

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

EQUAL EMPLOYMENT OPPORTUNITY	)	
COMMISSION,	)	
	)	
Plaintiff,	)	Civil No. 06-988 PJS/JJG
v.	)	
	)	
RAINBOW RESTAURANTS PROPERTIES,	)	ORDER FOR AMENDMENT
INC., d/b/a CHINO LATINO RESTAURANT,	)	TO CONSENT DECREE
	)	
Defendant.	)	
_____	)	

INTRODUCTION

Plaintiff Equal Employment Opportunity Commission (hereinafter the “Commission”) has instituted this action alleging that Defendant Rainbow Restaurants Properties, Inc., d/b/a Chino Latino Restaurant (“Chino Latino”) discriminated against Pedro Carrasco and Edwin Santoscoy because of their national origin and in retaliation for opposing matters made unlawful by Title VII of the Civil Rights Act of 1964. It also contends that Chino Latino subjected other employees to harassment because of their national origin, Hispanic, during the period of 2003 to the present.

Upon consent of the parties, the Court entered a Proposed Consent Decree on April 27, 2007. [Docket No. 10] This Proposed Consent Decree provided that Exhibit A, provided by Chino Latino, was a true and complete list of every employee whom Chino Latino believes to be Hispanic or Latino who worked for Chino Latino at any time during the period January 2003 through the present. (Proposed Consent Decree, §III(A).) The Consent Decree further provides that the EEOC would send notices of the Proposed

Consent Decree and claim forms to persons listed on Exhibit A, and those persons would have a specified period to return the claim forms. (Proposed Consent Decree, §XIII).

During the claims process, the EEOC learned of two former employees who were omitted from Exhibit A. One of these persons requested and received a claim form from the EEOC, and returned it to the EEOC in a timely manner. The second individual did not receive a claim form, but did return a questionnaire that the EEOC had distributed to potential claimants during discovery in the litigation. This questionnaire was submitted a week after the close of the period to submit timely claims.

The EEOC notified counsel for Chino Latino, who confirmed that the two individuals had been inadvertently omitted from Exhibit A. The parties agreed that, in fairness to these claimants, who were intended beneficiaries under the Proposed Consent Decree, Exhibit A should be amended to include both claimants' names, and both persons' claims should be accepted as timely.

THEREFORE, upon the consent of the parties, it is

ORDERED, ADJUDGED, and DECREED that the Court's Proposed Consent Decree of April 27, 2007, is amended as follows:

1. The Amended Exhibit A, which is attached, is substituted for the prior Exhibit A.
2. The claims of Luis Pinos and Rosario Geniz are accepted as timely submitted under the Proposed Consent Decree.

DATE:

8/9/07

s/Patrick J. Schiltz

Patrick J. Schiltz

United States District Judge

BY CONSENT:

PLAINTIFF:

/s/ Laurie A. Vasichek
Laurie A. Vasichek (#171438)
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FOR DEFENDANT:

GRAY, PLANT, MOOTY, MOOTY &
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AMENDED EXHIBIT A
July 31, 2007

<u>NAME</u>	<u>Department</u>	<u>Status</u>
Rodriguez, Rogelio	Front Tipped	Former Employee
Inamagua, Manuel J	Front Tipped	Active Employee
Alvarado, Abel	Front Tipped	Active Employee
Leon Mejia, Patricio C	Front Tipped	Former Employee
Parra, Carlos Anibal Bermeo	Front Tipped	Former Employee
Hernan Inamagua B, Wilson	Front Tipped	Active Employee
Alvarado, Raul Alfredo	Front Tipped	Active Employee
Loresca, Especianise	Front Tipped	Former Employee
L Esperance, Anne M	Front Tipped	Former Employee
Inamagua, Raul D	Front Tipped	Active Employee
Robles, Miguel P	Front Tipped	Former Employee
Cumbe, Patricio	Front Tipped	Former Employee
Alvarado, Carlos V	Front Tipped	Active Employee
Pinos, Juan P	Front Tipped	Active Employee
Mendez Graterol, Adalberto J	Front Tipped	Former Employee
Hernandez, Christian E	Runner	Former Employee
Amelotti, Osvaldo J	Runner	Former Employee
Collaguazo, Manuel J	Host	Former Employee
Navarro, Tim J	Host	Former Employee
Almeida, Graziela	Host	Former Employee
Diaz, Christopher	Host	Former Employee
Vizuite, Maria C	Host	Active Employee
Ortiz, Oswaldo	Cook	Former Employee
Molina, Maria	Cook	Former Employee
Molina, Ana	Cook	Active Employee
Astudillo, Zoila C	Cook	Active Employee
Benabides, Oscar	Cook	Active Employee
Carrasco, Pedro M	Cook	Former Employee
Gualpa, Nancy Germana	Cook	Active Employee
Duta, Clemencia	Cook	Active Employee
Llapa, Rosa E	Cook	Active Employee
Encalada, Elvia	Cook	Former Employee
Perete, Julia Servantes	Cook	Former Employee
Guachichulca, Angel Benedicto	Cook	Former Employee
Santoscoy, Edwin	Cook	Former Employee
Rivera, Luis Rafael	Cook	Active Employee
Bermeo, Jorge M	Cook	Active Employee
Ortiz, Gloria V	Cook	Active Employee
Molina, Nieves	Cook	Former Employee
Mora Merchan, Wilson V	Cook	Active Employee
Vidal, Maria S	Cook	Active Employee

