

SETTLEMENT AGREEMENT

THIS SETTLEMENT AGREEMENT is made and entered into by and among the American Academy of Pediatrics ("Respondent") and the United States Department of Justice, Civil Rights Division, Office of Special Counsel for Immigration-Related Unfair Employment Practices ("Office of Special Counsel").

WHEREAS, on March 18, 2010, the Office of Special Counsel opened an independent investigation of Respondent based on potential citizenship status discrimination in violation of the unfair immigration-related employment practices provisions of 8 U.S.C. § 1324b (the "Act").

WHEREAS, the Office of Special Counsel determined during the course of its investigation that there is reasonable cause to believe that Respondent committed citizenship status discrimination in violation of the Act.

WHEREAS, Respondent denies that it has committed citizenship status discrimination in violation of the Act.

WHEREAS, Respondent, and the Office of Special Counsel acknowledge they wish to avoid the costs of litigation and are voluntarily entering into this Agreement.

NOW, THEREFORE, in consideration of the premises and mutual promises herein contained, it is agreed as follows:

1. Respondent agrees to pay the amount of twenty-two thousand dollars (\$22,000), pursuant to 8 U.S.C. § 1324b(g)(B)(iv)(I) and 73 Fed. Reg. 10130 (Feb. 26, 2008), to the United States Treasury.
2. The payment discussed in the preceding paragraph shall be made by check payable to the "United States Treasury c/o Mac McConkey" and mailed by express delivery service, along with a copy of the fully signed settlement agreement, to the following address within thirty (30) days of Respondent's receipt of a fully signed copy of this Agreement:

Mr. Mac McConkey
U.S. Department of Justice
Civil Rights Division
1425 New York Avenue, N.W., Room 5050
Washington, D.C. 20005

3. On the same day the check is mailed, an e-mail will be sent to Liza Zamd at liza.zamd@usdoj.gov providing the express delivery service tracking number for this mailing.
4. Respondent agrees that it shall not discriminate on the basis of citizenship status

or national origin in violation of 8 U.S.C. § 1324b.

5. Respondent agrees that it will treat all individuals equally, without regard to citizenship or immigration status, or national origin, in job advertisements posted on its PedJobs site.
6. Respondent agrees that it will treat all individuals equally, without regard to citizenship or immigration status, or national origin during the employment eligibility verification and reverification process, (a) in honoring documentation that on its face reasonably appears to be genuine, relates to the person, and satisfies the requirements of 8 U.S.C. § 1324a(b), (b) by not requesting more or different documents than are required by law, and (c) by permitting employees to present any document or combination of documents acceptable by law.
7. Respondent agrees that it will not discriminate or retaliate against any individual who participated in the Office of Special Counsel's investigation.
8. Respondent agrees to post a copy of the attached Notice provided by the United States Department of Justice (Attachment A) on its PedJobs website. The Notice will be posted within thirty (30) days from the date that Respondent receives a fully signed copy of this Agreement and will remain posted for three (3) years thereafter.
9. For a period of three (3) years, Respondent agrees to keep a record of any individual or entity who contacts Respondent with concerns regarding a job posting that may unlawfully discriminate against individuals on the basis of citizenship status and/or national origin. Respondent will preserve the job posting at issue and record the individual's or entity's full name, address, and phone number. Respondent agrees to contact the Office of Special Counsel and provide it with the information collected within ten (10) days of the individual or entity having contacted Respondent with its concerns.
10. The Office of Special Counsel agrees not to file any charge or complaint against Respondent pursuant to 8 U.S.C. § 1324b based solely upon information the Office of Special Counsel has uncovered during its independent investigation.
11. This Agreement does not affect the right of any individual to file a charge alleging an unfair immigration related employment practice against Respondent with the Office of Special Counsel, or the right of the Office of Special Counsel to investigate or file a complaint on behalf of any such individual.
12. This Agreement may be enforced in the United States District Court for the Northern District of Illinois.
13. Should any provision of this Agreement be declared or determined by any court

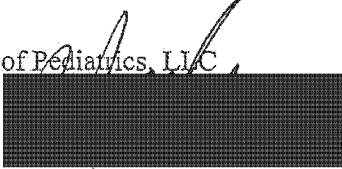
to be illegal or invalid, the validity of the remaining parts, terms or provisions shall not be affected thereby and said illegal or invalid part, term or provision shall be deemed not to be a part of this Agreement. Respondent and the Office of Special Counsel agree that they will not, individually or in combination with another, seek to have any court declare or determine that any provision of this Agreement is invalid.

14. This Agreement is neither an admission by Respondent of any act in violation of 8 U.S.C. § 1324b, nor an admission by the United States of the merits of any of Respondent's defenses.
15. The Office of Special Counsel and Respondent agree to bear their own costs, attorneys' fees and other expenses incurred in this action.
16. This Agreement sets forth the entire agreement between the parties hereto, and fully supersedes any and all prior agreements or understandings between the parties pertaining to the subject matter herein.
17. This Agreement may be executed in multiple counterparts, each of which together shall be considered an original but all of which shall constitute one agreement.

American Academy of Pediatrics, LLC

Dated:

By:

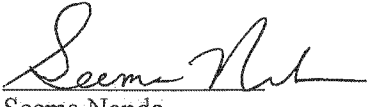
 MP
5/31/2011

 MD

Office of Special Counsel for
Immigration-Related Unfair
Employment Practices

Dated:

By:

 5/31/2011
Seema Nanda
Acting Deputy Special Counsel

Elizabeth Hack
Special Litigation Counsel

Liza Zamd
Trial Attorney