



**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

<b>EQUAL EMPLOYMENT OPPORTUNITY</b>	)	
<b>COMMISSION,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	<b>Case No. 04 C 6063</b>
	)	
<b>v.</b>	)	<b>Judge Castillo</b>
	)	
<b>THE LAW BULLETIN PUBLISHING CO.,</b>	)	<b>Magistrate Judge Mason</b>
	)	
<b>Defendant.</b>	)	

**CONSENT DECREE**

**THE LITIGATION**

1. Plaintiff Equal Employment Opportunity Commission (the "EEOC") filed this action alleging that Defendant, The Law Bulletin Publishing Co. ("The Law Bulletin") violated Sections 701(k) and 703(a) of Title VII of the Civil Rights Act of 1964, as amended ("Title VII"), 42 U.S.C. §§ 2000e(k) and 2(a), by retaliating against Deanna Young after she complained of racial harassment by terminating her employment. The Law Bulletin denies these allegations and denies committing any wrongdoing whatsoever.

2. In the interest of resolving this matter, and as a result of having engaged in comprehensive settlement negotiations, the parties have agreed that this action should be finally resolved by entry of this Consent Decree (hereafter "Decree"). This Decree fully and finally resolves any and all issues and claims arising out of the Complaint filed by the EEOC in this action.

**FINDINGS**

3. Having carefully examined the terms and provisions of this Decree, and based on

the pleadings, record, and stipulations of the parties, the Court finds the following:

a. This Court has jurisdiction of the subject matter of this action and of the parties.

b. The terms of this Decree are adequate, fair, reasonable, equitable, and just. The rights of the parties and the public interest are adequately protected by this Decree.

c. This Decree conforms with the Federal Rules of Civil Procedure and Title VII and is not in derogation of the rights or privileges of any person. The entry of this Decree will further the objectives of Title VII and will be in the best interests of the parties, the Charging Party, and the public.

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

#### NON-RETALIATION

4. The Law Bulletin, its officers, agents, employees, successors, assigns and all persons acting in concert with it shall not engage in any form of retaliation against any person because such person has opposed any practice made unlawful under Title VII, filed a Charge of Discrimination under Title VII, testified or participated in any manner in any investigation, proceeding, or hearing under Title VII, or asserted any rights under this Decree.

#### NON-ADMISSION

5. Nothing in this Consent Decree shall be construed as an admission by either party of liability or non-liability with respect to any of the claims or defenses in the suit.

#### MONETARY RELIEF

6. The Law Bulletin shall pay the gross sum of \$20,000 to Charging Party Deanna Young in compensatory damages.

7. Within ten (10) business days after receipt by The Law Bulletin of a Release Agreement in the form attached hereto as Exhibit A and entry of this Decree, The Law

Bulletin or its agent shall issue and send by certified mail a check to Charging Party in the amount set forth in paragraph 6 above. A copy of the check issued shall be sent to the EEOC.

#### EEOC POSTING

8. Within ten (10) business days after entry of this Decree, The Law Bulletin shall post or continue to post the official EEOC Poster describing federal laws prohibiting job discrimination on bulletin boards usually used by The Law Bulletin for communicating with all its employees. The Law Bulletin shall ensure that the posting is not altered, defaced or covered by any other material. The Law Bulletin shall certify to the EEOC in writing within ten (10) business days after entry of this Decree that the Notice has been or remains properly posted. The Law Bulletin shall permit a representative of the EEOC to enter its premises for purposes of verifying compliance with this Paragraph at any time during business hours.

#### RECORD KEEPING

9. For a period of one (1) year following entry of this Decree, The Law Bulletin shall maintain and make available for inspection and copying by the EEOC records of each complaint of retaliation for engaging in any of the protected activities described in paragraph 4 above. Such records shall indicate the date the complaint was made, who made it, what was alleged, and what actions The Law Bulletin took to resolve the matter, and when.

10. The Law Bulletin shall make all documents or records referred to in Paragraph 9 above, available for inspection and copying within ten (10) business days after the EEOC so requests. In addition, The Law Bulletin shall make available for interview all persons within its employ whom the EEOC reasonably requests for purposes of verifying compliance with this Decree and shall permit a representative of the EEOC to enter its premises for such purposes on five (5) business days advance notice by the EEOC.

11. Nothing contained in this Decree shall be construed to limit any obligation The Law Bulletin may otherwise have to maintain records under Title VII or any other law or

regulation.

### REPORTING

12. The Law Bulletin shall furnish to the EEOC the following written reports semi-annually for a period of one (1) year following entry of this Decree. The first report shall be due six (6) months after entry of the Decree. The final report shall be due eleven (11) months after entry of the Decree. Each such report shall contain:

a A summary of the information recorded by The Law Bulletin pursuant to Paragraph 9, including the names of each person who complained of retaliation, the date of the complaint, and the actions, and dates thereof, taken by The Law Bulletin, including any discipline given;

b A certification by The Law Bulletin that the Notice required to be posted in paragraph 8 above remained posted during the entire six (6) month period preceding the report.

### DISTRIBUTION OF POLICY AGAINST RETALIATION

13. Within twenty-one (21) days after the entry of this Consent Decree, The Law Bulletin shall distribute to each employee of The Law Bulletin its Policy against retaliation for making complaints of harassment or discrimination.

