

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

EQUAL EMPLOYMENT OPPORTUNITY)	
COMMISSION)	
Plaintiff,)	
)	
)	CIVIL ACTION NO. 06-cv-1671 AMD
v.)	
)	
)	
NORRIS AUTOMOTIVE HOLDINGS,)	
LLC d/b/a/ NORRIS FORD)	
Defendant.)	
_____)	

CONSENT DECREE

This action was instituted by Plaintiff, Equal Employment Opportunity Commission ("EEOC" or the "Commission"), against Defendant, Norris Automotive Holdings LLC d/b/a/ Norris Ford ("Defendant"), on June 29, 2006. The complaint alleges that Defendant subjected Charging Parties Barbara Dabbs and Christina Humphreys-Korenstra to sexual harassment and unlawful discharge on the basis of sex, female, and retaliation in violation of Sections 703 (a)(1) and 704(a) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 2000e-2(a)(1) and 2000e-3(a).

The Commission and Defendant desire to resolve this action without the time and expense of continued litigation, and they desire to formulate a plan to be embodied in a Decree which will promote and effectuate the purposes of Title VII.

For the purposes of resolving this action, Defendant admits that the Court has jurisdiction over this action and that all statutory and jurisdictional prerequisites to suit have been satisfied.

This Decree, being entered with the consent of the Commission and Defendant, shall not

constitute an adjudication or finding on the merits of this case and shall not be construed as an admission of liability by Defendant or as a waiver by the Commission of any contentions of discrimination.

The Court has examined this Decree and finds that it is reasonable and just and in accordance with the Federal Rules of Civil Procedure, Title VII.

Therefore, upon due consideration of the record herein and being fully advised in the premises, it is ORDERED, ADJUDGED AND DECREED:

1. This Decree resolves all issues and claims alleged in the Complaint filed by the Commission in this Title VII action which emanated from the Charges of Discrimination Nos. 120-2005-02657 and 120-2005-03222 filed by Barbara Dabbs and Christina Humphreys-Korenstra.

2. Defendant, its officers, agents, servants, employees and all persons acting or claiming to act in its behalf and interest shall be enjoined and restrained from engaging in any employment practice which discriminates on the basis of sex and retaliation in violation of Title VII, particularly with regard to sexual harassment and discharge.

3. Within five (5) business days of the entry of this Decree, Defendant will pay monetary damages in the total amount of one hundred thousand dollars (\$100,000) in full settlement of the Commission's and Intervenors' case in accordance with the following provisions:

a) Defendant will pay to Barbara Dabbs compensatory damages in the amount of fifty thousand dollars (\$50,000). Defendant shall take no withholding from the compensatory monetary amount listed above and will issue a Form 1099 reflecting this payment.

b) Defendant will pay to Christina Humphreys-Korenstra compensatory damages in the amount of fifty thousand dollars (\$50,000). Defendant shall take no withholding from the compensatory monetary amount listed above and will issue a Form 1099 reflecting this payment.

4. Within five (5) days of the Court's approval of this Consent Decree, Defendant s will post in all places where notices to employees are customarily posted at its facilities, the Notice attached hereto as Exhibit "A" and made a part hereof. Said Notice attached hereto as Exhibit "A" shall be posted and maintained for a period of at least three (3) years from the date of posting and shall be signed by a responsible official of Defendant with the date of actual posting shown thereon. Should the Notice become defaced, marred, or otherwise made unreadable, Defendant will ensure that new readable copies of the Notice are posted in the same manner as heretofore specified. Within thirty (30) days of such posting, Defendant shall forward to the attorney of record at the Baltimore Office a copy of the signed Notice attached hereto as Exhibit "A" and written certification that the Notice referenced herein has been posted and a statement of the location(s) and date of posting.

5. Defendant agrees that within thirty (30) days of the entry of this Decree, it shall provide mandatory training of no less than two (2) hours duration to all its managerial and supervisory employees regarding federal EEO laws prohibiting discrimination in employment enforced by the Commission, particularly those concerning sex discrimination and retaliation. The trainer's credentials and an outline of program materials shall be forwarded to the EEOC's attorney of record ten (10) days prior to such training being conducted and a representative of the Commission shall be invited to attend such training. Within fifteen (15) days of the completion of this training, Defendant shall forward to the attorney of record at the Baltimore Office written

certification that the training has been completed together with a list of employees and managerial staff who have been trained, and the dates of the training. Defendant also agrees to provide to each newly-hired managerial employee, an orientation to its equal employment opportunity policies within a reasonable time of hire.

