

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Case No. 01-MK-1731 (OES)

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION,

Plaintiff,

and

LEIGH ANN ORNELAS,

Plaintiff/Intervenor.

v.

MILGARD MANUFACTURING INCORPORATED,
d/b/a MILGARD WINDOWS, a Washington corporation,

Defendant.

JOINT MOTION TO APPROVE AMENDMENT OF CONSENT DECREE

Plaintiff Equal Employment Opportunity Commission (“EEOC”) and Defendant Milgard Manufacturing, Inc. (“Milgard”), hereby move the Court to approve an amendment to the “Consent Decree” which the Court approved on May 19, 2004. In support thereof, the parties state:

1. Subject to the terms set forth in a letter agreement between the parties, the EEOC and Milgard have mutually agreed to extend the term of the “Consent Decree” by one year by amending paragraph 29 of the “Consent Decree” to read as follows:

“This Consent Decree shall remain in effect for four (4) years subsequent to the Effective Date, unless extended by the Court for good cause shown.”

2. Other than to extend the effective duration of the “Consent Decree,” the “Consent Decree” is not otherwise amended or modified.

3. Milgard's agreement to the extension of the term of the "Consent Decree" does not constitute an admission or reflect an adjudication of any failure by Milgard to comply with any term or obligation under the "Consent Decree."

WHEREFORE, Plaintiff Equal Employment Opportunity Commission and Defendant Milgard Manufacturing, Inc. respectfully request the Court approve the amendment set forth herein.

Dated: April 13, 2007

Respectfully Submitted,

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s/ Rita Byrnes Kittle
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ORDER APPROVING AMENDMENT OF CONSENT DECREE

The above-entitled matter, having come before the Court upon the Joint Motion to Approve Amendment Of The Consent Decree, filed by Plaintiff Equal Employment Opportunity Commission and Defendant Milgard Manufacturing, Inc., and the Court having considered the Motion and being fully advised of the premises, it is:

ORDERED that the Joint Motion to Approve Amendment Of The Consent Decree is granted, and the amendment set forth in the Joint Motion is approved.

DATED this ____ day of _____, 2007.

BY THE COURT:

MARCIA S. KRIEGER
UNITED STATES DISTRICT JUDGE