

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF LA

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LORETTA G. WHYTE
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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

**U.S. EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,
Plaintiff**

versus

**E.I. DU PONT DE NEMOURS & CO.
Defendant**

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**CIVIL ACTION: 03-1605
SECTION: R
JUDGE: VANCE

MAG. NUMBER: 4
MAGISTRATE: WELLS ROBY**

JUDGMENT

A jury trial having been conducted in the captioned matter from October 18, 2004, through October 20, 2004; and the jury having returned a verdict on October 20, 2004, in favor of Plaintiff, the United States Equal Employment Opportunity Commission ("Commission" or "EEOC") and against Defendant, E.I. Du Pont de Nemours & Co. ("DuPont");

IT IS ORDERED, DECREED, AND ADJUDGED as follows:

1. **DUPONT IS LIABLE** for terminating the employment of Laura Barrios because of her disability, in violation of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12101, *et seq.* ("ADA");

**DATE OF ENTRY
JAN 31 2005**

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2. **DUPONT IS LIABLE** to Laura Barrios for back pay in the amount of \$91,000.00 (ninety-one thousand dollars);

3. **DUPONT IS LIABLE** to Laura Barrios for front pay in the amount of \$200,000.00 (two hundred thousand dollars);

4. The jury's award of punitive damages in the amount of \$1,000,000.00 (one million dollars) is subject to the applicable statutory limit set forth in the ADA, as incorporated from the Civil Rights Act of 1991, 42 U.S.C. § 1981a, and is therefore hereby **REDUCED** to \$300,000.00 (three hundred thousand dollars);

5. **DUPONT IS LIABLE** to Laura Barrios for punitive damages in the amount set forth in the immediately preceding paragraph, to-wit \$300,000.00 (three hundred thousand dollars);

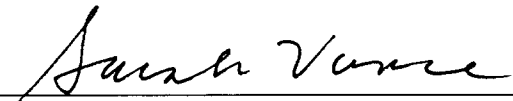
6. The EEOC's claim for emotional damages / mental anguish on behalf of Laura Barrios is **DISMISSED WITH PREJUDICE**;

7. The EEOC's claim that DuPont violated the ADA by subjecting Laura Barrios to an illegal medical examination or inquiry is **DISMISSED WITH PREJUDICE**;

8. DuPont **SHALL PAY THE EEOC ITS REASONABLE COSTS** incurred in the prosecution of this matter, as determined by the Clerk of Court following submission by the EEOC of its Notice of Application for Taxation of Costs and its Memorandum of Costs.

9. The EEOC's prayer for injunctive relief, in the form of Court-ordered training and an injunction prohibiting DuPont from retaliating against any person who participated in this litigation, is **DENIED**.

SO ORDERED, DECREED, AND ADJUDGED, New Orleans, Louisiana, this 28th day
of January, 2005.



SARAH S. VANCE
UNITED STATES DISTRICT JUDGE