

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

FILED \_\_\_\_\_ ENTERED \_\_\_\_\_  
LODGED \_\_\_\_\_ RECEIVED \_\_\_\_\_

MAR 08 2012

AT SEATTLE  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON DEPUTY

BY

THE HONORABLE JAMES L. ROBERT



10-CV-01150-ORD

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff )  
 )  
 v. )  
 )  
 SUMMERHILL PLACE, LLC, )  
 GRAN, INC., and RITA LOVEJOY, )  
 )  
 Defendants. )

NO. 2:10-cv-01150-JLR

STIPULATION AND ORDER  
REGARDING DISTRIBUTION OF  
SETTLEMENT FUND

cc to disapp

The Court entered a Consent Order in this case on March 8, 2011, resolving the United States' lawsuit alleging that defendants Summerhill Place, LLC, GRAN, Inc. and Rita Lovejoy ("defendants") engaged in a pattern or practice of discrimination on the basis of race, color, national origin and familial status in violation of the Fair Housing Act, 42 U.S.C. §§ 3601-3619. Defendants deny the United States' allegations and specifically deny that they discriminated on the basis of race, color, national origin, or familial status. This is a compromise of a disputed claim and should not be

Stipulation and Order Regarding Distribution of Settlement Fund - 1

United States Department of Justice  
Civil Rights Division  
Housing and Civil Enforcement Section  
950 Pennsylvania Ave., N.W.- G Street  
Washington, D.C., 20530  
202-307-6275

1 construed in any way as an admission by defendants of any liability whatsoever or as admission by  
2 defendants of any wrongdoing.

3 Paragraph 27 of the Consent Order directed the defendants to "deposit \$85,000 in an interest  
4 bearing escrow account for the purpose of compensating persons who are deemed by the United States  
5 to be aggrieved persons" ("the Settlement Fund"). The Settlement Fund is to be paid to aggrieved  
6 persons as determined by the United States, or to a qualified organization if there is excess amounts in  
7 the Settlement Fund.

8 Paragraphs 33 and 34 of the Consent Order describe a process for the parties to attempt to reach  
9 agreement on an appropriate amount of damages that should be paid to aggrieved persons. In addition,  
10 Paragraph 34 of the Consent Order provides that the funds are to be distributed after the Court issues  
11 an order approving or changing the proposed distribution of funds. The United States has identified 21  
12 aggrieved persons and has provided copies of sworn declarations from each aggrieved person to the  
13 defendants pursuant to paragraph 33 of the Consent Order.<sup>1</sup> The defendants do not contest the  
14 identified aggrieved persons.

15 Thus, the United States and the defendants stipulate to the following payments, subject to  
16 appropriate withholding of taxes, if any, to those individuals (listed below) identified as aggrieved  
17 parties by the United States:

18  
19  
20

---

21 <sup>1</sup> The United States will provide copies of the declarations to the Court upon the Court's request.

22

24  
25  
26

1	<u>Aggrieved Person</u>	<u>Payment Amount</u>
2	Seema Bhatia	\$2,750 plus an equal share of the interest accrued on the \$85,000 Settlement Fund between the date of its creation, and the date the defendants issue the checks to the aggrieved persons.
6	Ronald Tyrone Blackwell	\$5,500 plus an equal share of the interest accrued on the \$85,000 Settlement Fund between the date of its creation, and the date the defendants issue the checks to the aggrieved persons.
10	Felamex Case	\$2,750 plus an equal share of the interest accrued on the \$85,000 Settlement Fund between the date of its creation, and the date the defendants issue the checks to the aggrieved persons.
14	Kenneth Case	\$2,750 plus an equal share of the interest accrued on the \$85,000 Settlement Fund between the date of its creation, and the date the defendants issue the checks to the aggrieved persons.
18	Brandy Davis	\$2,750 plus an equal share of the interest accrued on the \$85,000 Settlement Fund between the date of its creation, and the date the defendants issue the checks to the aggrieved persons.

22  
23  
24  
25  
26

Stipulation and Order Regarding Distribution of Settlement Fund - 3

United States Department of Justice  
Civil Rights Division  
Housing and Civil Enforcement Section  
950 Pennsylvania Ave., N.W. - G Street  
Washington, D.C., 20530  
202-307-6275

1 Justin Davis \$2,750 plus an equal share of the interest accrued on the  
2 \$85,000 Settlement Fund between the date of its creation,  
3 and the date the defendants issue the checks to the  
4 aggrieved persons.

5 Betty Gibbins \$5,500 plus an equal share of the interest accrued on the  
6 \$85,000 Settlement Fund between the date of its creation,  
7 and the date the defendants issue the checks to the  
8 aggrieved persons.

9 Lavanya Godisela \$4,000 plus an equal share of the interest accrued on the  
10 \$85,000 Settlement Fund between the date of its creation,  
11 and the date the defendants issue the checks to the  
12 aggrieved persons.

