

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

ELLIOT FERRELL,

Plaintiff,

v.

LABORERS' LOCAL No. 1149,

Defendant.

Civil Action No. 5 : 16 - cv - 55

**PARTIES' JOINT MOTION TO APPROVE AND ENTER CONSENT DECREE**

Plaintiff Elliot Ferrell and Defendant Laborers' Local No. 1149 (together, the "Parties") jointly move the Court to approve and enter the attached proposed Consent Decree ("Decree") resolving the above-captioned case. After engaging in settlement discussions, and to avoid the burdens of contested litigation, the Parties have agreed to the Decree. The Decree, if approved and entered by the Court, resolves all claims of Plaintiff raised in the Complaint in this action.

Date: April 18, 2016.

Attorneys for Plaintiff Elliot Ferrell

WILLIAM J. IHLENFELD, II  
U.S. Attorney  
Northern District of West Virginia

By: /s/ Helen Campbell Altmeyer  
HELEN ALTMAYER (W.Va. Bar No. 117)  
Assistant U.S. Attorney  
Chief, Civil Division  
Office of the U.S. Attorney

Suite 3000  
1125 Chapline Street  
Wheeling, WV 26003  
Telephone: (304) 234-0100  
Facsimile: (304) 234-0112  
Email: [Helen.Altmeyer@usdoj.gov](mailto:Helen.Altmeyer@usdoj.gov)

VANITA GUPTA  
Principal Deputy Assistant Attorney General  
Civil Rights Division

DELORA L. KENNEBREW (GA Bar No. 414320)  
Chief  
Employment Litigation Section  
Civil Rights Division

ANDREW BRANIFF  
Special Litigation Counsel

LOUIS WHITSETT  
Senior Trial Attorney  
United States Department of Justice  
Civil Rights Division  
Employment Litigation Section  
950 Pennsylvania Avenue, NW, PHB-4038  
Washington, DC 20530  
Telephone: (202) 305-0942  
Facsimile: (202) 514-1005  
Email: [Louis.Whitsett@usdoj.gov](mailto:Louis.Whitsett@usdoj.gov)

Attorney for Defendant Laborers Local No. 1149

/s/ Yolonda G. Lambert  
YOLONDA G. LAMBERT, ESQUIRE  
WVSB#2130  
Schrader Byrd & Companion, PLLC  
The Maxwell Centre, Ste. 500  
32 – 20<sup>th</sup> Street  
Wheeling, WV 26003  
Telephone: (304) 233-3390  
Email: [ygl@schraderlaw.com](mailto:ygl@schraderlaw.com)

RONALD MACALA  
Macala & Piatt, LLC  
601 South Main Street  
North Canton, Ohio 44720  
Telephone: (330) 493-1570  
Facsimile: (330) 493-7042  
Email: Rmacala@mgplaborlaw.com