1 2 3 4 5	WILLIAM R. TAMAYO #084965 (CA) JONATHAN T. PECK #12303 (VA) DAVID F. OFFEN-BROWN #063321 (CA) EQUAL EMPLOYMENT OPPORTUNITY COMMISSION San Francisco District Office 345 Spear Street, Suite 500 San Francisco, CA 94105-1687 Telephone: (415) 625-5652 Facsimile: (415) 625-5657
6 7 8 9	WILFREDO TUNGOL, #2550 (HI) EQUAL EMPLOYMENT OPPORTUNITY COMMISSION Honolulu Local Office 300 Ala Moana Blvd., Rm. 7-127 Honolulu, HI 96850-0051 Telephone: (808) 541-3121 Facsimile: (808) 541-3390
10	Attorneys for Plaintiff
11	UNITED STATES DISTRICT COURT
12	FOR THE NORTHERN MARIANA ISLANDS
13	EQUAL EMPLOYMENT OPPORTUNITY ) Civil Action No. 02-0015 COMMISSION,
14	Plaintiff, ) CONSENT DECREE
15	v.
16 17	PACIFIC MICRONESIA CORPORATION ) et al.,
18	Defendants.
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20	I. INTRODUCTION
21	On April 30, 2002 Plaintiff Equal Employment Opportunity Commission (EEOC) filed
22	the above-entitled action (this Action) pursuant to Title VII of the Civil Rights Act of 1964, 42
23	U.S.C. §2000e et seq. (Title VII). The EEOC alleged that Defendants discriminated against
24	Charging Party Hermie Coronejo and similarly situated Filipino employees by terminating their
25	employment and not promoting some of them because of their national origin.
26	II. NON-ADMISSION OF LIABILITY
27	This consent decree is not an adjudication or finding on the merits of this case and shall
28	not be construed as an admission of a violation of Title VII or any other unlawful or wrongful
	CONSENT DECREE  Civil Action Mor Floes Documents in Site Litigation Page\- Settlement Documents\6 Docs on in Site\Docs 126-150 (Renumbered)\sett-0129.wpd

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discrimination, or (iv) was identified as a possible witness in this action.

## V. MONETARY RELIEF

- 1. By December 24, 2003, Defendant PACIFIC MICRONESIA CORPORATION will pay to Charging Party and similarly situated employees (the class members) the total amount of \$400,000.00. By December 16, 2003 the EEOC will inform said Defendant of the individual amounts to be paid to the class members and the addresses to which they will be sent. The EEOC shall make the final decision as to the amount to be paid to each member. There will be no withholding from these payments. The payments will be made directly to each class member by payroll checks for class members currently employed by the Dai-ichi Hotel Saipan Beach and otherwise by electronic bank-to-bank transfers or cashier's checks, as specified by the EEOC, sent by December 24, 2003; when the payment is sent to the member, a copy or other record shall be mailed to the EEOC c/o Wilfredo Tungol at his address above.
- 2. The amount above is being paid in complete compromise of all disputed issues arising out of the Complaint and Amended Complaint filed in this Action.

## VI. REPORTING

Defendant shall by January 1, 2004 submit a final report to the EEOC verifying its compliance with the terms of this Consent Decree. This report shall include the names and addresses to which payments were made and the amount of each payment and shall be accompanied by copies of all the payment instruments sent. This report will be sent to the EEOC care of David Offen-Brown with a separate copy to Wilfredo Tungol at the addresses above.

## VII. RETENTION OF JURISDICTION AND EXPIRATION OF CONSENT DECREE

- 1. The duration of this Consent Decree shall be until January 15, 2004, provided that Defendant has complied substantially with the terms of this Consent Decree. Defendant will be deemed to have complied substantially if the EEOC does not notify the Court of a compliance issue.
- 2. This Court shall retain jurisdiction over this matter and the Parties for the purpose of enforcing compliance with the Consent Decree and the associated settlement agreement between the EEOC and Defendants, including issuing such orders as may be required to effectuate its purposes.

1	3. If any provision of this Consent Decree is found to be unenforceable by a court of
2	competent jurisdiction, only the specific provision in question shall be affected and the other
3	enforceable provisions shall remain in full force and effect.
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5	On behalf of Defendant PACIFIC MICRONESIA CORPORATION:
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7	Dated:
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9	On behalf of Plaintiff:
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11	Dated: WILLIAM R. TAMAYO
12	Regional Attorney EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
13	OPPORTUNITY COMMISSION
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15	Dated: JONATHAN T. PECK
16	Supervisory Trial Attorney
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18	Dated: DAVID F. OFFEN-BROWN
19	Senior Trial Attorney
20	IT IS SO ORDERED:
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22	Dated:  Alex R. Munson
23	Judge
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