

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

United States Courts  
Southern District of Texas  
ENTERED

OCT 31 2001

Michael N. Milby, Clerk of Court

EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION,  
Plaintiff,

§  
§  
§  
§  
§  
§  
§  
§

vs.

CIVIL ACTION NO. H-01-0216

NITE MOVES,  
Defendant.

**AGREED FINAL JUDGMENT**

Defendant, NITE MOVES (“Defendant”), made an offer to allow entry of judgment pursuant to Rule 68 of the Federal Rules of Civil Procedure. The offer, after some negotiation, was accepted by Plaintiff Equal Employment Opportunity Commission (“EEOC”), on behalf of Natalie Williams. The Court finds that the parties are in agreement that judgment should be entered as follows:

IT IS THEREFORE ORDERED that Plaintiff EEOC (on behalf of Natalie Williams) have and recover judgment against Defendant in the sum of Two Thousand and No/100 dollars (\$2,000), which sum includes costs and attorney’s fees accrued or incurred through the date of this offer. The Court finds that according to the stipulation of the parties, this sum has been paid in full by Defendant.

IT IS FURTHER ORDERED that Defendant shall comply with all requirements of Title VII of the Civil Rights Act, 1964, as amended.

IT IS FURTHER ORDERED that Nite Moves permit the Equal Employment Opportunity Commission to review compliance with any provision of this Agreed Final Judgment. As a part of such review, the Commission may require written reports regarding compliance, may inspect Nite

#17

Moves' premises at reasonable times, interview witnesses, and examine and copy relevant documents. Any request for such documents will be made by and through Attorney of Record for Defendant, Andrew J. Sarne, at DUNN, KACAL, ADAMS, PAPPAS, & LAW, 1 Riverway Suite1200, Houston, Texas, 77056. Reports will be furnished to Elizabeth Treviño, Senior Trial Attorney, EEOC, Houston District Office, 1919 Smith Street, 7<sup>th</sup> Floor, Houston, Texas 77002

IT IS FURTHER ORDERED THAT this Agreed Final Judgment is being entered pursuant to an Offer of Judgment made for the purposes specified in Rule 68 of the Federal Rules of Civil Procedure which is not an admission that Defendant is liable in this action.

IT IS FURTHER ORDERED THAT Natalie Williams hereby waives, releases and covenants not to sue Defendant with respect to any matters which were or might have been alleged as charges filed with the Equal Employment Opportunity Commission, subject to performance by Nite Moves of the promises and representations provided for in this Agreed Final Judgment. The Commission shall determine whether Nite Moves has complied with the Agreement.

IT IS FURTHER ORDERED THAT Defendant shall not engage in any unlawful discrimination or retaliation of any kind against any person because of opposition to any practice declared unlawful under Title VII or because of any of the following: the filing of a charge of discrimination, the giving of testimony or assistance; or the participation in any manner in any investigation, proceeding, or hearing under Title VII.

IT IS FURTHER ORDER THAT the settlement of this case (H:01-0216) is intended to be without prejudice to other cases Nite Moves may have pending before the Commission.

IT IS FURTHER ORDERED THAT Defendant will comply with the provisions of this Agreed Final Judgment for a period of three (3) years from the date of entry.

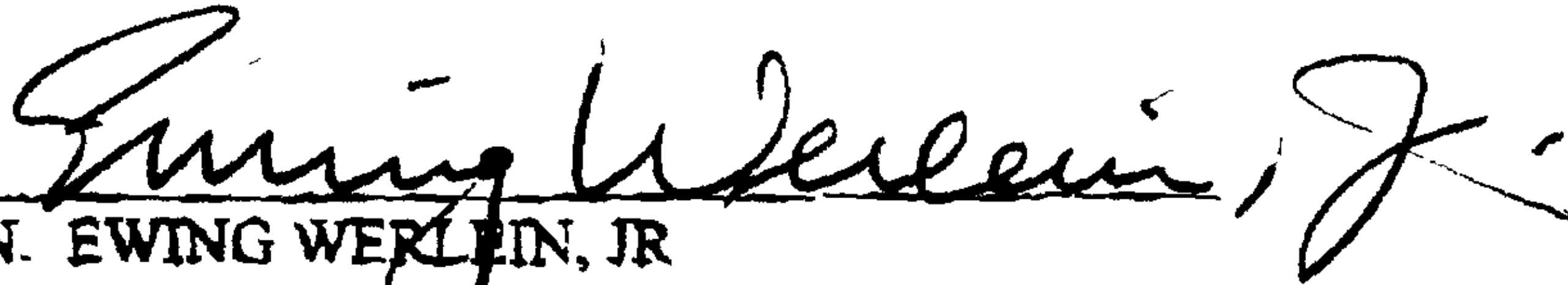
IT IS FURTHER ORDERED THAT within seven (7) calendar days following entry of judgment Defendant shall post in conspicuous locations on its premises, a NOTICE describing protections of the federal laws that prohibit job discrimination. The Commission will provide at no cost, a poster titled "Equal Opportunity is the Law," which summarizes protections against discrimination under laws enforced by the Commission.

