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CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

**EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,**

Plaintiff,

v.

M&S IMAGING PARTNERS, L.P.,

Defendant.

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Civil Action No. SA-03-CA-685-RF

CONSENT DECREE

The parties to this Consent Decree are the United States Equal Employment Opportunity Commission ("EEOC"), Plaintiff, and M&S Imaging Partners, L.P. ("M&S Imaging"), Defendant. The EEOC initiated this lawsuit pursuant to Section 703 (a)(1) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §2000e-2 (a)(1). The complaint alleges that M&S Imaging failed to hire Tanisha Finney because of her race, Black.

The EEOC and M&S Imaging 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, which, if proved, would authorize this Court to grant relief against M&S Imaging, pursuant to Title VII.

2. This Decree resolves all issues raised in EEOC's complaint in this case. EEOC waives further litigation of all issues raised in the above referenced complaint. EEOC; however, expressly reserves its right to process and litigate any other charges which may now be pending or may in the future be filed against M&S Imaging.

3. The duration of this Decree shall be three (3) years from the date of its filing with the Court. This Court shall retain jurisdiction of this action during the period of this Decree and may

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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 M&S Imaging or its agents or assigns shall toll the running of this three-year period as of the date of the violation. If the Court subsequently determines this 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 the 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. M&S Imaging, in settlement of this dispute, shall pay to Tanisha Finney, the amount of \$16,000.00. Payment shall be made immediately upon entry of this Consent Decree by certified funds or cashier's check and shall be mailed directly to Ms. Finney at 344 Acme Road, San Antonio, Texas 78237. 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, Texas 78229.

5. M&S Imaging is enjoined, during the term of this Decree, from discriminating against any employee on the basis of race and from engaging in any other act or practice which has the purpose or effect of unlawfully discriminating against any past, present, or future employee on the basis of race. The conduct enjoined includes the failure to hire a qualified individual because of the individual's race.

6. M&S Imaging shall provide its employees with a place of employment free of discrimination on the basis of race.

7. M&S Imaging shall post a notice regarding its practices, policies, and intent not to discriminate against any employee in violation of Title VII. Such notice shall be as set forth in Exhibit A, which is attached to this Decree. A copy of Exhibit A shall be posted at M&S Imaging's San Antonio, Texas facilities on all employee bulletin boards and other areas where employees are likely to congregate. The notices shall be posted within 10 days of the filing date of this Decree and shall remain posted for the duration of the Decree.

8. M&S Imaging shall make no mention of the filing of the underlying charge in discussing Finney's job performance with prospective employers.

9. The terms of this Decree shall be binding upon the EEOC and M&S Imaging, their agents, officers, employees, servants, successors, and assigns, as to the issues resolved herein.

10. Each party shall bear its own costs, including attorneys' fees, incurred in this action.

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

IT IS SO ORDERED.

Signed this 5th day of November, 2003.



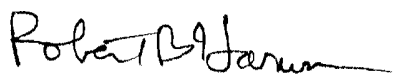
ROYAL FURGESON
UNITED STATES DISTRICT JUDGE

Respectfully submitted,


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JAMES L. LEE
Deputy General Counsel

GWENDOLYN YOUNG REAMS
Associate General Counsel



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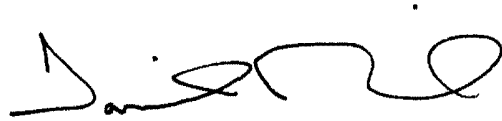


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ATTORNEYS FOR PLAINTIFF

Exhibit “A”

NOTICE TO ALL EMPLOYEES

M&S Imaging Partners, L.P. ("M&S Imaging") is committed to hiring qualified applicants for employment without regard to their age, race, color, religion, sex, national origin, disability or any other protected category. M&S Imaging will not tolerate discrimination which violates state or federal laws or local ordinances, including failing to hire individuals on account of their age, race, color, creed/religion, sex, national origin, disability and/or any other protected category.

If any employee believes he or she is being discriminated against in any term or condition of your employment because of your race, religion, color, national origin, sex, or disability, or that you are being subjected to harassment because of your race, you are encouraged to seek assistance from supervisory personnel, or from the U.S. Equal Employment Opportunity Commission, 5410 Fredericksburg Road, Suite 200, San Antonio, Texas 78229-3555, (210) 281-7600 or 1-800-669-4000. No retaliatory action may be taken against you for seeking assistance, filing a charge, or communicating with the U.S. Equal Employment Opportunity Commission.

Basing employment actions on the race of an employee may also constitute a violation of Title VII of the Civil Rights Act of 1964, as amended, and any such conduct is a violation of company policy. Any employee found to be in violation of this company policy will be subject to written reprimand, suspension, and/or discharge.