

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

UNITED STATES COURTS
SOUTHERN DISTRICT OF TEXAS
FILED
APR 23 2002

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION, §

Plaintiff, §

v. §

PRINCE FOOD SYSTEMS, INC., §

Defendant. §

CIVIL ACTION NO. H-01-0494

JURY TRIAL

MICHAEL N. MILBY CLERK OF COURT

United States Courts
Southern District of Texas
ENTERED

APR 26 2002

AGREED FINAL JUDGMENT

Michael N. Milby, Clerk of Court

Trial of this case began on March 26, 2002, and on March 28, 2002, the parties agreed that this matter be resolved by the entry of this Agreed Final Judgment, which consists of the following terms:

1. Defendant Prince Food Systems, Inc. ("Prince") shall pay the sum of ONE HUNDRED SEVENTY-FIVE THOUSAND DOLLARS (\$175,000.00); of this amount, SEVENTY-FIVE THOUSAND (\$75,000.00) shall be paid on or before April 27, 2002, and the balance (\$100,000.00) shall be paid in quarterly payments of TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) each on or before the following dates: September 1, 2002; December 1, 2002; March 1, 2003; and June 1, 2003.

2. The payments of the ONE HUNDRED SEVENTY-FIVE THOUSAND DOLLARS (\$175,000.00) made pursuant to paragraph 1 shall be made directly to the Registry of the Court, which will then disburse the funds in accordance with the Order for Disbursement of Judgment Funds which is being filed in conjunction with this Agreed Final Judgment.

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3. Payment of the amounts referenced in the preceding paragraphs has been personally guaranteed by Charles Prince.

4. Within sixty (60) days of the entry of this judgment, management personnel at Prince's Fluor Daniel location shall attend a training seminar in federal anti-discrimination law. Todd Coutee and Steve Caudle from Prince's corporate office also shall attend this seminar. Prior to the seminar, an outline of the training presentation materials will be provided to the EEOC's Houston District Office, and written verification of attendance will be submitted to the EEOC's Houston District Office within ten (10) days after the completion of the training. The written verification of attendance will include the names and titles of all attendees.

5. Prince shall issue to Steven Scott Caffrey and Antonio Manuel Arevalo letters of final warning, which will state that these managers are subject to termination upon any provable allegations of future discrimination or harassment; these letters need not admit any past wrongdoing.

6. Prince shall send to Jennifer Perez and Don Bell letters of regret, which need not contain an admission of liability. Ms. Perez and Mr. Bell should not publish these letters or make their content known to the general public.

7. Within sixty (60) days from the entry of this judgment, Prince will provide to the EEOC's Houston District Office census data about the racial composition [listing the races of employees by type of job, and distinguishing management employees from non-management and non-salaried employees] of its workforce at each of its [approximately 27] locations. After the EEOC has reviewed this data, the EEOC may propose hiring goals for Prince's locations at which African-Americans may be under-represented, in comparison with the available workforce in that

area. Should the EEOC determine that hiring goals would be appropriate, the parties will attempt to agree upon reasonable goals; should the parties be unable to reach agreement upon such goals, the parties may seek the assistance of this Court (potentially through a United States Magistrate Judge assigned by this Court) in setting reasonable goals.

8. Prince shall provide to Jennifer Perez a neutral letter of reference.

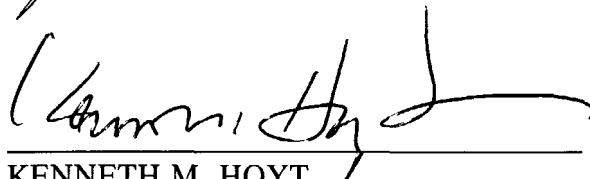
9. Prince shall file periodic EEO-1 reports, as required by federal regulations. See 29 C.F.R. § 1602.7 et seq.

10. The parties will attempt to agree upon the text of a press release to be issued upon the Court's entry of this judgment.

11. This judgment resolves all claims for sexual harassment, racial harassment, race discrimination in compensation, retaliation, and race discrimination in hiring which were alleged in the EEOC's Complaint in Civil Action No. H-01-0494, or which could have been brought pursuant to EEOC Charge of Discrimination Nos. 330-A0-0237 or 330-A0-1294; it is therefore ORDERED that C.A. No. H-01-0494 is hereby fully and finally resolved, pursuant to the terms of this Judgment.

12. The Court will retain jurisdiction to enforce the terms of this judgment.

Signed on this 25th day of April, 2002.


KENNETH M. HOYT
United States District Judge