

This decree constitutes the entire agreement and commitments of the parties. Any modifications to the agreement must be mutually agreed upon in writing and signed by the parties hereto.

The Court has reviewed the terms of the proposed Consent Decree in light of the applicable laws and regulations and the statements of counsel for all parties and hereby approves the Consent Decree.

NOW, THEREFORE, the Court being fully advised in the premises, it is hereby **ORDERED, ADJUDGED AND DECREED:**

I. JURISDICTION

The United States District Court for the Eastern District of Arkansas, Western Division, has jurisdiction over the parties and subject matter of this litigation.

II. SCOPE AND DURATION OF DECREE

A. This Consent Decree resolves all issues and claims arising out of the Commission's Complaint in this cause alleging unlawful employment policies and practices maintained by the Defendant and arising out of Charge No. 251-2004-04054 filed by Nila Jo McPherson with the Commission. The Commission agrees that pursuant to the terms of this consent decree this lawsuit will be dismissed with prejudice. Notwithstanding any provisions contained in this Decree, this Agreement shall not be considered in any manner to be dispositive of any charges now pending before any office of the Commission other than Charge No. 251-2004-04054.

B. The provisions of this Consent Decree shall continue to be effective and binding upon the parties to this action for a period of three years from the date of the entry of this Decree.

III. NON-DISCRIMINATION PROVISION

Defendant, its officers, agents, employees, and all persons acting in concert with the Defendant agree to comply with the provisions of Title VII or other applicable law which prohibits discrimination based on sex.

IV. TRAINING

Defendant agrees to engage in additional training of its hiring officials, supervisors, and managers in the requirements of Title VII of the Civil Rights Act of 1964, as amended, regarding the prevention of sex discrimination, according to the following terms:

- A. The training session will include at least two (2) hours of instruction.
- B. The training will include the following topics: what constitutes sex discrimination; how to prevent, identify and remedy sex discrimination; what constitutes retaliation; and Defendant's policy against sex discrimination and retaliation, including procedures and responsibilities for reporting, investigating and remedying conduct an employee or applicant believes may constitute sex discrimination.
- C. Within sixty (60) days after execution of this Consent Decree by the parties, Defendant shall submit to the Commission the date of the proposed training session and a detailed outline of the proposed training. The Commission will have thirty (30) days after the date of receipt of such information to accept or reject the training proposal. The Commission will not unreasonably withhold its approval of the proposal. If the Commission does not approve the contents of the training session, the parties shall attempt to resolve the matter, and if unsuccessful, submit the dispute to the Court.

D. This training session will be conducted within ninety (90) days after the date of the entry of this Consent Decree by the Court or within thirty (30) days of approval of the outline or resolution of disputes relating to same as set forth in (c) above, whichever occurs later.

E. Defendant within 120 days of this agreement shall provide documentation to the EEOC of training compliance for hiring officials, supervisors, and managers.

V. NON-RETALIATION PROVISION

Defendant, its officers, agents, employees, and all persons acting in concert with Defendant shall not take any retaliatory measure against Nila Jo McPherson or any employee for opposing practices made unlawful under Title VII of the Civil Rights Act of 1964, as amended, or for making a charge or complaint to the EEOC, testifying, assisting, or participating in any manner in any investigation, proceeding, or hearing under Title VII of the Civil Rights Act of 1964, as amended.

VI. NOTICE

Defendant shall conspicuously post the notice (poster) required to be posted by Title VII of the Civil Rights Act of 1964, as amended. Furthermore, Defendant shall conspicuously post the notice at Appendix A of this Decree for a one year period commencing within ten (10) days after entry of this Decree by the Court.

VII. INDIVIDUAL RELIEF

A. Defendant shall deliver to the following address a cashier's check or business check payable to "Nila Jo McPherson" in the amount of \$29,000 in damages.

Nila Jo McPherson
8414 E. Cherry Street
Benton, AR 72015

The check should be mailed within ten (10) days after entry of this Decree by the Court.

B. Defendant shall forward a copy of the check to William A. Cash Jr. at the EEOC Office in Little Rock, Arkansas.

VIII. COSTS

Plaintiff EEOC and Defendant shall bear their own costs, including attorneys' fees.

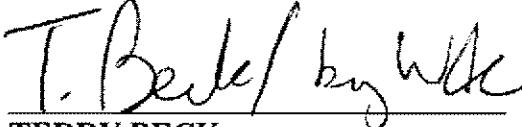
SO ORDERED THIS 25th DAY OF April, 2006.

Sarneth Thomas Evers
UNITED STATES DISTRICT JUDGE

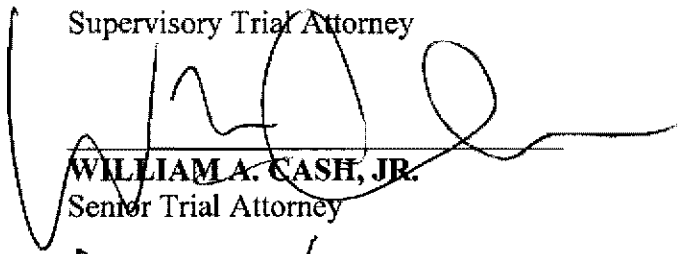
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APPENDIX A

NOTICE

NOTICE

1. A. Tenenbaum Company has agreed to post this notice for one year to reinforce the company's policies concerning Title VII.
2. Federal law prohibits an employer from discriminating against employees based on their sex. Discrimination based on sex violates Title VII of the Civil Rights Act of 1964, as amended.
3. A. Tenenbaum Company supports and will comply with such Federal law in all respects and will work to prevent sex discrimination in the workplace.
4. A. Tenenbaum Company will not take any action against employees who exercise their rights by filing charges with the Equal Employment Opportunity Commission and/or testified, assisted or participated in any manner in any investigation, proceeding, hearing, or litigation under Title VII of the Civil Rights Act of 1964, as amended.

DATE

A. TENENBAUM COMPANY