

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

EQUAL EMPLOYMENT)	
OPPORTUNITY COMMISSION,)	
)	
Plaintiff,)	
)	No. 3:06cv0932
v.)	
)	JURY DEMAND
U-HAUL CO. OF TENNESSEE,)	
NASHVILLE DIVISION ,)	JUDGE ECHOLS
)	MAGISTRATE JUDGE BRYANT
Defendant.)	

CONSENT DECREE

INTRODUCTION

This action was instituted by the Equal Employment Opportunity Commission (hereinafter the "Commission") against Defendant U-HAUL CO. OF TENNESSEE, NASHVILLE DIVISION (also known as U-Haul Co. of Nashville), pursuant to Sections 706(f)(1) and (3) of Title VII of the Civil Rights Act of 1964 ("Title VII"), 42 U.S.C. §§2000e-5(f)(1) and (3), and Section 102 of the Civil Rights Act of 1991, 42 U.S.C. §1981(a). The Complaint alleged that Defendant terminated Oluseyi Kunnu from his position of customer service representative because of his race (Black).

This Consent Decree does not constitute an admission by Defendant of the allegations in the Complaint. Defendant maintains that its actions regarding Mr. Kunnu were proper and lawful in all regards. However, all parties to this action desire to avoid the expenses and delays they would incur in litigating this case.

This Consent Decree constitutes the complete and exclusive agreement between

The Commission and Defendant. No waiver, modification, or amendment of any provision of this Decree shall be effective unless made in writing. No representations or inducements to compromise this action have been made, other than those recited or referenced in this Decree. In the event this proposed Consent Decree is not approved or does not become final, it shall not be admissible in evidence in any subsequent proceeding in this action.

The Court has reviewed the terms of the proposed Consent Decree in light of the applicable laws and regulations, the statements and representations of counsel for all parties, and hereby approves the Consent Decree.

It is hereby ORDERED, ADJUDGED AND DECREED:

I. JURISDICTION

The United States District Court for the Middle District of Tennessee, Nashville Division, has jurisdiction over the parties and subject matter of this litigation.

II. SCOPE AND DURATION OF DECREE

A. This Consent Decree resolves all issues and claims arising out of or that could have arisen out of Charge of Discrimination No. 253-2005-02784 filed with the Commission by Oluseyi Kunnu and the Commission's Complaint in this cause alleging unlawful employment practices by Defendant. Notwithstanding any provisions contained in this Decree, this agreement shall not be considered in any manner to be dispositive of any charge now pending before any office of the Commission other than Charge No. 253-2005-02784.

B. The provisions of this Consent Decree shall continue to be effective and binding upon the parties to this action for one year.

III. INJUNCTION PROVISIONS

A. The Defendant, its officers, agents, employees, and all persons acting in concert with the Defendant are hereby enjoined from discriminating against employees or applicants for employment because of their race in regard to hiring, termination, and other terms, conditions, and privileges of employment.

B. The Defendant, its officers, agents, employees, and all persons acting in concert with the Defendant shall not engage in any employment practice which has the purpose or effect of discriminating against any individual on the basis of race.

IV. NON-RETALIATION PROVISION

The Defendant, its officers, agents, employees, and all persons acting in concert with the Defendant shall not discriminate against any individual because such individual has opposed any act or practice made unlawful by Title VII or because such individual made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under Title VII.

V. TRAINING

Defendant shall provide training for all of its U-Haul Co. of Nashville general managers regarding Title VII.

(a) The training will include the following topics: what constitutes employment discrimination in violation of Title VII; how to prevent, identify and remedy discrimination in violation of Title VII; what constitutes retaliation in violation of Title VII; Defendant's policy against illegal discrimination and retaliation; and implementation of Defendant's policy against employment discrimination, including procedures and responsibilities for reporting, investigating and remedying conduct an employee believes may constitute

employment discrimination under Title VII.

(b) The training will be conducted by November 15, 2007.

(c) Defendant will provide a signed roster of all attendees who received the training and the date of the training.

(d) Defendant will notify Faye A. Williams, Regional Attorney, within ten days after the training has been completed.

VI. NOTICE POSTING

The Defendant shall continue to conspicuously post at its Nashville, Tennessee, facilities the notice (posters) required to be posted by Title VII. Furthermore, the Defendant shall conspicuously post the notice attached hereto as Appendix A of this Decree at its Elysian Fields facility in Nashville, Tennessee, for one year commencing within ten (10) days after entry of this Decree by the Court.

VII. INDIVIDUAL RELIEF

The Defendant shall pay Oluseyi Kunnu \$35,000.00, of which \$17,500.00 is to be considered back pay, and \$17,500.00 compensatory damages. Within ten days after entry of the Decree, Defendant shall pay "Oluseyi Kunnu" the amount of \$35,000.00, less appropriate withholding including federal income tax and social security, and mail payment to the following address:

Oluseyi Kunnu
282 Richbriar Road
Nashville, TN 37211

VIII. COSTS

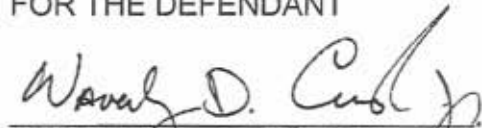
Each of the parties shall bear its own costs, including attorneys' fees.

IT IS SO ORDERED THIS __ DAY OF _____, 2007.



ROBERT L. ECHOLS
UNITED STATES DISTRICT JUDGE

FOR THE DEFENDANT



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FOR THE COMMISSION

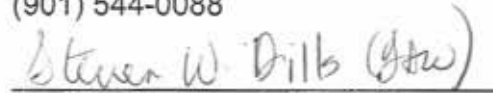
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NOTICE

1. Federal law requires that there be no discrimination against any employee because of race under the Title VII of the Civil Rights Act of 1964.
2. U-Haul Co. of Nashville supports and will continue to comply with such Federal law in all respects and will not take any action against employees because they have exercised their rights under the law by filing charges with the Equal Employment Opportunity Commission and/or testified, assisted or participated in any manner in any investigation, proceeding or hearing under the Title VII of the Civil Rights Act of 1964.
3. The posting of this Notice by U-Haul Co. of Nashville does not constitute an admission by it or U-Haul Co. of Tennessee of any liability under Federal law.
4. This Notice shall be posted for one year.

SIGNED this ____ day of _____, 2007.

Monic Patrick, President
U-Haul Co. of Tennessee