



uncertainties and expenses of continued litigation, under the terms in the Decree.

IT IS ORDERED, ADJUDGED AND DECREED as follows:

1. This Court has jurisdiction of the subject matter of this action and the parties, venue is proper, and all administrative prerequisites to the EEOC's filing of this action have been met. The parties stipulate to the Court's jurisdiction.

2. This Decree is entered in full and complete settlement of all claims contained in this lawsuit. The EEOC expressly reserves its right to process and litigate any other charges (other than EEOC Charge No. 360 98 0283 filed by Mary S. Sueltenfuss against HCMH) which may now be pending or may in the future be filed against Defendant HCMH.

3. The duration of this Decree shall be one year from the date of its filing with the Court. This Court shall retain jurisdiction of this action during the period of this Decree and may enter further orders or modifications as may be appropriate.

4. Defendant HCMH is enjoined from engaging in any type of sexual harassment.

5. Defendant will provide the following EEO training:

a. Within 180 days of the date of entry of this Decree, Defendant shall provide EEO training to all managerial, supervisory, and non-supervisory employees of Defendant HCMH of not less than 2 hours. The training shall: (a) explain that sexual harassment is unlawful; (b) instruct what conduct may constitute sexual harassment; (c) explain the damaging effects of sexual harassment on its victims, their families, their co-workers, and the workplace environment; and (d) ensure that supervisors and management personnel know how to enforce the hospital's anti-harassment policies.

b. Defendant will provide similar training consisting of not less than one hour

to all persons with hospital privileges.

- c. Within 20 days prior to the date scheduled for this training, HCMH shall furnish to the EEOC a written report describing the EEO training, identifying the instructors and describing their qualifications to conduct such training, along with copies of all training materials, and the EEOC shall have the right to approve of such training and the instructors. Within 20 days after the EEO training has been completed, HCMH shall provide to the EEOC a written report identifying each individual who attended this training and the date(s) and time of attendance.

6. Defendant will not be deemed to have violated paragraphs 4 and 5, unless the Court enters a judgment finding a violation.

7. Defendant HCMH agrees to post a notice, for at least the duration of this Decree, of its intent to comply with Title VII. This notice is set forth in Exhibit "A," which is attached to this Decree. HCMH agrees to post a copy of Exhibit "A" in a conspicuous place at HCMH facilities in Fredericksburg, Texas, within ten days after this Decree is filed.

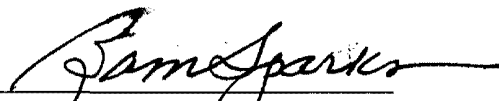
8. Defendant HCMH, in settlement of this dispute, shall pay to Mary S. Sueltenfuss the sum total of \$95,000.00 (NINETY-FIVE THOUSAND AND 00/100 DOLLARS) and payment shall be mailed directly to Jeffrey Goldberg, The Law Office of Jeffrey A. Goldberg, Colonnade I Bank of America Bldg., 9901 IH10 West, Suite 690, San Antonio, Texas 78230. The payment shall be forwarded by Defendant's agent to Mr. Goldberg by October 4, 2000. A copy of the settlement check, and any accompanying transmittal documents shall be forwarded to Robert Harwin, Regional Attorney, San Antonio District Office, United States Equal Employment Opportunity Commission, 5410 Fredericksburg Road, Suite 200, San Antonio, Texas 78229.

9. The terms of this Decree shall be binding upon the EEOC, Mary S. Sueltenfuss and Defendant HCMH, its agents, officers, employees, servants, successors, and assigns, as to the issues resolved herein.

10. Plaintiff EEOC and Defendant HCMH agree to sign and execute this Decree contemporaneously with the settlement agreement between Defendant HCMH and Mary S. Sueltenfuss.

11. The parties to this Decree shall bear their own costs and attorney's fees incurred in this action. The parties agree that pursuant to Section 706(k) of Title VII, 42 U.S.C. § 2000e-5(k), there is no "prevailing party" in this action or proceeding.

SO ORDERED AND ENTERED 19<sup>th</sup> day of October, 2000.

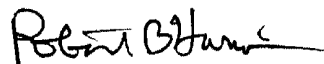


JUDGE SAM SPARKS  
UNITED STATES DISTRICT JUDGE

Respectfully submitted,

C. GREGORY STEWART  
General Counsel

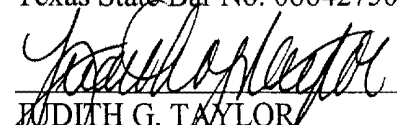
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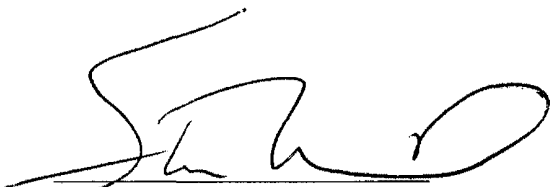
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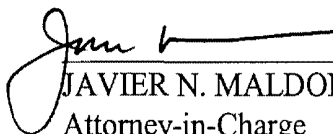


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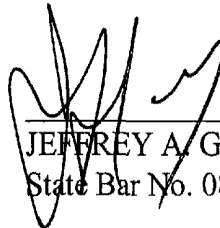


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**EXHIBIT "A"**