

THE BLANKENSHIP LAW FIRM, P.S.

2880 Washington Mutual Tower
1201 Third Avenue
Seattle, Washington 98101
(206) 343-2700

SCOTT C. G. BLANKENSHIP

Facsimile (206) 343-2704

CONTACT: Scott C. G. Blankenship (888) 253-4529(work)
sblankenship@blankenshiplawfirm.com (206) 343-2700 (work)
www.blankenshiplawfirm.com (206) 898-6033 (cell)

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PRESS RELEASE

The Blankenship Law Firm and the Federal Government Advance Employee Rights, Settling Harassment Case for 1.72 Million Dollars

Lowe's to pay 1.72 million dollars to three former employees who alleged that they were sexually harassed and retaliated against by management in Longview, Washington.

Former Longview, Washington Lowe's employees Jeremiah Harrington, Chester Davison, and Amber Fasolino settled their federal court sexual harassment and retaliation case for 1.72 million dollars. According to the U.S. Equal Employment Opportunity Commission (EEOC) filings, this is the largest EEOC settlement per employee in a sexual harassment case in the Western United States.

Lead trial counsel for the employees, Seattle attorney Scott C. G. Blankenship of The Blankenship Law Firm, negotiated the settlement during a court-ordered mediation, along with EEOC lead counsel Cindy O'Hara and Supervisory Trial Attorney David Offen-Brown. The trial was set to begin in U.S. District Court in Seattle, October 2009 (Civ. No. CV08-331 JCC for the Western District of Washington).

Prosecution through private counsel subjected Lowe's to a potential jury verdict that would have included punitive damages under Title VII of the Civil Rights Act, and the broader protection of the Washington Law Against Discrimination.

In addition to paying 1.72 million dollars, Lowe's agreed to make significant changes to protect future employees, entering into a three-year consent decree with sweeping injunctive relief that reaches all Washington and Oregon Lowe's stores. Such relief includes: revising Lowe's anti-harassment and anti-retaliation policies and complaint procedures; providing extensive training for all non-managerial, managerial, and human resource employees regarding harassment and retaliation; training human resource

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personnel in handling the investigation of complaints; implementing a procedure for recording and tracking employee complaints; implementing policies to ensure supervisor and manager accountability; writing and distributing to all employees an anti-harassment and retaliation statement; and reporting all complaints of sexual harassment or retaliation to the EEOC for a three-year time period.

According to Seattle lawyer Scott C. G. Blankenship: “It was critically important to my clients that Lowe’s agree to take positive, preventive measures to protect employees in the future. Without Lowe’s willingness to do so, this case would not have resolved short of a jury verdict.”

This case was hard fought with over twenty motions filed by the parties and more than 15,000 documents were exchanged. During the course of the litigation, Lowe’s retained four law firms.

“In the end, these former employees received the significant justice they deserved without a trial. To Lowe’s credit, the company stepped up and agreed to make several significant changes to protect current employees from discrimination, harassment and retaliation, in addition to compensation. This result demonstrates the effectiveness of the civil rights laws, the EEOC, and our justice system.” said Seattle lawyer Scott C. G. Blankenship.

With headquarters in Mooresville, N.C., Lowe’s, a Fortune 500 company, is the second largest home improvement retailer worldwide, operating over 1,600 stores throughout the U.S. and Canada, according to company information.

The Blankenship Law Firm, P.S., is an AV-rated law firm located in downtown Seattle with lawyers licensed in Washington, Oregon, and Alaska. The firm practice emphasizes employment law, including representing employees in all phases of negotiation and litigation. More information is available online at www.blankenshiplawfirm.com.