# Exhibit A

# **FAX COVER SHEET**

# DONALD E. CUMMINGS

Attorney at Law 2435 20th Street P.O. Box 47 Lubbock, Texas 79408

(806) 762-8503 Fax # (806) 762-85 <u>64</u>
TO: 4.5. E94AL Emp. Opp. Comm.  DATE: 10/22/99  FAX NO.: (915) 832-4026
FAX NO.: (915) 8-32-4026
FROM:DONALD E. CUMMINGSRene Tadlock, Legal Assistant
SUBJECT: STEPHANIE M. ODE
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## **DONALD E. CUMMINGS**

Attorney at Law 2435 20th Street P.O. Box 47 Lubbock, Texas 79408

(806) 762-8503 Fax # (808) 762-8564

October 22, 1999

U.S.Equal Employment Opportunity Commission El Paso Area Office 4172 N. Mesa, Bldg. C, Suite 100 El Paso, Texas 78229

> Via fax to: (915) 832-4026 and via regular mail

Re: Charge of Discrimination - Stephanie M. Odle, Lubbock, Texas

### Gentlemen:

w commence of the second control of the second control of the second of I am representing Stephanie M. Odle, who has retained me to file a charge of discrimination against SAM'S CLUB, a Division of Wal-Mart, Inc. Due to certain time constraints relating to my client's situation, please consider this letter, which has been verified by my client, below, as a formal charge of discrimination against SAM'S CLUB.

The pertinent facts relating to my client and her charge are as follows:

1. Name of complaining party:

Stephanie Odle

2. Name of employer: SAM'S CLUB

3. Address of employer:

4304 S. Loop 298

Discrimination complained of: Under Title VII - sex/gender 4.

Lubbock, Texas 79407

discrimination

5. Date of birth of complaining

Party:

10/26/71

6. Social Security Number of

complaining party:

461-53-2305

7. Latest date that discrimination

occurred;

10/22/99

8. Earliest date that discrimination occurred:

2/19/99

9. Statement of facts regarding discrimination charge:

Ms. Stephanie Odle began working for Sam's Club in November 1991 as an hourly Associate. Her beginning employment was at the Sam's Club location in Lubbock, Texas, the address of which is stated above. From there, she has been transferred to several different locations, but has recently been transferred back to Lubbock, Texas from Sherman, Texas. Her position at the Sherman Sam's Club was as Assistant Manager for Merchandise. Her position at the Lubbock Sam's Club has been as Assistant Manager for Sales and Marketing.

In connection with Ms. Odle's employment at the Sherman, Texas Sam's Club, she was discriminated against when she was required to move to Lubbock, Texas, and denied a promotion as a Co-Manager of the Tulsa, Oklahoma Sam's Club facility. This discriminatory act was based upon a charge made by Sam's Club supervisory personnel that she had circumvented some refund procedures in dealing with a customer. In fact, this procedure was not unusual, and her employment should not have been adversely affected.

The present situation involving Ms. Odle is that she has been at the Lubbock Sam's Club for approximately three months after she was required to transfer from Sherman, Texas. While she has been in Lubbock, she has undergone close scrutiny by the male managers of Sam's Club, which recently resulted in her being placed on administrative leave with pay, following a charge against her by the male managers that she had violated company policy when she had mis-rung a \$13.74 amount while she was instructing three hourly employees in a new procedure. This happened on October 16, 1999, and was all fully explained to them. There was no money missing nor any other type of loss to the store.

She was initially terminated on October 19, 1999 by the General Manager of the store, Duke Parish, and Larry Alderson, the Director of Operations, to whom Mr. Parish report to for the region. She was "reinstated" by Greg Spragg, Regional Vice President for Sam's Club, pending further investigation.

Ms. Odle has learned that another assistant manager is being brought to Lubbock from an Arizona Sam's Club, who had stepped down as a general manager of a store in order to move back to Lubbock. The normal contengent of assistant managers at a store is not more than four (4) and with this transfer, the store would have had five, including Ms.Odle. This individual is a

male who has family ties and other ties to the Lubbock area. Ms. Odle believes that the reason for her treatment is pretextual.

Ms. Odle has other evidence of discriminatory treatment of females that likewise indicate a pattern or practice of discrimination toward females in management positions.

Consequently, please consider this letter as a formal charge of discrimination against Sam's Club, a Division of Wal-Mart, Inc., in accordance with the facts and information as are provided herein.

Please note that I am faxing a copy of this letter to your offices for you to formally set up a file on this charge immediately. Please return a notification to me that you have received this letter and the charge number assigned to this matter. Additionally, please forward all correspondence pertaining to my client's charge to me at the above address, or contact me by telephone at the number on this letterhead.

Sincerely yours,

DONALD E. CUMMINGS

DEC:rt

STATE OF TEXAS

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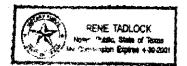
COUNTY OF LUBBOCK

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BEFORE ME, the undersigned authority, on this day personally appeared STEPHANIE ODLE, who first being duly swom by me stated that every statement contained in this letter is true and correct.

OZUMODNI M. U

SWORN AND SUBSCRIBED BEFORE ME, by Stephanie M. Odle on this the 22nd day of October, 1999.



Notary Public in and for the State of Texas

cc: Sam's Club, Lubbock, Texas via fax to: (806) 793-0258

cc: Sam's Club Administrative Office Bentonville, Ark - via fax to: (501) 277-5991