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MICHAEL K. JEANES, Clerk
By [Signature]
Gilbert, Deputy

12 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
13 IN AND FOR THE COUNTY OF MARICOPA

14 THE STATE OF ARIZONA *ex rel.* TERRY
15 GODDARD, the Attorney General; and THE
16 CIVIL RIGHTS DIVISION OF THE ARIZONA
17 DEPARTMENT OF LAW,

No. CV2006-013709

18 Plaintiff,

CONSENT DECREE

19 vs.

20 FAMILY HEALTH PROVIDERS, LTD., an
21 Arizona professional corporation,

(Assigned to The Honorable

22 Defendant.

Ruth H. Hilliard)

23 On September 12, 2006, Plaintiff, the State of Arizona, through Attorney General Terry
24 Goddard and the Civil Rights Division (collectively the "State"), filed the above-captioned
25 Complaint in Maricopa County Superior Court against Defendant Family Health Providers,
26 LTD. ("Defendant"). In that Complaint, the State alleges that Defendant subjected Karen
Yravedra to discrimination because of her disability, in violation of the Arizona Civil Rights
Act, A.R.S. §41-1492.02. Defendant denies the allegations and states that Ms. Yravedra was

1 not disabled, nor was she subjected to discriminatory treatment.

2
3 However, the State and Defendant desire to resolve the issues raised by the Complaint
4 without the time, expense and uncertainty of further contested litigation. Defendant and the
5 State expressly acknowledge that this Consent Decree ("Defendant") is the compromise of
6 disputed claims and that there was no adjudication of any claim. Without admitting any
7 liability for the claims made in the Complaint filed in this matter, Defendant agrees to be bound
8 by this Consent Decree and not to contest that it was validly entered into in any subsequent
9 proceeding to implement or enforce its terms. The parties therefore have consented to the entry
10 of this Consent Decree, waiving trial, findings of fact and conclusions of law.

11 It appearing to the Court that entry of this Consent Decree will further the objectives of
12 the Arizonans with Disabilities Act ("AzDA"), and that the Consent Decree fully protects the
13 parties and the public with respect to the matters within the scope of this Consent Decree, **IT IS**
14 **HEREBY ORDERED, ADJUDGED AND DECREED** as follows:

15 **JURISDICTION**

16 1. This Court has jurisdiction over the subject matter of this action and over the
17 parties hereto, and venue in Maricopa County is proper. The allegations of the Complaint, if
18 proved, are sufficient to state a claim upon which relief could be granted against Defendant
19 under the AzDA.

20 **RESOLUTION OF THE COMPLAINT**

21 2. This Consent Decree resolves all issues and claims set forth in the State's
22 Complaint. This Consent Decree also resolves all issues relating to acts and practices of
23 discrimination to which this Consent Decree is directed.

24 **RELEASE**

25 3. Except for the obligations of Defendant that are expressly set forth in this Consent
26 Decree, Defendant, its agents, employees, successors, assigns and all persons in active concert

1 or participation with Defendant, are released from any and all civil liability to the State for the
2 claims alleged in the Complaint filed in this matter.

3 **COMPLIANCE WITH THE ARIZONA CIVIL RIGHTS ACT**

4 4. Defendant agrees that it shall abide by Arizona's civil rights laws.

5 **NO RETALIATION**

6 5. Defendant shall not retaliate against any person in any way for that person's
7 opposition to a practice made unlawful by the AzDA, or for participation in the State's
8 proceedings or litigation in this case.

9 **SIGN**

10 6. Defendant shall keep posted at all times in a location to be determined by the
11 Defendant a sign indicating that while pets are not allowed in Defendant's medical office,
12 assistive animals are welcome.

13 **TRAINING**

14 7. Defendant and its employees will, within sixty days of the effective date of this
15 Consent Decree, attend a course about the requirements of the AzDA. Defendant shall provide
16 proof of attendance at that AzDA course within ten days of attendance to: the Civil Rights
17 Division of the Office of the Arizona Attorney General, 1275 W. Washington, Phoenix, Arizona
18 85007.

19 **CONTINUING JURISDICTION OF THE COURT**

20 8. The Court shall retain jurisdiction over both the subject matter of this Consent
21 Decree and the State and Defendant for six months from the date of entry of the Consent Decree
22 to effectuate and enforce this Decree. The State may, for good cause shown, petition this Court
23 for compliance with this Consent Decree at any time during the period that this Court maintains
24 jurisdiction over this action. Should the Court determine that Defendant has not complied with
25 this Consent Decree, appropriate relief, including extension of this Consent Decree for such
26 period as may be necessary to remedy its non-compliance, may be ordered. In the event either

1 the State does not submit any petitions for compliance with the Consent Decree or the Court
2 determines Defendant has complied with the Consent Decree, the Consent Decree shall
3 automatically expire and the Court shall lose jurisdiction over this action on the date six months
4 after entry of the Consent Decree.

5 **MONETARY RELIEF**

6 10. Defendant agrees that, within ten (10) days of receiving notice of entry of this
7 Consent Decree, Defendant shall pay Ms. Yravedra Five Hundred Dollars (\$500.00), in
8 exchange for Ms. Yravedra's full and final release of any claims that she may have against
9 Defendant relating to the allegations and claims raised in the State's Complaint. Such payment
10 shall be sent directly to Ms. Yravedra, with a copy of the check sent to Mike Walker, Litigation
11 Section Chief, Civil Rights Division, Office of the Arizona Attorney General, 1275 W.
12 Washington, Phoenix, Arizona 85007. Defendant agrees to pay the State the sum of Two
13 Hundred and Fifty Dollars (\$250.00) to be used by the State to monitor compliance with the
14 provisions of this Decree and to enforce civil rights laws in Arizona. Payment will be made
15 within five (5) business days after receiving notice of entry of this Consent Decree, and shall be
16 made payable to the Arizona Attorney General's Office, and sent to Mike Walker, Litigation
17 Section Chief, Civil Rights Division, Arizona Attorney General's Office, 1275 W. Washington
18 Street, Phoenix, Arizona 85007.

19 **MISCELLANEOUS PROVISIONS**

20 11. This Consent Decree shall be binding on Defendant, its agents, employees,
21 successors, assigns and all persons in active concert or participation with Defendant.

22 12. The State and Defendant represent that they have read this Consent Decree in its
23 entirety and are satisfied that they understand and agree to all its provisions, and represent that
24 they have freely signed this Consent Decree without coercion.

25 13. This Consent Decree shall be governed in all respects by the laws of the State of
26 Arizona.

