

FILED - WESTERN DIVISION  
CLERK, U.S. DISTRICT COURT  
**JUL 16 2010**  
CENTRAL DISTRICT OF CALIFORNIA  
BY DEPUTY

1 ERIC H. HOLDER, JR., Attorney General of the United States  
2 THOMAS E. PEREZ, Assistant Attorney General,  
3 Civil Rights Division  
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5 Attorney General, Civil Rights Division  
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13 United States Department of Justice  
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21 IN THE UNITED STATES DISTRICT COURT  
22 FOR THE CENTRAL DISTRICT OF CALIFORNIA

23 UNITED STATES OF AMERICA, )

24 Plaintiff, )

25 v. )

26 COUNTY OF VENTURA, CALIFORNIA, )

27 Defendant. )

CV09-06413-MMM(CWx)

28 CONSENT DECREE

1 I. Introduction

2 This Consent Decree resolves a civil action brought by Plaintiff United States against  
3 Defendant County of Ventura, California ("County") to enforce the provisions of title I of the  
4 Americans with Disabilities Act of 1990 ("ADA"), 42 U.S.C. §§ 12111, et seq., and its  
5 implementing regulations, 29 C.F.R. Part 1630. The United States alleges that the County  
6 discriminated against Lee Anne Unchangco, in violation of 42 U.S.C. §§ 12112(a) and (b)(5),  
7 and 29 C.F.R. § 1630.9, by denying employment to Ms. Unchangco for the position of Children  
8 Social Service Worker III ("CSSW III") on the basis that Ms. Unchangco is deaf and required  
9 reasonable accommodations.  
10

11  
12 This matter was initiated by the charge filed by Ms. Unchangco (Charge Number 340-  
13 2006-00459) with the Equal Employment Opportunity Commission ("EEOC"). The EEOC  
14 investigated the charge and found reasonable cause to believe that the allegations of  
15 discrimination on the basis of disability were true. After the EEOC's attempts at conciliation  
16 failed, the EEOC referred the charge to the United States Department of Justice. The County  
17 filed an Answer denying all ADA allegations in the United States' Complaint.  
18

19 As a result of ongoing discussion, the United States and the County (collectively, "the  
20 parties") have reached agreement that it is in the parties' best interests, and the United States  
21 believes that it is in the public interest, to resolve this lawsuit on mutually agreeable terms  
22 without further litigation. Accordingly, the parties agree to the entry of this Consent Decree  
23 without trial or adjudication of any issues of fact or law raised in the United States' Complaint.  
24

25 Accordingly, the parties hereby AGREE and the Court expressly APPROVES, ENTERS  
26 AND ORDERS THE FOLLOWING:  
27  
28



1 supervisors, whether by hire or promotion, as limited in subsection (i), after the entry of this  
2 Consent Decree within thirty (30) days of the start of their employment with the County.

3  
4 IV. Individual Relief

5 7. The County will pay Ms. Unchangco \$45,000.00 in compensatory damages.

6 8. The County shall pay to Ms. Unchangco the full amount of the total monetary  
7 award specified in paragraph 7 within twenty-one (21) days of its receipt of a Release of Claims  
8 form signed by Ms. Unchangco.

9  
10 V. Enforcement

11 9. The United States may review compliance with this Consent Decree at any time  
12 and may enforce this Consent Decree if the United States believes that the Decree or any  
13 requirement thereof has been violated. If the United States believes that this Consent Decree or  
14 any portion of it has been violated, it will raise its concerns with the County and the parties will  
15 attempt to resolve the concerns in good faith. The United States will give the County thirty (30)  
16 days to cure the violation prior to instituting any court action, starting from the date that the  
17 United States notifies the County of any violation of this Consent Decree.

18  
19 10. Failure by the United States to enforce any provision of this Consent Decree shall  
20 not be construed as a waiver of the United States' right to enforce other provisions of this  
21 Consent Decree.

22  
23 11. This Consent Decree does not purport to remedy any other potential violations of  
24 the ADA or any other law that is not specifically addressed herein, nor does it affect the County's  
25 continuing responsibility to comply with all aspects of the ADA.

26 12. This Consent Decree shall remain in effect for three years from the effective date.  
27 The Court shall retain jurisdiction to enforce this Consent Decree. This Consent Decree will  
28

1 expire three years from the effective date.

2 13. The effective date of this Consent Decree is the date on which the Court enters  
3 this Consent Decree.


4 14. This Consent Decree, and the Release of All Claims Form, constitute the entire  
5 agreement between the parties relating to United States v. County of Ventura, California, Civ.  
6 No. CV09-6413 MMM; Department of Justice Number 205-12C-32; and EEOC Charge No.  
7 340-2006-00459. No other statement, promise, or agreement, either written or oral, made by any  
8 party or agents of any party, that is not contained in this written Consent Decree shall be  
9 enforceable.  
10

11 15. This Consent Decree shall be binding on the County, its agents and employees.

12 16. The individuals signing this Consent Decree represent that they are authorized to  
13 bind the parties to this Consent Decree.  
14

15  
16 DATED this 16<sup>th</sup> day of July, 2010.  
17

18  
19 BY THE COURT:

20  
21   
22 \_\_\_\_\_  
23 HON. MARGARET M. MORROW  
24 UNITED STATES DISTRICT COURT  
25 CENTRAL DISTRICT OF CALIFORNIA  
26  
27  
28

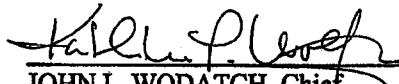
1 Respectfully submitted this 6<sup>th</sup> day of July, 2010.

2 Agreed and consented to:

3 FOR THE UNITED STATES OF AMERICA:

4  
5 ERIC H. HOLDER, JR.  
6 Attorney General of the United States  
7 THOMAS E. PEREZ, Assistant Attorney General  
8 Civil Rights Division  
9 SAMUEL R. BAGENSTOS, Principal Deputy Assistant  
10 Attorney General  
11 Civil Rights Division

12 DATE: July 6, 2010



13 JOHN L. WODATCH, Chief  
14 PHILIP L. BREEN, Special Legal Counsel  
15 ALLISON J. NICHOL, Deputy Chief  
16 ALYSE S. BASS, Senior Trial Attorney  
17 KATHLEEN P. WOLFE, Trial Attorney  
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20 U.S. Department of Justice  
21 950 Pennsylvania Avenue NW - NYA  
22 Washington, D.C. 20530  
23 Telephone: (202) 353-0368  
24 Facsimile: (202) 305-9775

25 FOR THE COUNTY OF VENTURA, CALIFORNIA:

26 DATE: July 2, 2010



27 JACALYN L. COHEN  
28 Claims Manager, Risk Management  
County of Ventura