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14 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
15 IN AND FOR THE COUNTY OF PIMA

16 STATE OF ARIZONA *ex rel.* THOMAS C.
17 HORNE, The Attorney General, and THE CIVIL
18 RIGHTS DIVISION OF THE ARIZONA
19 DEPARTMENT OF LAW,

20 Plaintiff,

21 vs.

22 CHRISTIAN COMPANION SENIOR CARE,
23 INC., an Oklahoma for Profit Corporation and
24 CHRISTIAN SENIOR HOME CARE, L.L.C.,
25 CHRISTIAN COMPASSION CARE, L.L.C. and
26 CHRISTIAN COMPASSION CARE
MINISTRY, INC., Arizona Corporations,

Defendants.

No. C20115255

**DEFAULT JUDGMENT AS TO
CHRISTIAN SENIOR HOME CARE,
L.L.C., CHRISTIAN COMPASSION
CARE, L.L.C. and CHRISTIAN
COMPASSION CARE MINISTRY,
INC.**

(Hon. Ted Borek)

The State of Arizona *ex rel.* Tom Horne, the Attorney General ("the State") filed this

1 action against Defendants Christian Senior Home Care, L.L.C., Christian Compassion Care,
2 L.L.C. and Christian Compassion Care Ministry, Inc. to enforce the provisions of the Arizona
3 Civil Rights Act ("ACRA"), A.R.S. §41-1463, which prohibits employment discrimination on
4 the basis of a person's religion.

5 The Court previously entered the default of Defendants Christian Senior Home Care,
6 L.L.C., Christian Compassion Care, L.L.C. and Christian Compassion Care Ministry, Inc. on
7 June 19, 2012, effective July 5, 2012, for having failed to answer or otherwise defend this
8 action in accordance with the Arizona Rules of Civil Procedure. The Court having reviewed
9 the State's Applications and Affidavits for Entry of Default as to Defendants Christian Senior
10 Home Care, L.L.C., Christian Compassion Care, L.L.C. and Christian Compassion Care
11 Ministry, Inc. and the Entries of Default as to Defendants Christian Senior Home Care, L.L.C.,
12 Christian Compassion Care, L.L.C. and Christian Compassion Care Ministry, Inc., and good
13 cause appearing,

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15 **THE COURT FINDS:**

- 16 1. Plaintiff, the Civil Rights Division of the Arizona Department of Law ("the Civil
17 Rights Division") is an administrative agency established by A.R.S. § 41-1401 to
18 enforce the provisions of the Arizona Civil Rights Act, A.R.S. § 41-1401, *et seq.*
- 19 2. This Court has jurisdiction over this matter pursuant to A.R.S. § 41-1481(D) and
20 Rule 4.2 of Arizona Rules of Civil Procedure.
- 21 3. This Court has personal jurisdiction over the Arizona franchisees of Defendant
22 Christian Companion Senior Care, Inc. who have engaged in business in the State of
23 Arizona: Christian Senior Home Care, L.L.C., Christian Compassion Care, L.L.C.
24 and Christian Compassion Care Ministry, Inc.

- 1 4. Venue is proper in Pima County pursuant to A.R.S. § 12-401(17). Paul Nordstrom
2 and the class of similarly aggrieved individuals live in Pima County and the alleged
3 discrimination against Nordstrom and the class took place in Pima County, Arizona.
- 4 5. Defendants Christian Senior Home Care, Inc., Christian Senior Home Care, L.L.C.,
5 Christian Compassion Care, L.L.C. and Christian Compassion Care Ministry, Inc.
6 have engaged in discriminatory employment and hiring practices on the basis of
7 religion, in violation of A.R.S. §41-1463, which prohibits employment
8 discrimination on the basis of a person's religion.
- 9 6. That Plaintiff-Intervenor Paul Nordstrom and a class of similarly situated
10 individuals suffered employment discrimination from Defendants Christian Senior
11 Home Care, Inc., Christian Senior Home Care, L.L.C., Christian Compassion Care,
12 L.L.C. and Christian Compassion Care Ministry, Inc., including any or all of the
13 following adverse employment actions if these actions are motivated by religion:
14 failure to hire, termination of employment, and discrimination in terms and
15 conditions of employment, including harassment. A.R.S. § 41-1463(B)(1).
- 16 7. Defendants Christian Senior Home Care, Inc., Christian Senior Home Care, L.L.C.,
17 Christian Compassion Care, L.L.C. and Christian Compassion Care Ministry, Inc.
18 and its affiliates are jointly and severally liable for the discrimination against
19 Nordstrom and the class of similarly situated individuals who were denied
20 employment opportunities because of Defendants' discriminatory employment and
21 hiring practices on the basis of religion, in violation of A.R.S. §41-1463.

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23 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED:**

- 24 1. That default judgment is entered for the State against Defendants Christian Senior
25 Home Care, L.L.C., Christian Compassion Care, L.L.C. and/or Christian Compassion
26 Care Ministry, Inc. for employment discrimination against the class of qualified

1 individuals seeking positions as Caregivers, Nurses, Schedulers, Community
2 Representatives, General Managers, and other positions, on the basis of religion in
3 violation of the ACRA.

4 2. That default judgment is entered for the State against Defendants Christian Senior
5 Home Care, L.L.C., Christian Compassion Care, L.L.C. and/or Christian Compassion
6 Care Ministry, Inc. for employment discrimination against Paul Nordstrom for
7 unlawful termination because of religion in violation of the ACRA.

8 3. That Defendants Christian Senior Home Care, L.L.C., Christian Compassion Care,
9 L.L.C. and/or Christian Compassion Care Ministry, Inc., its successors, assigns, and
10 all persons in active concert or participation with Defendant, are permanently
11 enjoined from engaging in any employment discrimination on the basis of religion in
12 violation of the ACRA.

13 4. That Defendants Christian Senior Home Care, L.L.C., Christian Compassion Care,
14 L.L.C. and/or Christian Compassion Care Ministry, Inc., its successors, assigns, and
15 all persons in active concert or participation with Defendants, shall make changes to
16 their employment policies and practices that preclude them from denying
17 employment opportunities on the basis of religion, that preclude them from engaging
18 in adverse employment actions on the basis of religion, and that otherwise
19 permanently enjoined them from any violation of the ACRA.

20 5. That Defendants Christian Senior Home Care, L.L.C., Christian Compassion Care,
21 L.L.C. and/or Christian Compassion Care Ministry, Inc. shall pay Paul Nordstrom
22 who is an aggrieved person, the sum of \$ ^{62,228.00 plus prejudgment interest of \$4,638.00} for back pay lost as a result of
23 Defendant's discrimination and unlawful termination.
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C20115255

DATED this 29 day of Oct, 2012.

Ted B. Borek

Hon. Ted Borek
Pima County Superior Court

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