

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

EQUAL EMPLOYMENT OPPORTUNITY	:	CIVIL ACTION
COMMISSION,	:	
	:	
v.	:	
	:	
RED ROBIN DINER	:	NO. 03-3881

REPORT AND RECOMMENDATION

DAVID R. STRAWBRIDGE
UNITED STATES MAGISTRATE JUDGE

November 1, 2005

Before the Court is a Motion to Enforce Settlement (Document No. 24) which has been referred for Report and Recommendation by the Honorable Bruce W. Kauffman. Upon receipt of the Order of reference, this Court conducted a telephone conference with counsel and determined it would be appropriate to schedule the matter for a hearing. The agreed date was November 1, 2005.

On the hearing date, counsel for the parties advised the Court that they had entered into a final agreement to settle the underlying case which they sought to have placed on the record in open court. The Court conducted a colloquy with counsel for the parties and with the sole stockholders and officers of the defendant for the purpose of determining whether they all fully understood and agreed to the terms as set out in the Consent Decree and as modified by the proposed Order. As a result of that colloquy, the Court is in fact satisfied that the parties in fact fully understand and agree to all terms and conditions of this settlement and that it has been freely entered into.

Accordingly, this Court recommends:

1. That the Consent Decree (attached to this Report and Recommendation) entered into by counsel be approved by the Court and entered upon the docket of the Court

together with the Court's Order modifying the posting period as reflected in paragraph 12 of the Consent Decree to six (6) months.

2. That the Motion to Enforce Settlement (Document No. 24) be **DENIED** as moot.
3. That the matter be **CLOSED** for statistical purposes.

A form of Order is attached.

BY THE COURT:

/s/ David R. Strawbridge
DAVID R. STRAWBRIDGE
UNITED STATES MAGISTRATE JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

EQUAL EMPLOYMENT OPPORTUNITY	:	CIVIL ACTION
COMMISSION,	:	
	:	
v.	:	
	:	
RED ROBIN DINER	:	NO. 03-3881

ORDER

BRUCE W. KAUFFMAN, J.

AND NOW, this day of November, 2005, upon a careful review of the Report and Recommendation of United States Magistrate Judge David R. Strawbridge, it is ORDERED that:

1. The Report and Recommendation be **APPROVED** and **ADOPTED**;
2. The Consent Decree attached to the Report and Recommendation is **APPROVED**; subject only to a modification of the posting period as reflected in paragraph 12 of the Consent Decree to six (6) months; and
3. The Clerk shall mark the matter **CLOSED** for statistical purposes.

BY THE COURT:

BRUCE W. KAUFFMAN
UNITED STATES DISTRICT COURT JUDGE