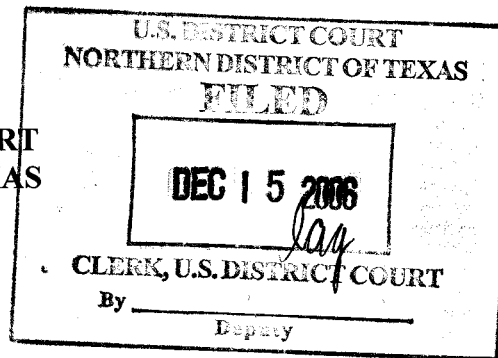


*EGM*

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



EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION,

Plaintiff,

v.

SIMRAN INVESTMENTS, INC.

Defendant.

CIVIL ACTION NO.  
3-05CV1882M

CONSENT DECREE

THIS CONSENT DECREE is made and entered into by and between the Equal Employment Opportunity Commission ("EEOC"), and Simran Investments, Inc., in the United States District Court for the Northern District of Texas, Dallas Division, with regard to the EEOC's Complaint filed in Civil Action No. 3-05-CV-1882-M ("Complaint"). The Complaint is based upon a Charge of Discrimination filed by Charging Party Rosa Morales ("Morales") against the Defendant employer.

The above-referenced Complaint alleges that the Defendant, Simran Investments, Inc., violated Title VII of the Civil Rights Act of 1964 and Title I of the Civil Rights Act of 1991, by subjecting Ms. Morales to a sexually hostile work environment and constructively discharging her. Defendant states that Simran Investments, Inc. no longer conducts business <sup>*mfc*</sup> ~~in the state of Texas~~. Defendant further states that it terminated Store Manager Hasanali Samnani before ceasing doing business.

The EEOC and the Defendant Simran Investments, Inc. agree to compromise and settle the issues and that the terms and conditions of the compromise and settlement be set forth in this Consent Decree ("Consent Decree"). It is understood and agreed that this Consent Decree is in compromise of disputed claims, and that this Consent Decree shall not in any way be construed as an admission by Simran Investments, Inc. of a violation of any federal, state, or local statute, law or regulation, or a violation of any right of Morales or any other person.

NOW, THEREFORE, in consideration of the mutual promises and agreements set forth herein, the sufficiency of which is hereby acknowledged, the parties agree as follows, <sup>and mfl mfl</sup> the Court finds <sup>mer</sup> appropriate and therefore, it is ORDERED, ADJUDGED AND DECREED that:

1. This Consent Decree resolves all issues raised in EEOC Charge No.310-2004-04402. This Decree further resolves all issues in the Complaint filed by the EEOC in this civil action. The EEOC waives further claims and/or litigation on all issues raised in the above-referenced Charge and Complaint. The EEOC does not waive processing or litigating charges other than the above-referenced Charge.

2. ~~If~~ Defendant resumes business during the term of this Consent Decree and employs 15 or more employees, Defendant:

A. Will conduct all employment practices in a manner which does not subject any employee to gender discrimination, including sexual harassment and retaliation under Title VII of the Civil Rights Act and Title I of the Civil Rights Act of 1991.

B. Will not rehire Hasanali Samnani.

C. Will adopt and implement a policy against sexual harassment on the job, including a reporting procedure for handling complaints of sexual harassment.

D. Will train all employees of the entity twice a year advising them of the requirements and prohibitions of Title VII of the Civil Rights Act of 1964. The training will inform the employees of the complaint procedure for individuals who believe they have experienced discrimination. The training will also advise the employees of the consequences of violating Title VII. The training will also include a specific discussion or instruction relating to the issue of sexual harassment. The training shall be at least two hours in duration. Simran Investments, Inc. agrees to give written notice to the EEOC confirming that the training has been conducted within 14 days after completion of the training.

3. Simran Investments, Inc. agrees to provide a neutral employment reference for Morales, providing the dates of her employment, last position held and the last salary earned.

4. Simran Investments, Inc. agrees that there shall be no discrimination or retaliation of any kind against any person involved in the referenced charge or litigation including Morales because of opposition to any practice declared unlawful under Title VII, or because of the filing of a charge, giving testimony or assistance or participating in any manner in any investigation, proceeding or hearing under Title VII.

5. Defendant Simran Investments, Inc. agrees to pay Morales the amount of \$20,000 to resolve all claims for damages. Payment shall be made in two installments by cashier's check made payable to Rosa Morales and shall be sent to EEOC attorney Toby W. Costas, 207 S. Houston Street, Third Floor, Dallas, Texas 75202, within 14 days of entry of this Consent Decree. The second installment of \$10,000 shall be due within 45 days of entry of this Consent Decree. Defendant Simran Investments, Inc. agrees to report to the EEOC within five business days of each payment

regarding its compliance with the payment provision set forth in this paragraph including providing a photocopy of each check.

6. All reports to the EEOC required by this Decree shall be sent to Toby W. Costas, Supervisory Trial Attorney, EEOC, 207 S. Houston, Third Floor, Dallas, Texas 75202.

7. If Defendant Simran Investments, Inc. fails to tender payment or otherwise fails to timely comply with the terms of paragraphs 2-5, above, Defendant Simran Investments, Inc. shall:

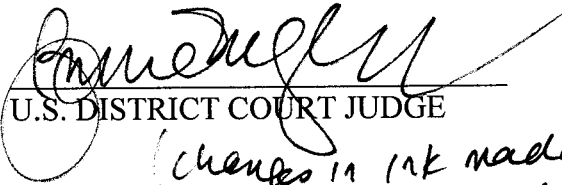
- a. Pay interest at the rate calculated pursuant to 26 U.S.C. Section 6621(b) on any untimely or unpaid amounts from date of non-compliance; and
- b. Bear any additional costs incurred by the EEOC caused by the non-compliance or delay of the Defendant.

8. Neither the EEOC nor Defendant Simran Investments, Inc. shall contest the validity of this Consent Decree nor the jurisdiction of the federal district court to enforce this Consent Decree and its terms or the right of either party to the Consent Decree to bring an enforcement action upon breach of any term of this Consent Decree by either such party. Nothing in this Decree shall be construed to preclude the EEOC from enforcing this Decree in the event that Defendant Simran Investments, Inc. fails to perform the promises and representations contained herein. The EEOC shall determine whether Defendant Simran Investments, Inc. has complied with the terms of this Consent Decree and shall be authorized to seek compliance with the Consent Decree through civil action in the United States District Court.

9. The term of this Decree shall be for two (2) years.

10. All terms of this Consent Decree are based on the unique facts and circumstances of this particular lawsuit and are neither binding nor shall serve as precedent for any future Consent Decrees to which the Plaintiff EEOC is a party.

SO ORDERED, ADJUDGED AND DECREED this 15 day of December, 2006.

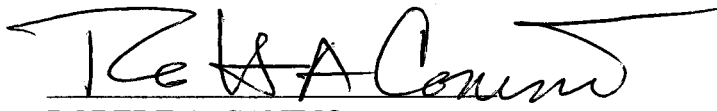
  
U.S. DISTRICT COURT JUDGE

*(changes in ink made  
by J. Lynn after  
attorneys' signatures)*

AGREED AS TO FORM AND SUBSTANCE:

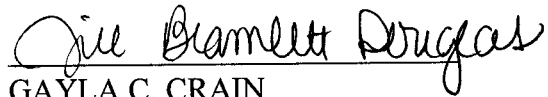
Signed this 15 day of December, 2006.

FOR THE PLAINTIFF:

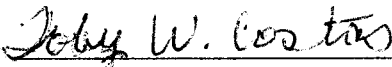


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