13 Amit Kathpalia \$2,750 plus an equal share of the interest accrued on the  
14 \$85,000 Settlement Fund between the date of its creation,  
15 and the date the defendants issue the checks to the  
16 aggrieved persons.

17 Sherrie Knoedler \$4,000 plus an equal share of the interest accrued on the  
18 \$85,000 Settlement Fund between the date of its creation,  
19 and the date the defendants issue the checks to the  
20 aggrieved persons.

21 Hortense Merchant \$5,500 plus an equal share of the interest accrued on the  
22 \$85,000 Settlement Fund between the date of its creation,

23 Stipulation and Order Regarding Distribution of Settlement Fund - 4

United States Department of Justice  
Civil Rights Division  
Housing and Civil Enforcement Section  
950 Pennsylvania Ave., N.W.- G Street  
Washington, D.C., 20530  
202-307-6275

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

and the date the defendants issue the checks to the aggrieved persons.

Arvind Mundra \$5,500 plus an equal share of the interest accrued on the \$85,000 Settlement Fund between the date of its creation, and the date the defendants issue the checks to the aggrieved persons.

Roy Nelson \$5,500 plus an equal share of the interest accrued on the \$85,000 Settlement Fund between the date of its creation, and the date the defendants issue the checks to the aggrieved persons.

Olga Parulkar \$3,500 plus an equal share of the interest accrued on the \$85,000 Settlement Fund between the date of its creation, and the date the defendants issue the checks to the aggrieved persons.

Vijay Parulkar \$3,500 plus an equal share of the interest accrued on the \$85,000 Settlement Fund between the date of its creation, and the date the defendants issue the checks to the aggrieved persons.

Falguni Shukla \$5,500 plus an equal share of the interest accrued on the \$85,000 Settlement Fund between the date of its creation, and the date the defendants issue the checks to the aggrieved persons.

Stipulation and Order Regarding Distribution of Settlement Fund - 5

United States Department of Justice  
Civil Rights Division  
Housing and Civil Enforcement Section  
950 Pennsylvania Ave., N.W.- G Street  
Washington, D.C., 20530  
202-307-6275

1 Priyatham Sundar \$4,000 plus an equal share of the interest accrued on the  
2 \$85,000 Settlement Fund between the date of its creation,  
3 and the date the defendants issue the checks to the  
4 aggrieved persons.

5 Vijaya Sundar \$5,500 plus an equal share of the interest accrued on the  
6 \$85,000 Settlement Fund between the date of its creation,  
7 and the date the defendants issue the checks to the  
8 aggrieved persons.

9 Chi Ling Tsou \$4,000 plus an equal share of the interest accrued on the  
10 \$85,000 Settlement Fund between the date of its creation,  
11 and the date the defendants issue the checks to the  
12 aggrieved persons.

13 Robert West \$3,500 plus an equal share of the interest accrued on the  
14 \$85,000 Settlement Fund between the date of its creation,  
15 and the date the defendants issue the checks to the  
16 aggrieved persons.

17 Merone Mia Wolde-Meskel \$3,500 plus an equal share of the interest accrued on the  
18 \$85,000 Settlement Fund between the date of its creation,  
19 and the date the defendants issue the checks to the  
20 aggrieved persons.

21 Within ten (10) days of the entry of this Order Regarding Distribution of Settlement Fund, the  
22 United States shall provide notice to the aggrieved parties identified herein of this Order Regarding  
23 Stipulation and Order Regarding Distribution of Settlement Fund - 6

24 United States Department of Justice  
25 Civil Rights Division  
26 Housing and Civil Enforcement Section  
950 Pennsylvania Ave., N.W.- G Street  
Washington, D.C., 20530  
202-307-6275

1 Distribution, shall request appropriate documentation, if any, and shall include a request from escrow  
2 in this matter that the taxpayer identification number ("TIN") or individual taxpayer identification  
3 number ("ITIN"), if any exists, be provided and that such TIN or ITIN is required to be provided under  
4 authority of law. Within 70 days of the entry of this Order Regarding Distribution of Settlement Fund,  
5 the United States shall submit to defendants W-9s, W-8s, or other appropriate documentation, if  
6 received from the aggrieved parties, or, if no documentation was received from by an aggrieved party,  
7 shall identify that no documentation was received. Within ten (10) business days of receipt from the  
8 United States of the above identified documentation or of the identification that no documentation was  
9 received, defendants shall deliver to the United States checks payable to the aggrieved persons as  
10 identified above, subject to appropriate withholding, if any. The United States shall provide the  
11 escrow agent with all contact information for each aggrieved party that did not provide a properly  
12 completed W-9 or W-8 Series form, including without limitation the address of the party to which any  
13 payment is sent. The parties, by mutual agreement, may extend the deadlines herein.

