UNITED STATES DISTRICT COURT FOR THE DISTRICT OF RHODE ISLAND

LOUISE LAMPHERE, on behalf of herself and all others similarly situated

v. : C.A. No. 75-0140B

BROWN UNIVERSITY IN PROVIDENCE IN THE STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS, et al.

JOINT PETITION OF CLASS REPRESENTATIVES AND BROWN UNIVERSITY TO TERMINATE THE LAMPHERE CONSENT DECREE

- 1. Petitioners Elizabeth Kirk, Anne Fausto-Sterling and Julie Strandberg are the duly selected Class Representatives for the plaintiffs' class in the above-entitled action.
- 2. Petitioner Brown University (sometimes "Brown" or "the University") is the principal named defendant in said action.
- 3. The Consent Decree in the above-entitled action was filed with the Court on September 12, 1977 and entered by the Court, per Pettine, J., in March, 1978.
- 4. The Decree sets forth a system and procedures designed to increase the number of tenured and untenured women faculty at Brown University and provides, <u>inter alia</u>, Goals and Timetables in Exhibit A, by which the success of such system and procedures can be measured over time. The broad goal of the Decree is "full utilization" or "full representativeness" of women on the University faculty, based on availability pool of women for tenured and nontenured positions.
- 5. By an Opinion and Order dated February 9, 1989, Judge Pettine noted that the parties to said Consent Decree had agreed that the University had exceeded the goals for the appointment of nontenured women to the faculty. In light of the excellent record of achievement in this regard, the Court concluded that there was no reason to establish under the Decree new goals and timetables for nontenured women. Manuscript opinion, p. 15.

- 6. By an Opinion and Order dated May 12, 1989, Judge Pettine set as an interim goal for 1991 63 tenured women faculty and also concluded that the University would be in "substantial compliance" with the ultimate goal of "full utilization" or "full representativeness" if Brown had on its faculty 67 tenured women in 1991. Manuscript opinion, p. 14. As of July, 1991, the University has met this goal of 67 tenured women faculty.
- 7. The Petitioners recognize and acknowledge that the University, under the Lamphere Consent Decree and in cooperation with the Class Representatives, the faculty and the individuals who have been and are participants in the system and procedures set forth in the Decree, have been successful in increasing the number of tenured and nontenured women on the University faculty.
- 8. The Petitioner, Brown University, asserts that all affirmative action procedures set forth in the Decree have been complied with and that it has substantially complied with the goals and time tables established pursuant to Decree and has achieved substantial compliance of full representativeness of women on its faculty.
- 9. The Petitioners, Class Representatives, submit that there has been substantial compliance with the broad purpose of the Consent Decree and that in the fourteen years of the Decree's existence Brown has become a leader, among the universities to which it is most commonly compared, in the recruitment and hiring of tenured and untenured women faculty.

In accordance with an overwhelming vote by mail ballot, class members authorized the Class Representatives to support the vacating of the decree should the faculty adopt procedures for the hiring and promotion of faculty as jointly submitted by the University and the Class Representatives. This petition follows the adoption of these procedures by the Faculty and the subsequent approval of the same by the Corporation.

In a spirit of cooperation the Class Representatives and the University believe and hereby submit to the Court that there is no longer a need for continuance of the Consent Decree in the above-entitled action and that the Consent Decree should be terminated forthwith.

BROWN UNIVERSITY

By: Vou Vartan Gregorian, President

and its Attorneys

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Dated:

, 1992.

ELIZABETH KIRK, ANNE FAUSTO- STERLING AND JULIE STRANDBERG

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