

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

EQUAL EMPLOYMENT)
OPPORTUNITY COMMISSION,)
)
Plaintiff,)
)
-against-)
)
THE SALVATION ARMY)
)
Defendant.)
)

Civil Action No.
1:05-CV-343-PB

STIPULATION AND ORDER MODIFYING AND CLARIFYING CONSENT DECREE

WHEREAS a Consent Decree was entered in this matter on October 6, 2005; and

WHEREAS a dispute arose between the parties concerning the scope and interpretation of the Consent Decree's terms; and

WHEREAS the Equal Employment Opportunity Commission (the "EEOC") sought to resolve the dispute by filing a motion for contempt against the Salvation Army; and

WHEREAS the parties desire to resolve the motion for contempt and their dispute without further litigation and expenditure of judicial resources; and

WHEREAS the EEOC agrees to withdraw its Motion for Contempt in consideration for this Stipulation;

THEREFORE, the parties stipulate that the Consent Decree entered on October 6, 2005, shall remain in full force and effect with the following clarifications and modifications:

1. Unless otherwise specifically indicated, any reference in the Consent Decree to "The Salvation Army" shall be construed to refer to The Salvation Army, the New York corporation, the corporate instrumentality of the Eastern Territory of The Salvation Army in the United States.

2. The references to religion in paragraph 10 and Exhibit A shall be deleted.

3. The EEOC has agreed that the ADA policy statement proposed to the EEOC on July 6, 2006 (hereafter "ADA Policy") satisfies The Salvation Army's obligations under the second sentence of paragraph 10 of the Consent Decree. The ADA Policy shall be adopted and distributed to all Salvation Army facilities within its Eastern Territory as a part of the revision of the Eastern Territory Employee Manual currently anticipated to be effective January 1, 2007. In the event the revised Manual is to be distributed any later than January 31, 2007, The Salvation Army shall notify the EEOC (by communication with Markus L. Penzel, Esq.) of the projected

completion date for distribution no later than January 31, 2007. This policy has been reviewed by the EEOC in conjunction with other written equal employment opportunity policies of The Salvation Army, and if it is so adopted and distributed, The Salvation Army shall be in substantial compliance with paragraphs 9 and 10 of the Consent Decree.

SO ORDERED, ADJUDGED AND DECREED.

Signed this 4 day of August, 2006

/s/ Paul Barbadoro
Judge

APPROVED IN FORM AND CONTENT:

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION

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The Salvation Army

/s/ Joseph F. Daschbach

By its attorney

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