

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

Swazyne Savage, : Docket No. P-1125
Complainant :
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 vs. :
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 Earl B. Lehman, :
 Respondent :

CONCILIATION AGREEMENT

WHEREAS, on the 9th day of December, 1974, a formal Complaint was filed before the Pennsylvania Human Relations Commission (hereinafter called the "Commission") against: Earl B. Lehman, Lincoln-Mercury Sales and Service Dealer, at 2217 Derry Street, Harrisburg, Pennsylvania

(hereinafter called the "Respondent" whether singular or collective) by: Ms. Swazyne Savage, Operator of Wig Palace, 916 North Third Street, Harrisburg, Pennsylvania

(hereinafter called the "Complainant" whether singular or collective) alleging that the Respondent had violated Section(s) 5(i)(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 20th day of *November*, 1975.

Earl B. Sherman

President Owner


ATTEST:

Harry J. Parker

Secretary

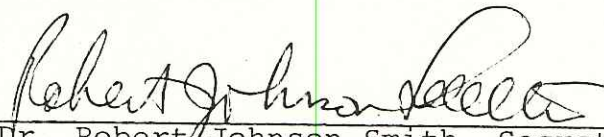
Homer C. Floyd, Executive Director
Pennsylvania Human Relations Commission

Approved and ratified at a meeting of the Pennsylvania
Human Relations Commission on the 25th day of January
19 76 .



Joseph X. Yaffe, Chairperson
Pennsylvania Human Relations Commission

ATTEST:



Dr. Robert Johnson Smith, Secretary
Pennsylvania Human Relations Commission

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA HUMAN RELATIONS COMMISSION
GOVERNOR'S OFFICE

Swazyne Savage,
Complainant

: Docket No. P-1125

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Earl B. Lehman,
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COMPLAINT

The Complainant alleges that the Respondent has withheld from the Complainant accommodations and privileges available to other persons in that proper repair service was not afforded Complainant and including but not limited to returning Ms. Savage's vehicle with a racial epithet on the tag on her car key ring, because of her race, black.

HLA

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA HUMAN RELATIONS COMMISSION
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TERMS OF ADJUSTMENT

1). The Respondent, from the date of entry of this Agreement as Final Order of the Pennsylvania Human Relations Commission, shall not discriminate against any person with respect to offering accommodations, advantages, facilities or privileges, on the basis of race, color, religious creed, ancestry, national origin, handicap, disability or sex.

2). The Respondent shall post and exhibit prominently in its place of business, the Commission's public accommodations notice, for a period of five years from the date of entry of this Agreement as a Final Order of the Pennsylvania Human Relations Commission.

Earl B. Lehman

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CERTIFICATE OF SATISFACTORY ADJUSTMENT

I, Swazyne Savage, Complainant, in the above-docketed case, do hereby certify that my Complaint has been adjusted to my satisfaction and I hereby request the Pennsylvania Human Relations Commission to close the above-docketed case.

Swazyne P. Swage
Complainant

Date: 11/23/75

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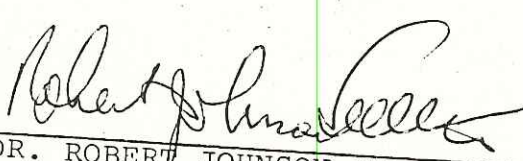
FINAL ORDER AND DECREE

AND NOW, this 25th day of January, 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.

BY


JOSEPH X. YAFFE, CHAIRPERSON
PENNSYLVANIA HUMAN RELATIONS COMMISSION

ATTEST


DR. ROBERT JOHNSON SMITH, SECRETARY
PENNSYLVANIA HUMAN RELATIONS COMMISSION