14       Upon receipt of the checks from the defendants, and signed releases in the form of Exhibit E of  
15 the Consent Order, with mutually agreed upon changes by the Parties, from Seema Bhatia, Ronald  
16 Tyrone Blackwell, Felamex Case, Kenneth Case, Brandy Davis, Justin Davis, Betty Gibbins, Lavanya  
17 Godisela, Amit Kathpalia, Sherrie Knoedler, Hortense Merchant, Arvind Mundra, Roy Nelson, Olga  
18 Parulkar, Vijay Parulkar, Falguni Shukla, Priyatham Sundar, Vijaya Sundar, Chi Ling Tsou, Robert  
19 West and Merone Mia Wolde-Meskel, the United States shall deliver the original signed releases to  
20 counsel for defendants, and the checks to the aggrieved persons identified above.

21  
22 Stipulation and Order Regarding Distribution of Settlement Fund - 7

23 United States Department of Justice  
24 Civil Rights Division  
25 Housing and Civil Enforcement Section  
26 950 Pennsylvania Ave., N.W.- G Street  
Washington, D.C., 20530  
202-307-6275

1 Respectfully submitted this 8th day of March 2012.

2

3 Counsel for Plaintiff:

4

/s Julie J. Allen

5 TIMOTHY J. MORAN, Deputy Chief

JULIE ALLEN, VABA #41578

6 Julie.allen@usdoj.gov

Trial Attorney

7 Civil Rights Division

U.S. Department of Justice

8 950 Pennsylvania Ave., N.W. – G Street

Washington, D.C. 20530

9 Phone: 202-307-6275

Fax: 202-514-1116

10

11 PATRICIA D. GUGIN, WABA #43458

Pat.gugin@usdoj.gov

Assistant United States Attorney

12 1201 Pacific Avenue, Suite 700

Tacoma, Washington 98402

13 Phone: 253-428-3832

Fax: 253-428-3826

14

15

16

17

18

19

20

21

22

Stipulation and Order Regarding Distribution of Settlement Fund - 8

23

24

25

26

United States Department of Justice  
Civil Rights Division  
Housing and Civil Enforcement Section  
950 Pennsylvania Ave., N.W.- G Street  
Washington, D.C., 20530  
202-307-6275



1 Counsel for Defendant Summerhill Place, LLC, GRAN, Inc. and Rita Lovejoy:

2 Littler Mendelson, P.C.

3 /s Pamela Salgado

PAMELA SALGADO, WSBA #22741

4 psalgado@littler.com

Littler Mendelson, P.C.

5 One Union Square

600 University Street, Suite 3200

Seattle, Washington 98101

6 Phone: 206.381.4928

7 Fax: 206-447-6965

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

Stipulation and Order Regarding Distribution of Settlement Fund - 9

23

24

25

26

United States Department of Justice  
Civil Rights Division  
Housing and Civil Enforcement Section  
950 Pennsylvania Ave., N.W.- G Street  
Washington, D.C., 20530  
202-307-6275

**ORDER**

Based on the Stipulation and Order Regarding Distribution of Settlement Fund, it is ordered that the \$85,000 Settlement Fund shall be distributed as set forth above.

DATED: March 8, 2012



THE HONORABLE JAMES L. ROBART  
UNITED STATES DISTRICT COURT JUDGE

Presented by:

s/ Julie J. Allen

Timothy J. Moran, Deputy Chief  
Julie Allen, VABA #41578  
[Julie.allen@usdog.gov](mailto:Julie.allen@usdog.gov)  
Housing and Civil Enforcement Section  
Civil Rights Division  
U.S. Department of Justice  
950 Pennsylvania Ave. NW, - G Street  
Washington D.C. 20530

Patricia D. Gugin, WABA #43458  
[Pat.gugin@usdog.gov](mailto:Pat.gugin@usdog.gov)  
Assistant United States Attorney  
1201 Pacific Avenue, Ste. 700  
Tacoma, WA 98402

Attorneys for Plaintiff

/s Pamela Salgado

Pamela Salgado, WSBA #22741  
E-Mail: [psalgado@littler.com](mailto:psalgado@littler.com)  
Littler Mendelson, P.C.  
One Union Square  
600 University Street, Suite 3200  
Seattle, Washington 98101

Attorney for Defendants

Stipulation and Order Regarding Distribution of Settlement Fund - 10

United States Department of Justice  
Civil Rights Division  
Housing and Civil Enforcement Section  
950 Pennsylvania Ave., N.W.- G Street  
Washington, D.C., 20530  
202-307-6275

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**CERTIFICATE OF SERVICE**

I hereby certify that on March 8, 2012, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following CM/ECF participants:

Pamela Salgado  
Littler Mendelson  
One Union Square  
600 University Street  
Suite 3200  
Seattle, WA 98101  
PSalgado@littler.com

Dated this 8th day of March 2012.

s/ Julie J. Allen  
Attorney for the United States

Stipulation and Order Regarding Distribution of Settlement Fund - 11

United States Department of Justice  
Civil Rights Division  
Housing and Civil Enforcement Section  
950 Pennsylvania Ave., N.W.- G Street  
Washington, D.C., 20530  
202-307-6275