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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION

**FILED**  
U.S. DISTRICT COURT  
EASTERN DISTRICT ARKANSAS

OCT 09 2003

EQUAL EMPLOYMENT OPPORTUNITY )  
COMMISSION, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
INTERNATIONAL PAPER COMPANY )  
 )  
Defendant )  
\_\_\_\_\_ )

JAMES W. MCCORMACK, CLERK  
By: *[Signature]*  
DEP. CLERK

CIVIL ACTION NO.  
5:03CV0122SWW

**CONSENT DECREE**

This civil action was instituted by the Equal Employment Opportunity Commission (the "Commission") against International Paper Company, pursuant to Section (b) of the Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. section 621, *et seq.* (the "ADEA"), which incorporates by reference §§ 16(c) and 217, to remedy the unlawful employment practices alleged in the Amended Complaint filed on May 20, 2003.

The Amended Complaint alleged that International Paper Company refused to hire Jerry Stinnett, Terry Rothwell, Gerald Billingsley, and certain other applicants in their 50's and above at its Pine Bluff, Arkansas facility because of their age.

The Commission and International Paper Company have agreed to this Consent Decree to settle all of the claims involved in this lawsuit. This Consent Decree does not constitute an admission by the Defendant of the allegations in the Amended Complaint. Defendant maintains that the actions of its officials were proper and lawful in all regards.

The parties to this action desire to avoid the additional expense and delay in the litigation of this case.

In the event this Consent Decree is not approved or does not become final, it shall not be admissible in evidence in any subsequent proceeding in this action.

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

It is hereby **ORDERED, ADJUDGED AND DECREED:**

**I. JURISDICTION**

The United States District Court for the Eastern District of Arkansas, Pine Bluff Division, has jurisdiction over the parties and the subject matter of this litigation and will retain jurisdiction over this Decree for the purposes of enforcement and dispute resolution.

**II. SCOPE OF DECREE**

A. This Consent Decree resolves all issue and claims arising out of the Commission's Complaint in this case, Civil Action No. 5:03CV0122SWW, alleging unlawful employment practices by Defendant based on Charge No. 251-A1-0926 filed by Jerry Stinnett, Charge No. 251-A1-0710 filed by Terry Rothwell, and Charge No. 251-A1-0706 filed by Gerald Billingsley. This Consent Decree shall not be considered in any manner to be dispositive of any other charge which is or may be pending before any office of the Commission other than Charge Nos. 251-A1-0926, 251-A1-0710 and 251-A1-0706.

B. The provisions of this Consent Decree shall be effective and binding upon the parties to this action until December 31, 2004.

### III. INJUNCTIVE RELIEF

Defendant, its officers and agents are hereby enjoined from discriminating against any applicant with respect to hiring at its Pine Bluff facility because of such individual's age, in violation of the Age Discrimination in Employment Act.

### IV. INDIVIDUAL RELIEF

Defendant has entered into individual Settlement Agreements and Releases ("Settlement Agreements") with each of the six applicants whom the EEOC alleges were discriminated against on the basis of their ages: Jerry Stinnett, Terry Rothwell, Gerald Billingsley, Stephen Capps, Ronald Riggs and Larry Ward ("Applicants").

The Settlement Agreements, which provide for back pay to the Applicants totaling \$260,000, as well as other specific, individual benefits for certain Applicants, with a present value totaling approximately \$155,000, are incorporated herein by reference. Defendant, the EEOC and the Applicants are hereby ORDERED to comply with the terms of the Settlement Agreements as if they were set forth in full in this Order.

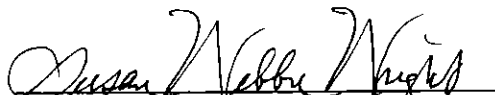
### V. TRAINING

Within six months of entry of this Decree, Defendant shall conduct training for its management staff in Pine Bluff, Arkansas, regarding the requirements of the ADEA and the prevention of age discrimination in the work place. Defendant shall provide the Commission with a syllabus of the training, the dates presented, and the Curriculum Vitae of the presenter.


**VI. COSTS**

Each of the parties shall bear its own costs and attorneys fees.

IT IS SO ORDERED THIS 9<sup>th</sup> DAY OF October 2003.

  
**SUSAN WEBBER WRIGHT**  
U.S. DISTRICT JUDGE

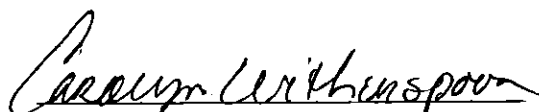
**FOR THE DEFENDANT:**


  
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Richmond, VA 23210-4030

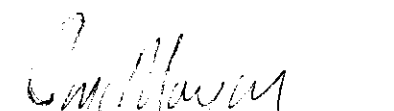
**FOR THE COMMISSION:**


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Senior Trial Attorney

THIS DOCUMENT ENTERED ON  
DOCKET SHEET IN COMPLIANCE  
WITH RULE 53 AND/OR 79(a) FRCP  
ON 10/10/03 BY CMt

AR No. 95085

**EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION**

Little Rock Area Office  
820 Louisiana, Suite 200  
Little Rock, Arkansas 72201  
Telephone: (501) 324-5065

**NOTICE**

1. Federal law prohibits an employer from discriminating against applicants for employment on the basis of their age in violation of the Age Discrimination in Employment Act (ADEA).
2. International Paper supports and will comply with such Federal laws in all respects. International Paper will not discriminate against applicants for employment on the basis of age.
3. The posting of this Notice by International Paper Company does not constitute an admission by International Paper Company of any liability under Federal law.
4. This Notice shall be posted by International Paper Company at its Pine Bluff, Arkansas mill until December 31, 2004.

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**INTERNATIONAL PAPER COMPANY**

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**DATE**

UNITED STATES DISTRICT COURT  
Eastern District of Arkansas  
U.S. Court House  
600 West Capitol, Suite 402  
Little Rock, Arkansas 72201-3325

October 10, 2003

\* \* MAILING CERTIFICATE OF CLERK \* \*

Re: 5:03-cv-00122.

True and correct copies of the attached were mailed by the clerk to the following:

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press, PB post

James W. McCormack, Clerk

Date: 10/10/03

BY: BTyree