14. A copy of the Policy shall be given to each new employee on or about the day the person is hired. Copies of the Policy shall also be posted on the bulletin boards customarily used for posting notices from management to employees.

### TRAINING

15. Within 60 days of the entry of this Decree, The Law Bulletin shall retain and pay for a trainer approved by the EEOC, to provide training to all owners and officers who are

actively engaged in the management of the business, supervisors and managers with respect to retaliation and with respect to the Policy referred to in paragraph 13 above. Attendance shall be mandatory. A registry of attendance shall be maintained.

16. The Law Bulletin shall obtain the EEOC's approval of its proposed trainer prior to the training session. The Law Bulletin shall submit the name, address, telephone number and resume of the proposed trainer to the EEOC within 30 days of the entry of this Decree. The EEOC shall have ten calendar days from the date of receipt of the information described above to accept or reject the proposed trainer. In the event the EEOC does not approve The Law Bulletin's designated trainer, The Law Bulletin shall have ten calendar days to identify an alternate trainer. The EEOC shall have ten calendar days from the date of receipt of the information described above to accept or reject the alternate trainer. In the event the EEOC does not approve The Law Bulletin's alternate trainer, the EEOC shall designate the trainer to be retained and paid for by The Law Bulletin.

17. The Law Bulletin shall certify to the EEOC in writing within ten (10) business days after the training has occurred that the training has taken place and that the required personnel have attended. Such certification shall include: (i) the date, location and duration of the training; and (ii) a copy of the registry of attendance, which shall include the name and position of each person in attendance.

18. The Law Bulletin agrees to provide EEOC with any and all copies of pamphlets, brochures, outlines or other written materials provided to the participants of the training sessions.

#### DISPUTE RESOLUTION

19. In the event that either party to this Decree believes that the other party has failed to comply with any provision(s) of the Decree, the complaining party shall notify the other party of the alleged non-compliance within ninety (90) days of the alleged non-compliance and shall afford the alleged non-complying party ten (10) business days to remedy the

non-compliance or to satisfy the complaining party that the alleged non-complying party has complied. If the alleged non-complying party has not remedied the alleged non-compliance or satisfied the complaining party that it has complied within ten (10) business days or otherwise made arrangements that are mutually satisfactory to the parties, the complaining party may apply to the Court for appropriate relief.

#### DURATION OF THE DECREE AND RETENTION OF JURISDICTION

20. All provisions of this Decree shall be in effect (and the Court will retain jurisdiction of this matter to enforce this Decree) for a period of one (1) year immediately following entry of the Decree, provided, however, that if, at the end of one year, any disputes under Paragraph 19, above, remain unresolved, the term of the Decree shall be automatically extended (and the Court will retain jurisdiction of this matter to enforce the Decree) until such time as all such disputes have been resolved.

#### MISCELLANEOUS PROVISIONS

21. Each party to this Decree shall bear its own expenses and costs. The EEOC and The Law Bulletin shall bear their own attorneys' fees.

22. The terms of this Decree are and shall be binding upon the present and future representatives, agents, directors, officers, assigns, and successors of The Law Bulletin in their capacities as representatives, agents, directors and officers of The Law Bulletin, and not in their individual capacities.

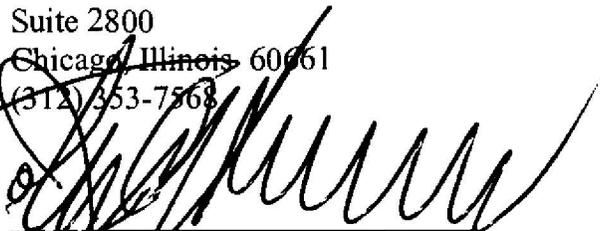
23. When this Decree requires the submission by The Law Bulletin of reports, certifications, notices, or other materials to the EEOC, they shall be mailed to: Laurie Elkin, Trial Attorney, Equal Employment Opportunity Commission, 500 West Madison Street, Suite 2800, Chicago, Illinois, 60661. When this Decree requires submission by the EEOC of materials to The Law Bulletin, they shall be mailed to: Alan King at Gardner Carton & Douglas LLP, 191 N. Wacker Drive, Suite 3700, Chicago, Illinois 60606.

For the Equal Employment Opportunity Commission  
1801 L Street, N.W.  
Washington, D.C. 20507  
Eric Dreiband  
General Counsel

James Lee  
Deputy General Counsel

Gwendolyn Young Reams  
Associate General Counsel

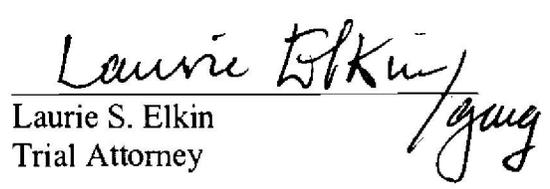
Equal Employment Opportunity  
Commission  
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John C. Hendrickson  
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Laurie S. Elkin  
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DATE: 8/11/05

For The Law Bulletin Publishing Co.



Alan S. King  
Gardner Carton & Douglas LLP  
191 North Wacker Drive  
Suite 3700  
Chicago, Illinois 60606

DATE: 7/29/05

  
ENTER: \_\_\_\_\_

Judge Ruben Castillo

8/15/05

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