

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 07-cv-02035-REB-KLM

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION,

Plaintiff,

and

LISA MARIE CORNWELL, f/k/a/ LISA MARIE ANSELL,

Intervenor

v.

THE VAIL CORPORATION,

Defendant.

CONSENT DECREE

1. This Decree resolves all claims arising out of the issues and claims set forth in Civil Action No. 07-cv-02035-REB-KLM and/or EEOC Charge No. 320-2005-03036.
2. The above-named parties, Plaintiff EEOC, Plaintiff/Intervenor Lisa Marie Cornwell, and Defendant The Vail Corporation, stipulate to the jurisdiction of the Court over the parties and subject matter of this action.
3. Plaintiff/Intervenor Cornwell hereby releases all claims that were or could have been brought by her against Defendant The Vail Corporation in the litigation. Plaintiff EEOC hereby releases all claims pertaining to Ms. Cornwell that were or could have been brought by it in the litigation. Defendant The Vail Corporation hereby releases all claims that were or could have been brought by it against Ms. Cornwell in the litigation.
4. The duration of this Decree shall be one year from the date of signing by the Court.

5. The terms of this Decree shall apply to all of Defendant's Keystone Properties and Keystone-based employees.

6. Defendant agrees to pay the amount of \$80,000 to Intervenor. Payment will be made within five business days after the Court enters the Decree, with the proviso that thirty (30) days after filing the Parties' Joint Motion for Entry of Decree, if the Decree has not been entered by the Court, Ms. Cornwell may obtain payment by filing an unopposed motion to dismiss her claims with prejudice, with each side to pay her or its own costs and fees. When payment is due under this provision, Defendant will issue a check in the amount of \$80,000, payable to Lisa Marie Cornwell and her attorney Laurie Scott Paddock, and deliver the check to Intervenor's counsel, at the following address:

Laurie Scott Paddock
LAW OFFICE OF LAURIE SCOTT PADDOCK
360 South Monroe Street, Suite 400
Denver, CO 80209

7. Defendant will issue a form 1099 to Ms. Cornwell for the amount of \$80,000.

8. Upon entry of the Decree by the Court, Defendant will implement the following EEO training:

A. Non-HR, non-supervisory employees will receive one hour of EEO training within 30 days of hire and annually thereafter. This training may be provided by internal trainers and will include seasonal employees.

B. Non-HR supervisory/managerial employees will receive two hours of EEO training within 30 days of hire or promotion and annually thereafter. This training may be provided by internal trainers and will include seasonal employees.


C. HR employees and trainers will receive 7 hours of EEO training per year, to be provided by an outside vendor.

9. The training provided under Paragraph 7 above will include (a) a discussion of what is unlawful discrimination based on gender and religion, including prohibited

harassment; (b) a discussion of what is unlawful retaliation against employees who report alleged discrimination or harassment or who seek religious accommodation; and (c) an explanation of Defendant's policy and procedures for registering complaints of discrimination and for seeking religious accommodation. Supervisory and HR employees will be instructed on the obligation to provide religious accommodation.

SO ORDERED June 2, 2009.

BY THE COURT:


Robert E. Blackburn
United States District Judge

BY CONSENT:

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION

BY: _____
Mary Jo O'Neill
Regional Attorney, Phoenix District Office

Date: _____

Lisa Marie Cornwell

Date: _____

THE VAIL CORPORATION

BY: _____
Mark Gasta
Senior Vice President and Chief Human Resources Officer

Date: _____

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APPROVED AS TO FORM:

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