendy Jackson, and/or performance with Defendants, Defendants will follow their standard procedure applicable

to all former employees. Defendants shall provide only her dates of employment and last position held. Defendant shall not reference her charges of discrimination, her lawsuit, this lawsuit, this Consent Decree or her confidential settlement.

5. Defendant agrees to segregate from Wendy Jackson's personnel files, and place in separate confidential folders, all documents related to Ms. Jackson's charges of discrimination and the Commission's lawsuit. These documents shall not be a part of Ms. Jackson's personnel files.

6. Defendants have agreed that they will pay an amount that has been agreed to, and at the time so agreed, by the parties and described in a separate Confidential Settlement and Release Agreement not filed with the Court. Jackson, in exchange for said payments, agrees to execute a full and complete general release of all claims that she has or might have against Defendants. The parties agree that the amount paid by Defendants in consideration for the Settlement Agreement will be kept confidential.


7. Defendants agree to post, in a public area of the Dallas Morning News, a notice of nondiscrimination, which is attached as Exhibit "A." Defendant agrees to assure the continuing placement of that poster during the pendency of this Decree.

8. Defendants shall train the supervisors of Jackson's former work group, the New Business Development group of the Retail Advertising Department, on retaliation within six months of the entry of this Decree. Defendants shall provide a report regarding the training, including the topics covered, the date and location. Robert E. Sheeder, Esq. of Jenkins & Gilchrist, P.C. shall serve as liaison between the parties concerning such training.

9. The parties shall bear their own costs and attorney's fees in this matter.

10. By separate letter, the parties have agreed to public statements regarding this case. That agreement is incorporated herein for all purposes.

Signed on this 19th day of September 2003.



ED ~~WARD~~ KINKEADE
UNITED STATES DISTRICT JUDGE

Equal Employment Opportunity is THE LAW

Employers Holding Federal Contracts or Subcontracts

Applicants to and employees of companies with a Federal government contract or subcontract are protected under the following Federal authorities:

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN

Executive Order 11246, as amended, prohibits job discrimination on the basis of race, color, religion, sex or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

INDIVIDUALS WITH DISABILITIES

Section 503 of the Rehabilitation Act of 1973, as amended, prohibits job discrimination because of disability and requires affirmative action to employ and advance in employment qualified individuals with disabilities who, with reasonable accommodation, can perform the essential functions of a job.

VIETNAM ERA, SPECIAL DISABLED, RECENTLY SEPARATED, AND OTHER PROTECTED VETERANS

38 U.S.C. 4212 of the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, prohibits job discrimination and requires affirmative action to employ and advance in employment qualified Vietnam era veterans, qualified special disabled veterans, recently separated veterans, and other protected veterans.

Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under the authorities above should contact immediately:

The Office of Federal Contract Compliance Programs (OFCCP), Employment Standards Administration, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210 or call (202) 693-0101, or an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor.

Private Employment, State and Local Governments, Educational Institutions

Applicants to and employees of most private employers, state and local governments, educational institutions, employment agencies and labor organizations are protected under the following Federal laws:

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN

Title VII of the Civil Rights Act of 1964, as amended, prohibits discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment, on the basis of race, color, religion, sex or national origin.

DISABILITY

The Americans with Disabilities Act of 1990, as amended, protects qualified applicants and employees with disabilities from discrimination in hiring, promotion, discharge, pay, job training, fringe benefits, classification, referral, and other aspects of employment on the basis of disability. The law also requires that covered entities provide qualified applicants and employees with disabilities with reasonable accommodations that do not impose undue hardship.

AGE

The Age Discrimination in Employment Act of 1967, as amended, protects applicants and employees 40 years of age or older from discrimination on the basis of age in hiring, promotion, discharge, compensation, terms, conditions or privileges of employment.

SEX (WAGES)

In addition to sex discrimination prohibited by Title VII of the Civil Rights Act of 1964, as amended (see above), the Equal Pay Act of 1963, as amended, prohibits sex discrimination in payment of wages to women and men performing substantially equal work in the same establishment.

Retaliation against a person who files a charge of discrimination, participates in an investigation, or opposes an unlawful employment practice is prohibited by all of these Federal laws.

If you believe that you have been discriminated against under any of the above laws, you should contact immediately:

The U.S. Equal Employment Opportunity Commission (EEOC), 1801 L Street, N.W., Washington, D.C. 20507 or an EEOC field office by calling toll free (800) 669-4000. For individuals with hearing impairments, EEOC's toll free TDD number is (800) 669-6820.

Programs or Activities Receiving Federal Financial Assistance

RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX

In addition to the protection of Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits employment discrimination on the basis of sex in educational programs or activities which receive Federal assistance.

INDIVIDUALS WITH DISABILITIES

Sections 501, 504 and 505 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in any program or activity which receives Federal financial assistance in the federal government. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with reasonable accommodation, can perform the essential functions of a job.

If you believe you have been discriminated against in a program of any institution which receives Federal assistance, you should contact immediately the Federal agency providing such assistance.