IT IS FURTHER ORDERED THAT Defendant will conduct a minimum of one training session each calendar year for the duration of this Agreement with all management and supervisory personnel, and for employees working for it, addressing the Title VII Civil Rights Act of 1964, as amended, with emphasis on sex discrimination including pregnancy, and management's role and responsibility in addressing and correcting the issue.

IT IS FURTHER ORDERED THAT Defendant will develop a policy and distribute it to all of its employees. The policy will state that the Company supports and will comply with the Federal laws in all respects and will take no action against any employee because they have exercised their rights under the laws by filing charges, giving testimony, or participating in an investigation by the EEOC. The policy will be approved by the EEOC. Nite Moves' management will be reminded of this policy at least annually.

IT IS FURTHER ORDERED THAT should Defendant be found to be in violation of any or all of the foregoing paragraphs, notice will be sent, via certified mail, return receipt requested, to Defendant, with copy to its Attorney of Record, notifying it of any violation(s), and giving it ten (10) days in which to cure, address, or otherwise remedy such violation(s).

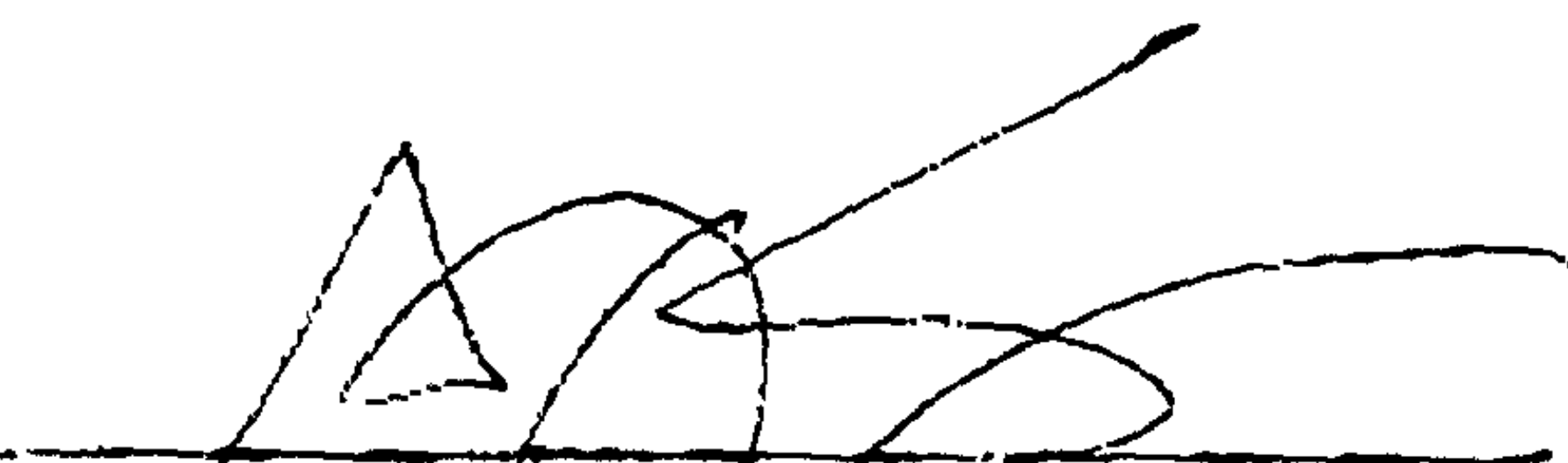
IT IS FURTHER ORDERED that all other relief requested herein is denied. All costs are taxed to the party incurring them.

