

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

DEXTER DUREN

PLAINTIFF

vs.

CASE NO. 5:07-CV-00297-BSM

WASHINGTON GROUP INTERNATIONAL, INC.

DEFENDANT

JUDGMENT

For the reasons set forth in the findings of fact and conclusions of law entered on June 5, 2009, the court finds in favor of plaintiff Dexter Duren on the 2007 discrimination and retaliation claims, but in favor of defendant Washington Group International, Inc. on the 2004 discrimination and retaliation claims.

IT IS THEREFORE ORDERED that JUDGMENT be, and it is hereby, entered in favor of plaintiff Dexter Duren on the 2007 discrimination and retaliation claims, but in favor of defendant Washington Group International, Inc. on the 2004 discrimination and retaliation claims.

IT IS FURTHER ORDERED that plaintiff is awarded \$40,945.34 in back pay from April 23, 2007, through July 10, 2009. Plaintiff is awarded the difference in pay between plaintiff and Grice, including salary and bonuses, and any overtime or lead pay, to be disbursed to plaintiff at each pay period. The front pay will end whenever the earlier of the following events occur: (1) when plaintiff receives a promotion to IS Manager or a comparable position; (2) when defendant closes the IS Department, which is expected to occur at the latest on April 8, 2013; (3) if plaintiff terminates his employment with the

defendant; (4) if defendant terminates plaintiff's employment; (5) if plaintiff declines an offer of comparable employment with defendant; or (6) if plaintiff is unable to work for reasons unrelated to the actions of defendant. Plaintiff's requests for injunctive relief and punitive damages are denied. Prejudgment interest of .49% (\$1.08 per day) since April 23, 2007, is also awarded.

IT IS SO ORDERED this 11th day of August, 2009.



UNITED STATES DISTRICT JUDGE