

## CASE SUMMARY

**PROCEDURAL POSTURE:** Plaintiff moved to adopt the report of the special master recommending an award from a claim fund established pursuant to the consent decree negotiated by the parties in resolving the claims in plaintiff's complaint.

**OVERVIEW:** Plaintiff, on behalf of numerous claimants, brought suit against defendant, alleging claims of hostile work environment and retaliation under Title VII of the Civil Rights Act of 1964 and Title I of the Civil Rights Act of 1991. The parties negotiated a consent decree that provided for the establishment of a claim fund to be distributed among the claimants by a special master. Plaintiff moved to adopt the special master's report recommending awards to the claimants. In granting the motion, the court concluded that that the special master's proposed distribution of settlement proceeds was fair, adequate, and reasonable. The special master's denial of untimely claims was not based upon any clearly erroneous findings, and the claims of men alleging same-sex sexual harassment were properly denied because the complaint did not include any claims of same-sex sexual harassment. While several claimants were dissatisfied with the amount awarded, the consent decree was not designed to fully compensate each claimant but to distribute the claim fund equitably among all eligible claimants.

**OUTCOME:** Plaintiff's motion to adopt the report of the special master recommending the distribution of claim funds to the numerous claimants was granted, because the special master's proposed distribution of settlement proceeds was fair and reasonable and because the determinations were not based upon any clearly erroneous findings.