

C O M M O N W E A L T H O F P E N N S Y L V A N I A

PENNSYLVANIA HUMAN RELATIONS COMMISSION

GOVERNOR'S OFFICE

La Vernon J. Cook and Marjorie : Docket No. P-1138 (Amended)
L. Cook, :
Complainants: :
: :
: :
: :
vs. :
: :
: :
William F. Finkbone d/b/a :
English Tavern, :
Respondent :

CONCILIATION AGREEMENT

WHEREAS, on the 19th day of December, 1975, a formal Complaint was filed before the Pennsylvania Human Relations Commission (hereinafter called the "Commission") against: William F. Finkbone d/b/a English Tavern, 2947 North Seventh Street, Harrisburg, Pennsylvania, 17110

(hereinafter called the "Respondent" whether singular or collective) by: La Vernon J. Cook and Marjorie L. Cook, 2516 North Fourth Street, Harrisburg, Pennsylvania, 17110

(hereinafter called the "Complainant" whether singular or collective) alleging that the Respondent had violated Section(s) 5(1)(1) of the Act of October 27, 1955, P.L. 744, more commonly known as the Pennsylvania Human Relations Act, Tit. 43, Pa. Stat. Ann. §§ 951 et seq, as amended (hereinafter called the "Act"), in that the Respondent committed or caused to be committed the acts or actions more specifically referred to as contained in Exhibit "A" which is attached hereto and incorporated herein as an integral part of this Agreement.

WHEREAS, the Commission and the Respondent, to avoid litigation, but without admission by the Respondent of any actions violative of the Act do hereby waive a public hearing under Section 9 of the Act and the Regulations promulgated by the Commission, and do hereby consent to the entry of this Conciliation Agreement as a Consent Order and Decree of the Commission. This Consent Order and Decree shall have the full force of a Commission Order and Decree following a Public Hearing by the Commission and shall be enforceable as such under Section 10 of the Act. The waiver of said Public Hearing is made knowingly, understandingly and voluntarily with an unqualified intent to be legally bound hereby.

NOW, THEREFORE, the Respondent and the Commission do hereby agree to be legally bound as follows:

1. The foregoing preambles shall be included herein as fully set forth.

2. The Respondent admits the jurisdiction of the Commission in this matter and hereby waives all objections thereto.

3. All exhibits annexed hereto are to be incorporated into this Agreement as an integral part thereof.

4. The term "Respondent" as used in this Conciliation Agreement shall include the Respondent, its successors and assigns, agents, servants and employees, either and/or jointly and severally.

5. The execution and implementation of this Agreement shall in no manner or form constitute any waiver or powers and duties conferred upon the Commission, nor shall this Agreement be deemed as a declaration of policy or precedent by the Commission. This Agreement shall in no manner or form affect the intake, processing, adjudication and disposition of future complaints involving the Respondent, except that the Respondent may in the course of any proceedings refer to the same and to its performance thereunder to the extent relevant to such proceedings.

6. The Respondent shall fully comply with all of the provisions of the Act and the Regulations promulgated by the Commission and shall follow the terms of adjustment set forth in Exhibit "B."

7. It is expressly understood by the Respondent that any violation or infraction of the terms and conditions set forth herein by the Respondent, shall constitute a violation of an Order of the Commission pursuant to Section 11 of the Act.

8. The status of the relationship between the Complainant and the Respondent shall be subject to and defined by Exhibit "C" if attached hereto, and which in such event, is incorporated as an integral part of this Agreement.

9. If any portion of this Agreement, or the application thereof, to any person or circumstance, should for any reason be adjudged invalid, such judgment shall not affect, impair or invalidate the remaining portion of said Agreement.

10. The Commission and the Respondent enter into this Agreement with the intent to be legally bound hereby. This Agreement shall not become final and binding upon all parties until approved by the Commission and a Final Order is thereupon issued; and thereafter shall be binding upon and inure to the benefit of the parties hereto, their and each of their respective heirs, legal representatives, successors and assigns.

In Witness Whereof, the Respondent, being duly authorized so to do, has executed the foregoing on the day of 2-11, 1976.

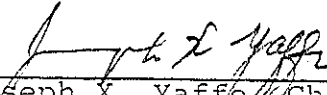
William J. Zupone
President
owner

ATTEST:

Secretary

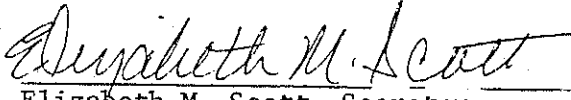
Homer C. Floyd
Homer C. Floyd, Executive Director
Pennsylvania Human Relations Commission

Approved and ratified at a meeting of the Pennsylvania
Human Relations Commission on the 28th day of March
1976.



