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

EQUAL EMPLOYMENT OPPORTUNITY )  
COMMISSION )

Plaintiff, )

And )

CATHERINE COPELLO and )  
ALLISION KENNEDY, )

Plaintiffs-Intervenors, )

v. )

CUSTOM COMPANIES, INC., and CUSTOM )  
EXECUTIVE GROUP, INC. )

Defendants. )

Case No: 02 CV 3768, 03 CV 2293

Hon. Harry D. Leinenweber

**MODIFIED INJUNCTION ORDER**

This matter coming on to be heard on Intervenors' Motion for Relief from Judgment Under Rule 60(b)(6), this matter being heard at a hearing on January 24, 2008, and February 19, 2008, and the Court having granted Intervenors' Motion, the Court orders the following:

- I. The finding that Ms. Fritkin was an employee of Custom is vacated.
- II. The award of monetary relief is vacated, and the following agreed monetary relief is ordered:

Agreed Monetary Relief

1. Within seven days of the entry of the modified judgment, Custom will pay \$200,000 to Ms. Copello, and \$200,000 to Ms. Kennedy, to scettle their claims of sexual harassment and retaliation. The above-referenced payments shall be made as follows;

- (a) The withholding should be for the year 2008;
- (b) The Defendant should withhold for federal and state income taxes on the entire settlement amount;
- (c) Kennedy's tax status should be "married;"
- (d) Kennedy and Copello should be allowed to claim all proper exemptions; and
- (e) FICA and Medicare deductions should be taken on an amount computed by multiplying the total settlement by a fraction in which the numerator is the \$200,000 less the amount awarded as punitive damages and the denominator is the total modified judgment of damages including compensatory and punitive.

2. Custom will pay to the law firms of Barlow Kobata and Denis, and Michael Robbins and Associates, private counsel representing Ms. Copello and Ms. Kennedy, the total sum of \$900,000 in settlement of their claim for attorney's fees and costs, with a payment of \$450,000 to be made within seven days of entry of the modified judgment, and a second payment of \$450,000 to be made on or before March 1, 2008.

3. Within seven days of the entry of the modified judgment, Custom will pay \$52,800 to Ms. Fritkin, to settle her claim of retaliation.

III. The injunction is vacated, and the following agreed modified injunction is entered:

Agreed Modified Injunction

Defendants are enjoined for a period of two years from March 8, 2007:


- (a) From violating Title VII with respect to sexual harassment and retaliation;
- (b) To post a notice informing its employees of the employees' right to contact the EEOC without fear of retaliation;

- (c) To maintain and keep available for inspection and copying by the EEOC any complaints by employees of sexual harassment or retaliation and make such records available to the EEOC on a semi-annual basis within a reasonable time after the EEOC requests, and to provide to the EEOC, every six months, a written summary of any complaints by employees of sexual harassment or retaliation (including a brief description of the complaint, the investigation conducted, and the result); the EEOC will inform Custom of any concerns raised in connection with internal complaints of harassment or retaliation disclosed in the semi-annual reports;
- (d) To provide written confirmation to every employee that any complaint of harassment or retaliation received by any manager will be taken seriously and investigated;
- (e) To require each of Defendants' officers, managers, supervisors and employees to attend a Title VII training seminar on sex harassment, Title VII principles, and retaliation on a yearly basis provided by the law firm of Laner, Muchin, Dombrow, Becker, Levin and Tomlinberg, Ltd., or by such other law firm mutually agreed upon between Defendants and the EEOC;
- (f) From threatening and participating directly or indirectly in precluding Plaintiff-Intervenors from obtaining work in the freight industry;
- (g) To expunge from Plaintiff-Intervenors' personnel files all references to this lawsuit or the investigation of any complaints or charges of sexual harassment or retaliation;
- (h) From sponsoring company sponsored events at a place of adult entertainment;

- (i) From reimbursing sales personnel for costs incurred while entertaining clients at adult entertainment establishments which are owned or operated by Defendants and Defendants' owners, officers, and directors; and
- (j) To dismiss with prejudice Custom's lawsuit against Ms. Fritkin, currently pending in the Circuit Court of Cook County, Illinois, and designated *Custom Companies v. Kim Fritkin*, No. 04 M1-121233.

SO ORDERED:

DATED: 3/6/2008

  
Hon. **JUDGE JOAN H. LEFKOW**  
United States District Judge