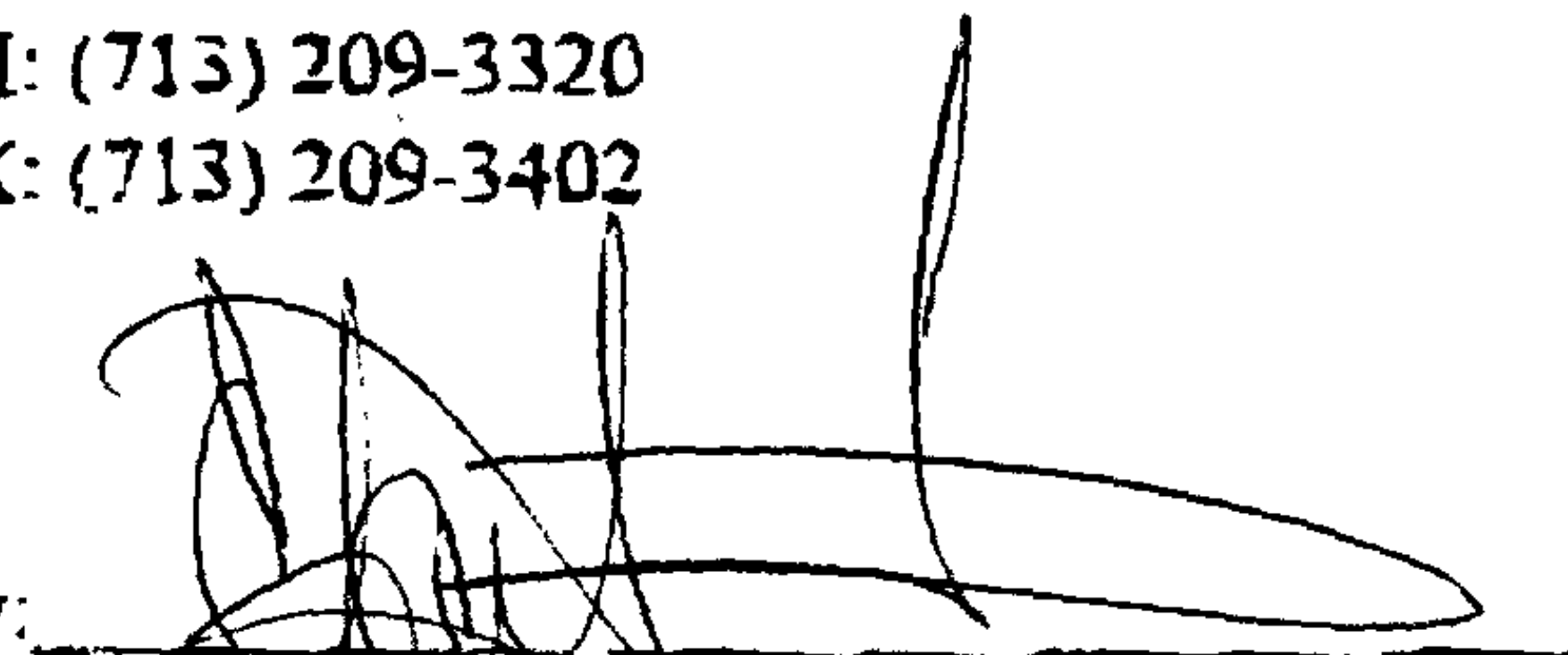
Oct, 30, 2001   
HON. EWING WERLEIN, JR  
UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM:

DUNN, KACAL, ADAMS, PAPPAS & LAW  
2929 Allen Parkway, Suite 2600  
Houston, Texas 77019  
PH: (713) 529-3992  
FX: (713) 529-8161

EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION  
1919 Smith Street, 6<sup>th</sup> Floor  
Houston, Texas 77002  
PH: (713) 209-3320  
FX: (713) 209-3402

By:   
Andrew J. Sarné

By:   
Elizabeth Treviño

Attorney for Defendant NITE MOVES

Attorney for Plaintiff EEOC