6. Defendant agrees to immediately remove and eliminate from Barbara Dabbs' and Christina Humphreys-Kornestra's personnel and employment records, all documents and entries relating to the facts and circumstances related to the filing of their charges of discrimination with the Commission. Defendant further agrees to prohibit any dissemination, directly or indirectly, to any other employer or potential employer of any facts or circumstances surrounding the charges of discrimination that are fully resolved by this action, or the proceedings ensuing thereafter. Reference requests regarding Barbara Dabbs and Christina Humphreys-Kornestra shall be answered by Defendant in neutral terms limited to position, rate of pay, and dates of employment.

7. The Commission reserves the right to monitor compliance with the provisions of this Decree. As part of such review, the EEOC, upon notice to Defendant, may require written reports concerning compliance, inspect Defendants' premises, interview witnesses, and examine and copy documents at reasonable times to be mutually agreed to by the parties

8. If any party to this Decree believes that any other party has breached a material provision of this Decree, it shall so notify the party (s), in writing, of the alleged breach. Upon receipt of written notice, a party(s) shall have fifteen (15) days to either correct the alleged breach, and so inform the other party(s), or deny the alleged breach, in writing: a) If the parties remain in dispute they shall attempt in good faith to resolve their dispute; b) If the parties can

not in good faith resolve their dispute, the party alleging a breach may file with the Court a motion to correct and remedy the breach; c) Each party shall bear its own costs, expenses and attorney's fees incurred in connection with such action; and d) Jurisdiction and venue to resolve any dispute arising under this Decree resides in the United States District Court for the District of Maryland.

9. This Decree shall remain in full force and effect for a period of three (3) years from the date of approval and entry of this Decree by the Court.

10. The Court shall retain jurisdiction of this action to ensure compliance with this Decree. In all other respects, upon approval and entry by the Court of this Decree, the Commission's action against Defendant is dismissed with prejudice and the Clerk of the Court is directed to remove this action from the Court's calendar.

11. The Commission and Defendant shall bear their own costs, expenses and attorneys' fees incurred in connection with this action.

12. The undersigned counsel of record, on behalf of their respective clients, hereby consent to the entry of the foregoing Consent Decree.

13. THE CLERK SHALL CLOSE THIS CASE.

FOR DEFENDANT:

**NORRIS AUTOMOTIVE HOLDINGS,
LLC d/b/a/ NORRIS FORD**

_____/s/_____
KEVIN KARPINSKI, ESQ.
Karpinski, Colaresi & Karp, P.A.
120 East Baltimore Street
Suite 1850
Baltimore, MD 21202-1605
(410) 727-0861

FOR INTERVENORS:

BARBARA DABBS

_____/s/_____
TERRY J. HARRIS, ESQ.
Law Offices of Terry J. Harris
301 N. Charles St, Ste 902
Baltimore, MD 21201
(410) 576-0800

CHRISTINA HUMPHREYS-KORENSTRA

_____/s/_____
IRWIN E. WEISS, ESQ.
Attorney at Law
920 Providence Road, Suite 302
Baltimore, MD 21286
(410)821-0001

SO ORDERED.

Signed and entered this 24th day of September, 2007.

FOR PLAINTIFF:

**EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION**

RONALD S. COOPER
General Counsel

JAMES LEE
Deputy General Counsel

GWENDOLYN YOUNG REAMS
Associate General Counsel

_____/s/_____
JACQUELINE H. MCNAIR
Regional Attorney
EEOC-Philadelphia District Office
(including Baltimore Field Office)

_____/s/_____
DEBRA M. LAWRENCE
Supervisory Trial Attorney
EEOC-Baltimore Field Office

_____/s/_____
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_____/s/Andre M. Davis
UNITED STATES DISTRICT COURT JUDGE