

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

FILED

JAN 04 2000

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY [Signature]  
DEPUTY CLERK

EQUAL EMPLOYMENT OPPORTUNITY )  
COMMISSION, )  
Plaintiff, )  
v. ) Civil Action No. SA99CA0119EP  
INSIGNIA RESIDENTIAL GROUP, L.P., )  
Defendant. )  
\_\_\_\_\_ )

**CONSENT DECREE**

The parties to this Consent Decree are the Plaintiff, United States Equal Employment Opportunity Commission ("EEOC"), and Apartment Investment and Management Company, successor-in-interest to Defendant Insignia Residential Group, L.P. ("Defendant"). This Consent Decree resolves the above-referenced Civil Action No. SA99CA0119EP. The EEOC initiated this lawsuit under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. Section 2000e, et seq. ("Title VII") and Title I of the Civil Rights Act of 1991, 42 U.S.C. Section 1981a. The Complaint was filed to correct unlawful employment practice on the basis of race to provide appropriate relief to Robert W. Wimberly and William L. Edwards, because they were adversely affected by such practices. Defendant denies the allegations brought by the EEOC as alleged in the Complaint filed in this Civil Action.

The EEOC and Defendant wish to settle this action, without the necessity of further litigation, pursuant to the terms delineated

in this Consent Decree. This Consent Decree is not an admission of liability by Defendant.

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 filing of this action have been met. The Complaint states claims, which if proved, would authorize this Court to grant relief against Defendant pursuant to Title VII.

2. This Consent Decree resolves those claims against Defendant raised in EEOC's Complaint in this case. EEOC expressly reserves its right to process and litigate any other charges which may now be pending or may in the future be filed against Defendant.

3. Defendant, in settlement of this dispute, shall pay to each individual the sum of money as set out by their name, within 5 days of the Court's entry of this Consent Decree. Such payment shall be mailed directly to Judith G. Taylor at 5410 Fredericksburg Road, Suite 200, San Antonio, Texas, 78229-3555 or to each individual listed below at the address following his name:

- |    |  |            |
|----|--|------------|
| a. | Robert W. Wimberly<br>7403 Silent Spring<br>San Antonio, Texas 78205       | \$5,000.00 |
| B. | William L. Edwards<br>6623 Callaghan Rd. #3404<br>San Antonio, Texas 78229 | \$5,000.00 |

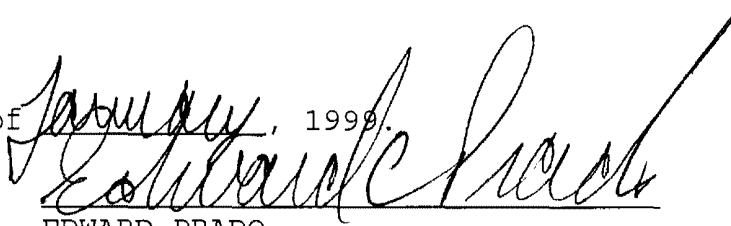
A copy of each check and accompanying transmittal papers shall be contemporaneously forwarded to Robert B. Harwin, Regional Attorney, EEOC, 5410 Fredericksburg Road, Suite 200, San Antonio, Texas 78229.

4. Terms of this Consent Decree shall be binding upon the EEOC and Defendant and its agents or assigns, as to the issues resolved herein.

5. The parties to this Consent 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. Section 2000e-5(k), there is no "prevailing party" in this action or proceeding.

SO ORDERED.

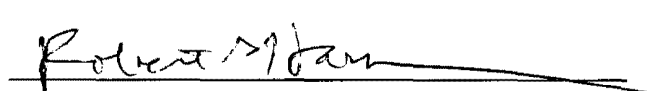
Signed this 4<sup>th</sup> day of January, 1999.

  
EDWARD PRADO  
United States District Judge

Respectfully submitted,

C. GREGORY STEWART  
General Counsel Designate

GWENDOLYN YOUNG REAMS  
Associate General Counsel

  
ROBERT B. HARWIN  
District of Columbia Bar No.  
076083

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LINDA GUTIERREZ  
Supervisory Trial Attorney  
Texas State Bar No. 08642750

*Teresa Burke Wright for*  
TERESA BURKE WRIGHT  
District of Columbia  
Bar No. 429196 *see fax signed sheet*

*Judith G. Taylor for*  
JUDITH G. TAYLOR  
Trial Attorney  
Texas State Bar No. 29708300

JONATHAN W. GREENBAUM  
District of Columbia  
Bar No. 412408

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ATTORNEYS FOR DEFENDANT

ATTORNEYS FOR PLAINTIFF

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