

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FILED
FEB - 4 2000
By NANCY DOHERTY, CLERK
Deputy

EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,

Plaintiff,

VS.

FENYVES & NERENBERG, M.D.P.A.,
formerly d/b/a MULTICARE FAMILY
CLINIC, et al.,

Defendants.

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Civil Action No. 3:97-CV-2322-D

ENTERED ON DOCKET
FEB - 7 2000
U.S. DISTRICT CLERK'S OFFICE

AMENDED JUDGMENT

The court hereby amends its judgment filed December 6, 1999 and substitutes the following amended judgment.

In memorandum opinions and orders filed July 6, 1998 and March 9, 1999, the court dismissed plaintiff Equal Employment Opportunity Commission's ("EEOC's") claims against all defendants except its claims for hostile work environment sexual harassment on behalf of Regina Moore ("Moore") and Cynthia Aguirre ("Aguirre") against defendant Fenyves & Nerenberg, M.D.P.A. ("Fenyves & Nerenberg"). The EEOC and Fenyves & Nerenberg tried those claims to a jury, which returned a verdict in favor of the EEOC concerning the EEOC's claim on behalf of Moore, and returned a verdict in favor of Fenyves & Nerenberg concerning the EEOC's claim on behalf of Aguirre.

Accordingly, it is ordered and adjudged that the EEOC's claims against defendants Texas Healthcare Network, Inc. ("THN") and Columbia/HCA Healthcare Corporation ("Columbia") are dismissed with prejudice. THC and Columbia shall recover from the EEOC their taxable costs of

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court, as calculated by the clerk of court.

It is further ordered and adjudged that the EEOC shall recover judgment from Fenyves & Nerenberg, on behalf of Moore, in the amount of \$50,000, together with post-judgment interest thereon at the rate of 5.670% per annum.

It is further ordered and adjudged that the EEOC's claim against Fenyves & Nerenberg, on behalf of Aguirre, is dismissed with prejudice.

It is further ordered and adjudged that Fenyves & Nerenberg, its officers, agents, servants, employees, successors, and assigns, and all persons in active concert or participation with them who receive actual notice of this judgment by personal service or otherwise, are hereby permanently enjoined from (1) engaging in any employment practice that discriminates on the basis of sex by subjecting an employee to hostile work environment sexual harassment and (2) from operating any business without adopting an effective policy against sexual harassment, effective procedures for complaining about sexual harassment, and posting conspicuous notice of the policy.

It is further ordered and adjudged that the EEOC shall recover from Fenyves & Nerenberg 75% of its taxable costs of court, as calculated by the clerk of court, and shall be responsible for 25% of its taxable costs of court.

Done at Dallas, Texas this 4th day of February, 2000.



SIDNEY A. FITZWATER
UNITED STATES DISTRICT JUDGE