Joseph X. Yaffe, Chairperson
Pennsylvania Human Relations Commission

ATTEST:



Elizabeth M. Scott, Secretary
Pennsylvania Human Relations Commission

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA HUMAN RELATIONS COMMISSION
GOVERNOR'S OFFICE

La Vernon J. Cook and Marjorie : Docket No. P-1138 (Amended)
L. Cook, :
Complainants :
 :
 :
vs. :
 :
 :
William F. Finkbone d/b/a :
English Tavern, :
Respondent :

COMPLAINANTS' ALLEGATIONS

The Complainants allege that beginning on and/or occurring on and/or beginning prior and continuing on or about to wit July 13, 1975, the Respondent discriminated against the Complainants who form an interracial couple, because of their races, black and white, by denying them the same advantages, facilities and privileges that are given to couples of one race. The Complainants further allege that:

(1) On July 13, 1975, between 12:15 and 12:30 a.m., they went to the Respondent's place of business for a drink.

(2) They first sat at the bar. After ordering their second drink, they asked the Respondent's agent, the bartender, if they could go to the back where there are booths and a place to dance.

(3) The Respondent denied them the privilege to go sit in a booth.

(4) When the Respondent overheard the Complainants saying that the Respondent probably did not like interracial couples, the Respondent shouted, "You said it, you're damn right, remember, you said it."

(5) The Respondent harassed the Complainants, shouted at them and cursed them in front of other customers till they felt they had to leave without finishing their drinks.

The Complainants further allege that these actions were taken because of their races, black and white, and the fact that they are an interracial couple.

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA HUMAN RELATIONS COMMISSION
GOVERNOR'S OFFICE

La Vernon J. Cook and Marjorie : Docket No. P-1138 (Amended)
L. Cook, :
Complainants :
: :
vs. :
: :
William F. Finkbone d/b/a :
English Tavern, :
Respondent :

TERMS OF ADJUSTMENT

(1) The Respondent will reimburse the Complainants in the sum of Six Dollars (\$6) representing the monies they expended for drinks at the Respondent's place of business.

(2) The Respondent shall post and maintain in a well lighted and conspicuous location a Pennsylvania Human Relations placard relative to places of public accommodations.

(3) The Respondent shall abide by the Pennsylvania Human Relations Act as it relates to places of public accommodations in that all persons, whether or not they are in the company of a member of another race will be accorded the advantages, facilities and accommodations of the Respondent's business, without regard to race, color, religious creed, ancestry, national origin, handicap or disability or to persons using guide dogs on account of blindness.

C O M M O N W E A L T H O F P E N N S Y L V A N I A

PENNSYLVANIA HUMAN RELATIONS COMMISSION

GOVERNOR'S OFFICE

La Vernon J. Cook and Marjorie : Docket No. P-1138 (Amended)
L. Cook, :
Complainants :
 :
 :
 :
 :
 vs. :
 :
 :
 William F. Finkbone d/b/a :
English Tavern, :
Respondent :

CERTIFICATE OF SATISFACTORY ADJUSTMENT

We, La Vernon J. Cook and Marjorie L. Cook, Complainants, in the above-docketed case, do hereby certify that our Complaint has been adjusted to our satisfaction and we hereby request the Pennsylvania Human Relations Commission to close the above-docketed case.

Complainant: Mr. La Vernon J. Cook
Date: 2-11-76
Complainant: Ms. Marjorie L. Cook
Date: 2-11-76

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA HUMAN RELATIONS COMMISSION
GOVERNOR'S OFFICE

La Vernon J. Cook and Marjorie : Docket No. P-1138 (AMENDED)
L. Cook, :
Complainants :
: :
vs. :
William F. Finkbone d/b/a :
English Tavern, :
Respondent :
:

FINAL ORDER AND DECREE

AND NOW, this 28th day of March, 1976,
upon consideration of the Conciliation Agreement submitted in the
above captioned case it is hereby ORDERED AND DECREED that said
Conciliation Agreement be entered into the official record of the
Pennsylvania Human Relations Commission as a Final Order, to
be given the same force and effect as if entered after a public
hearing.

BY Joseph X. Yaffe
JOSEPH X. YAFFE, CHAIRPERSON
PENNSYLVANIA HUMAN RELATIONS COMMISSION

BY Elizabeth M. Scott
Elizabeth M. Scott, Secretary
PENNSYLVANIA HUMAN RELATIONS COMMISSION