

**IN THE UNITED STATES DISTRICT COURT FOR THE
 NORTHERN DISTRICT OF ALABAMA
 NORTH EASTERN DIVISION**

LINDA JOHNSON,	)	
and the Class she seeks to	)	
represent,	)	
	)	
Plaintiffs,	)	
v.	)	CASE NO.: CV-07-C-00064-NE
	)	Honorable U. W. Clemon
	)	
STEELCASE INC.,	)	
	)	
Defendant.	)	

JOINT MOTION FOR PRELIMINARY APPROVAL
OF A CLASS ACTION SETTLEMENT

Plaintiff, Linda Johnson, on behalf of herself and a class which she seeks to represent and Defendant, Steelcase Inc., (“Steelcase”) by and through their undersigned counsel, hereby jointly move the Court for an Order:

- (1) Preliminarily approving the Settlement Agreement; and
- (2) Setting a Fairness Hearing.

In support of this Motion, these parties state as follows:

1. The above-styled lawsuit was filed against Steelcase by Linda Johnson on January 19, 2007. Johnson initially brought the lawsuit on her own behalf.
2. Steelcase answered the complaint, denied any wrongdoing, denied its

actions violated any federal law, and asserted a number of affirmative defenses.

3. Thereafter, Linda Johnson filed a Motion For Leave to File a First Amended Complaint on January 24, 2008, adding class allegations. The Motion for Leave was granted on February 19, 2008.

4. Steelcase answered the First Amended Complaint, denied any wrongdoing, deemed its actions did not violate any federal law and asserted a number of affirmative defenses.

5. On September 8th and 9th, 2008, a Class Certification Hearing was held after which, the Court certified the following class:

All black Americans who, between January 5, 2005, to the present were/are employed by Steelcase, Incorporated in Production Technician (EEO-7) positions and who were qualified but not selected for vacancies in permanent positions of Quality Specialists and Quality Control Technicians (EEO-5BA), Zone Leaders and Temporary Supervisors (EEO-6BA) and Production Specialists (EEO-6CA).

6. On October 6, 2008, the Court entered an Order certifying the class set forth in Paragraph 5 above.

7. On October 14, 2008, the defendant filed a Fed. R. Civ. P. 23(f) Petition seeking an immediate hearing on the Class Certification Order entered by the Court on October 6, 2008, and an Emergency Stay.

8. The 11th Circuit Court of Appeals denied the Fed. R. Civ. P. 23(f) Petition

on November 5, 2008 and denied the Emergency Motion To Stay as moot.

9. All Parties recognize that there is always substantial uncertainty as to the outcome of a case, that if this case were to be litigated fully, it would be extremely expensive and time-consuming, and that a prompt resolution of this case is in the best interests of all the Parties.

10. Thus, following approximately twenty-two (22) months of protracted litigation, including the production of thousands of pages of documents, as well as databases, numerous depositions, and substantial written discovery, the Parties have agreed upon a compromise settlement of the disputed claims in this action, the terms and provisions of which are embodied in the Settlement Agreement. A copy of the Settlement Agreement is attached hereto as Exhibit "A" and is submitted to the Court for preliminary approval.

11. Without detailing all of the material terms, provisions and conditions of the Settlement Agreement, the parties state that the Settlement Agreement provides declaratory and injunctive relief, implementation of a new selection process for Quality Specialists, Quality Control Technicians, Zone Leaders, Temporary Supervisors, and Production Specialists, monetary relief for the named plaintiff and Class Members, a promotion for the named plaintiff, and an award of attorney's fees and costs for Class Counsel. In return, the Named Plaintiff and the putative

class agree to provide a release to Steelcase and to the dismissal of this case with prejudice.

12. The Settlement Agreement is conditioned upon the entry of a Preliminary Approval Order that contains the provisions set forth in Paragraph X of the Settlement Agreement. A proposed Preliminary Approval Order, which the Parties agree satisfy the requirements of the Settlement Agreement, is attached as Exhibit B to this Motion.

13. The Parties are presently negotiating the terms regarding payment for the Claims Administrator's services. In addition, the Parties have not yet determined an appropriate estimate as to the value of creating, implementing, monitoring a new selection process at the Athens Facility for Quality Specialist and Quality Control Technician (EEO-5BA), Zone Leader and Temporary Supervisor (EEO-6BA) and Production Specialist (EEO-6CA) positions. The Parties will continue their deliberation on these issues and apprise the Court on Wednesday, December 3, 2008, as to their resolution of these issues.

WHEREFORE, the parties move the Court for the entry of an Order:

- (1). Preliminarily approving the Settlement Agreement; and
- (2). Setting a Fairness Hearing.

/s/ Herman N. Johnson, Jr.

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