

IN THE UNITED STATES DISTRICT COURT

FILED BY lu D.C.

FOR THE WESTERN DISTRICT OF TENNESSEE 01 JUN 21 PM 4:05

EASTERN DIVISION

ROBERT R. DI TROLIO  
CLERK, U.S. DIST. CT.  
W. D. OF TN JACKSON

EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION,

Plaintiff,

v.

MAGNETEK, INC.,

Defendant.

CIVIL ACTION NO.

1:00cv1041

(Judge Todd)

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CONSENT DECREE

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This lawsuit was filed February 3, 2000 by the Equal Employment Opportunity Commission (EEOC) against MagneTek, Inc. (MagneTek) under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. Section 2000e, et seq. (Title VII). The Complaint in the lawsuit claims that since at least April 21, 1993 MagneTek unlawfully failed to hire female applicants for operative positions at its Lexington, Tennessee facility because of their sex.

EEOC and MagneTek have agreed to this consent decree to settle all of the claims involved in this lawsuit.

The Court has reviewed the terms of this decree in light of the applicable laws and regulations, and hereby approves this decree. **THEREFORE**, it is hereby **ORDERED**:

This document entered on the docket sheet in compliance  
with Rule 58 and/or 79 (a) FRCP on 6-26-01

## **I. JURISDICTION**

The United States District Court for the Western District of Tennessee, Eastern Division, has jurisdiction over the parties and subject matter of this lawsuit, and will retain jurisdiction over this decree for purposes of enforcement and dispute resolution.

## **II. DISCLAIMER**

Neither the negotiation of or agreement to this decree is an admission or acknowledgment by MagneTek that any of its employees, officers, directors, or agents have violated Title VII.

## **III. INDIVIDUAL REMEDIES**

MagneTek will pay a total of \$200,000 to the identified alleged victims of discrimination in accordance with instructions from EEOC concerning who will be paid and how much each person will be paid. MagneTek will not be required to make the instructed payment to the identified alleged victim of discrimination unless it receives the Release of Claims attached to this decree signed by the identified alleged victim of discrimination and notarized. Each payment will be made within thirty days after MagneTek receives the signed and notarized Release of Claims from the identified alleged victim of discrimination.

A copy of each check (front and back), and of the payment transmittal, will be mailed at the same time to Carson Owen at:

Carson L. Owen, Senior Trial Attorney  
Equal Employment Opportunity Commission  
1407 Union Ave., Suite 621  
Memphis, TN 38104.

#### **IV. RELEASE OF EEOC'S CLAIM**

In consideration of MagneTek's obligations in paragraph III above, all claims of gender discrimination (which include but are not limited to lawsuits, charges filed with EEOC and charges filed with the Tennessee Human Rights Commission) concerning applicants for employment at MagneTek's Lexington, Tennessee facility from April 21, 1993 to February 3, 2000, which have been or could have been made by EEOC shall be deemed to be fully settled and finally resolved. Thus all claims of EEOC alleging gender discrimination concerning applicants for employment at MagneTek's Lexington, Tennessee facility from April 21, 1993 to February 3, 2000 are released and waived.

#### **V. ATTORNEY'S FEES AND COSTS**

EEOC and MagneTek will each bear its own attorneys' fees and costs incurred in this action.

(Concluded on next page.)

SO ORDERED this 21<sup>st</sup> day of June, 2001.

  
JAMES D. TODD  
UNITED STATES DISTRICT JUDGE

Consented to on behalf of the respective parties:

**FOR PLAINTIFF EEOC:**


**C. GREGORY STEWART**  
General Counsel

**GWENDOLYN YOUNG REAMS**  
Associate General Counsel

  
**KATHARINE W. KORES**  
Regional Attorney

  
**TERRY BECK**  
Supervisory Trial Attorney

  
**CARSON L. OWEN**  
Senior Trial Attorney

  
**DRAGA G. ANTHONY**  
Trial Attorney

**EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION**

1407 Union Avenue, Suite 621  
Memphis, Tennessee 38104  
Telephone No. (901) 544-0133

**FOR DEFENDANT:**

  
**JANE STUTSMAN**  
Risk Manager

**MAGNETEK, INC.**

  
**STEPHEN L. SHIELDS**  
**JAMES L. HOLT, JR.**  
**VALERIE BARNES SPEAKMAN**  
**JACKSON, SHIELDS, YEISER**  
**& CANTRELL**  
P.O. Box 382730  
Memphis, TN 38183-2730  
Telephone No. (901) 754-8001

**ATTORNEYS FOR DEFENDANT**

**RELEASE OF CLAIMS BY (insert name)**

I, **(insert name)**, **(insert address)**, understand that the United States Equal Employment Opportunity Commission (EEOC) has filed a lawsuit against MagneTek, Inc. (MagneTek) under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. Section 2000e, et seq. (Title VII). I understand that EEOC claims in the lawsuit that since at least April 21, 1993 MagneTek has failed to hire female applicants for operative positions because of their sex at its Lexington, Tennessee facility in violation of Title VII. I understand that MagneTek denies that any violation of Title VII has occurred. I understand that a settlement has been agreed to by EEOC and MagneTek, and that as part of that settlement I will be paid **\$(insert amount)** by MagneTek. In consideration for receiving this amount of money from MagneTek, I hereby release MagneTek from any claims that MagneTek denied me employment at its Lexington, Tennessee facility because of my sex. I understand that the **\$(insert amount)** is being paid to me and accepted by me in settlement of all such claims.

I have read this release, I understand it, and I am voluntarily signing it in exchange for the **\$(insert amount)** I will be paid by MagneTek. I have been given twenty-one days to consult with an attorney of my own choosing before signing this release.

\_\_\_\_\_  
**(insert name)**

Signed and sworn to before me

this \_\_\_\_ day of \_\_\_\_\_, 2001.

\_\_\_\_\_  
Notary Public

My commission expires \_\_\_\_\_.



## Notice of Distribution

This notice confirms a copy of the document docketed as number 26 in case 1:00-CV-01041 was distributed by fax, mail, or direct printing on June 26, 2001 to the parties listed.

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Carson L. Owen  
EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
1407 Union Avenue  
Ste. 621  
Memphis, TN 38104

Draga G. Anthony  
EEOC  
1407 Union Ave.  
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Cordova, TN 38018

James L. Holt  
JACKSON SHIELDS YEISER & CANTRELL  
262 German Oak Drive  
Cordova, TN 38018

Honorable James Todd  
US DISTRICT COURT