Padilla, Joffre	Cook	Active Employee
Ordaz, Abel Betanzos	Cook	Former Employee
Solis, Paula Solange	Cook	Former Employee
Mijangos Carrasco, Luis	Cook	Active Employee
Cinta, Ana Elda Milla	Cook	Active Employee
Marcos, Rigoberto Jimenez	Cook	Active Employee
Carmona, Hector Lopez	Cook	Former Employee
Mejia Sisalima, Aueda E	Cook	Active Employee
Sales, Ramiro	Cook	Former Employee
Jara, Trancito M	Cook	Active Employee
Camacho, Laura	Cook	Active Employee
Morales, Adalit A	Cook	Former Employee
Gonzalo, Sari	Cook	Former Employee
Arruda, Roberto M	Cook	Former Employee
Padilla, Jorge R	Cook	Active Employee
Marcos, Manuel Ordaz	Cook	Active Employee
Inamagua, Luis	Cook	Active Employee
Noranjo, Norma I Lopez	Cook	Former Employee
Quizhpe, Mari T	Cook	Active Employee
Zambrano Y, Lucio	Cook	Former Employee
Pedraza, Israel Rivera	Cook	Active Employee
Carrasco, Omar Mijangos	Cook	Active Employee
Marcos, Jesus Lopez	Cook	Active Employee
Marcos, Ingrid S Ordaz	Cook	Active Employee
Dorantes, Damaris	Cook	Former Employee
Riera, Lupe M Alvarez	Cook	Active Employee
Pedraza, Humberto Rivera	Cook	Former Employee
Sarimiento, Orly	Cook	Former Employee
Fonse, Pedro A Ribiero	Cook	Former Employee
Sarmiento, Rene	Cook	Active Employee
Urgiles G, Anibal Geovanny	Cook	Active Employee
Quinde, Jose	Cook	Active Employee
Cabrera T, Eulaia E	Cook	Former Employee
Torres, Andres Martinez	Cook	Active Employee
Zhagui, Maria R	Cook	Former Employee
Ginez, Rosario	Cook	Former Employee
Molina, Lucrecia	Steward	Active Employee
Encalada, Jose R	Steward	Former Employee
Orozco, Samuel Molina	Dishwasher	Former Employee
Rodriguez, Martin	Dishwasher	Former Employee
Cardenas, Claudio	Dishwasher	Former Employee
Velazquez, Alfredo Santiago	Dishwasher	Former Employee
Chino V, Luis	Dishwasher	Former Employee

Campos, Sidonio Sanchez	Dishwasher	Former Employee
Gomez Perez, Bernardo	Dishwasher	Former Employee
Gomez L, Jose Antonio	Dishwasher	Former Employee
Hernandez, Jesus	Dishwasher	Former Employee
Ortuno, Rosa C	Dishwasher	Former Employee
Gomez, Rolando Gomez	Dishwasher	Active Employee
Largo, Luis Zhagnay	Dishwasher	Active Employee
Carrasco, Mario H	Dishwasher	Former Employee
Marcos, Antonio Jimenez	Dishwasher	Active Employee
Vivar, Cesar E Pino	Dishwasher	Active Employee
Chavez, Segundo Torres	Dishwasher	Former Employee
Zambrano, Armando	Dishwasher	Active Employee
Carrasco, Artemio Mijangos	Dishwasher	Active Employee
Rodriguez, Ranulfo	Dishwasher	Active Employee
Chunchi, Maria	Dishwasher	Active Employee
Pinos, Luis	Dishwasher	Former Employee
Mora, Fabian R	Cleaner	Active Employee
Vivar, Romel R	Cleaner	Active Employee
Barrera, Gabino A	Manager	Former Employee
Jimenez, Onesimo	Manager	Active Employee