



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. EEOC expressly reserves its right to process and litigate any other charges (other than EEOC Charge No. 360 97 0871 filed by Georganne Smith against Plant Interscapes) which may now be pending or may in the future be filed against Defendant Plant Interscapes.

3. The duration of this Decree shall be two years 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 Plant Interscapes is enjoined from engaging in any employment practice which discriminates on the basis of sex, including termination.

5. Within 180 days of the date of entry of this Decree, Kay Grimes, Attorney at Law, shall provide EEO training to all managerial, supervisory, and non-supervisory employees of Defendant Plant Interscapes of not less than 2 hours. The training shall: (a) explain that sex discrimination is unlawful; (b) instruct what conduct may constitute sexually-oriented discrimination; and (c) explain the damaging effects of discrimination based on sex to victims, their families, their co-workers, and the workplace environment. Within 30 days after the date scheduled for this training, Plant Interscapes shall furnish to the EEOC a written report describing the EEO training, copies of all training materials, along with identifying each individual who attended this training and the date(s) and time of attendance.

6. Defendant Plant Interscapes 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. Plant Interscapes agrees to post a copy of Exhibit "A" in a conspicuous place

at Plant Interscapes' facilities in San Antonio, Texas, within ten days after this Decree is filed.

7. Defendant Plant Interscapes, in settlement of this dispute, shall pay to Georganne Smith, the sum total of \$5,500.00 (FIVE THOUSAND, FIVE HUNDRED DOLLARS AND 00/100). Payment shall be mailed directly to, Georganne Smith, 241 CR 5720, Castroville, Texas 78009, within 30 days of the Court entering this Decree. A copy of the settlement checks and any accompanying transmittal documents shall be forwarded to the EEOC to the attention of Robert B. Harwin, Regional Attorney, 5410 Fredericksburg Road, Suite 200, San Antonio, Texas 78229.

8. The terms of this Decree shall be binding upon the EEOC and Defendant Plant Interscapes, its agents, officers, employees, servants, successors, and assigns, as to the issues resolved herein.

9. 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 3rd day of October, 2000.

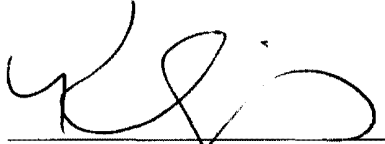


H.F. GARCIA  
UNITED STATES DISTRICT JUDGE

Respectfully submitted,

C. GREGORY STEWART  
General Counsel

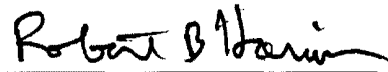
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ATTORNEYS FOR PLAINTIFF

**NOTICE TO ALL EMPLOYEES**

PLANT INTERSCAPES, INC. SUPPORTS FEDERAL LAW REQUIRING THERE BE NO DISCRIMINATION AGAINST ANY APPLICANT OR EMPLOYEE BECAUSE OF HIS OR HER RACE, COLOR, SEX, NATIONAL ORIGIN, RELIGION, AGE OR DISABILITY AND REAFFIRMS ITS COMMITMENT NOT TO DISCRIMINATE AGAINST ANY APPLICANT OR EMPLOYEE ON ANY TERM OR CONDITION OF EMPLOYMENT.

PLANT INTERSCAPES, INC. WILL NOT DISCRIMINATE AGAINST ANY EMPLOYEE FOR OPPOSING EMPLOYMENT DISCRIMINATION OR FOR FILING OR PARTICIPATING IN A CHARGE OF EMPLOYMENT DISCRIMINATION.

IF YOU BELIEVE YOU ARE BEING DISCRIMINATED AGAINST IN ANY TERM OR CONDITION OF YOUR EMPLOYMENT BECAUSE OF YOUR RACE, RELIGION, COLOR, NATIONAL ORIGIN, SEX, AGE, OR DISABILITY, OR THAT YOU ARE BEING SUBJECTED TO HARASSMENT BECAUSE OF YOUR SEX OR HAVING ENGAGED IN TITLE VII-PROTECTED ACTIVITY, YOU ARE ENCOURAGED TO SEEK ASSISTANCE FROM SUPERVISORY PERSONNEL, THE PERSONNEL DEPARTMENT, OR FROM THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION, 5410 FREDERICKSBURG ROAD, SUITE 200, SAN ANTONIO, TEXAS 78229-3550, (210) 281-7600 OR 1-800-669-4000.

NO RETALIATORY ACTION MAY BE TAKEN AGAINST YOU FOR SEEKING ASSISTANCE, FILING A CHARGE, OR COMMUNICATING WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION.

EEOC ENFORCES TITLE VII OF THE CIVIL RIGHTS ACT OF 1964, WHICH PROHIBITS EMPLOYMENT DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX OR NATIONAL ORIGIN; THE AGE DISCRIMINATION IN EMPLOYMENT ACT; THE EQUAL PAY ACT; PROHIBITIONS AGAINST DISCRIMINATION AFFECTING INDIVIDUALS WITH DISABILITIES; SECTIONS OF THE CIVIL RIGHTS ACT OF 1991, AND TITLE I OF THE AMERICANS WITH DISABILITIES ACT, WHICH PROHIBITS DISCRIMINATION AGAINST PEOPLE WITH DISABILITIES IN THE PRIVATE SECTOR AND STATE AND LOCAL GOVERNMENTS.

**EXHIBIT "A"**