# **EXHIBIT A**

#### IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

AMANDA WHELAN, :

Plaintiff, :

Civil Action No. 10-1058

DOW JONES & COMPANY, INC.

DOW JONES & COMPANY, INC.
and
JOE GERACE,

Defendants.

## **DECLARATION OF MICHAEL KILEY**

I, Michael Kiley, do hereby declare that the following facts are true and correct based on my personal knowledge:

- 1. I am the Human Resources Director of Dow Jones & Company, Inc.

  ("Dow Jones"), a position I have held since February 2008. Before I assumed the position of

  Human Resources Director, I held the position of Human Resources Manager. In both of these

  roles, I was and continue to be the primary point of contact for all employee and labor relations

  issues, including complaints of discrimination and harassment, for the departments I support.
- During the relevant time period, I supported, among others, the Wall
   Street Journal Advertising Sales Department.
- 3. On or about November 30, 2007, Dow Jones hired Amanda Whelan to work in its Philadelphia office as an Advertising Sales Representative.
- 4. Throughout her six-month employment with Dow Jones, Whelan reported to Joseph Gerace, who was the Advertising Sales Director and Regional Sales Director for the Mid-Atlantic Region.

- 5. At all relevant times during Whelan's employment, Dow Jones maintained a policy prohibiting sexual harassment and establishing a procedure by which employees could report harassment in the workplace to a number of different management individuals. A true and correct copy of the sexual harassment policy in effect during Whelan's employment with Dow Jones is attached hereto at Tab 1.
- 6. At all relevant times during Whelan's employment, the sexual harassment policy was posted and available on Dow Jones' intranet system, to which all employees have access.
- 7. During her employment, Whelan did not file or report any complaint of any kind, including any complaint of a hostile work environment or any sexual harassment complaint, with Dow Jones.
- 8. In or about June 2008, Dow Jones closed its Philadelphia office and laid off its Philadelphia workforce, including Whelan.

Pursuant to 28 U.S.C. § 1746, I declare, under penalty of perjury, that the foregoing is true and correct.

Executed on this 14 day of June, 2010

Michael Kiley

## **TAB 1**



#### Search for:

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OFFICE RESOURCES

TOOLS

**CORPORATE INFORMATION** 

CORPORATE POLICIES: SEXUAL HARASSMENT POLICY

### Dow Jones & Company Sexual Harassment Policy

Dow Jones is committed to providing a working environment free from sexual harassment and to taking appropriate disciplinary action up to and including discharge, against violators of this policy even for a first offense.

Dow Jones prohibits sexual harassment of employees.

Sexual harassment in the work environment includes physical or verbal conduct that is unwelcome and is offensive, intimidating, or abusive. Some examples of harassing conduct are:

- Verbal statements, inclusive of degrading comments related to the person's sex:
- Sexual contact; inappropriate remarks which are sexual in nature; remarks concerning a person's body; sexual propositions; or, the display of pornographic material in the workplace;
- Explicit or implicit threats or insinuation that a lack of sexual submission will adversely affect hiring or an employee's wages, advancement or job assignment, or will otherwise interfere with an employee's ability to perform the job.

Any employee who feels harassed should immediately report the situation to a corporate representative (a department manager, EEO Compliance Manager, Human Resources Manager, or other appropriate management representative such as the employee's immediate supervisor). All complaints are treated with confidence to the extent allowable by law. The company regards all such reports extremely seriously and will initiate an investigation by the Human Resources department.

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