



## **PRESS RELEASE**

FOR MORE INFORMATION  
Karen Di Prima: 856-382-2211

### **ATTORNEY CONTACTS:**

**Terry Fromson Esq.**  
Women's Law Project  
215-928-5771

**Abbe Fletman, Esq.**  
Flaster Greenberg P.C.  
215-279-9388

## **FOR IMMEDIATE RELEASE**

### **SETTLEMENT AGREEMENT APPROVED IN TITLE IX LAWSUIT AGAINST DELAWARE STATE UNIVERSITY**

**Philadelphia, PA (December 21, 2010)** – The settlement agreement in the Title IX Class Action lawsuit against Delaware State University (DSU) by members of its women's equestrian team was approved at a fairness hearing late yesterday afternoon. Fairness hearings are held at the conclusion of all class action lawsuits. The settlement was effectively reached on the eve of trial in October, when the parties agreed to terms aimed at achieving gender equity in its women's athletic programs. Yesterday, the Court also awarded plaintiffs' counsel \$475,442.21 in fees and \$22,241.90 in costs.

It has been almost one year since DSU announced the elimination of the women's equestrian team in January 2010. After the announcement, the 15 team members sued the University for violating Title IX by failing to provide equal athletic opportunities and equal recruitment support for DSU women. The student-athletes filed a motion for a preliminary injunction, which was settled in April 2010 when the Court approved a consent order to extend the equestrian team until the end of the 2010-11 academic year. Settlement of the litigation in its entirety was reached on the eve of a trial scheduled to commence on October 18, 2010.

Title IX of the Education Amendments of 1972 is a federal law that prohibits sex discrimination in federally funded educational programs, and specifically applies to athletic programs. Title IX requires equity in scholarships, accommodation of athletic interests and abilities, and treatment.

The settlement requires DSU to comply with Title IX's requirements to provide equitable participation opportunities and recruitment support to women's athletics. Under the terms of the settlement, DSU has agreed to:

- Comply with Prong 1 of Title IX's participation requirements by providing varsity athletic opportunities for women that are substantially equal (within 2.5 percentage

points) to the proportion of full-time female undergraduate students no later than June 30, 2013;

- Maintain the women's equestrian team as a varsity sport with funding, staffing, and other benefits commensurate with its status as a varsity sport until DSU becomes compliant with Prong 1 of Title IX's participation test, without including the number of equestrian team members in calculating compliance with Prong 1;
- Increase the allocation of funding for recruiting participants in women's athletic teams over the next five years until DSU allocates the same amount of recruitment funds to women's athletics as it allocates to men's athletics beginning in the 2014-15 academic year;
- Provide plaintiffs' counsel and the members and coaches of the women's equestrian team advance notice of DSU's intention to achieve Prong 1 compliance without the equestrian team members no later than November 30 of the academic year in which it expects to achieve compliance and the opportunity to verify and contest DSU's compliance before eliminating the team;
- In the event DSU eliminates the equestrian team, provide athletic scholarships after the elimination of the equestrian team to those students who are members of the team as of the date the Court enters a consent decree memorializing the settlement terms for the duration of each eligible equestrian team member's four-year undergraduate education; and
- Require all members of its Athletic Department, all varsity coaches and all varsity athletes to attend a Title IX training session to be conducted by a recognized expert from outside the DSU community.

DSU has agreed to provide documentation to allow plaintiffs' counsel to monitor compliance.

The student-athletes are represented by Terry Fromson, Managing Attorney of the Women's Law Project, Abbe Fletman of Flaster/Greenberg PC, and Joanne Pinckney of the Wilmington law firm, Pinckney, Harris & Weidinger, LLC.

#####

**ABOUT THE WOMEN'S LAW PROJECT:** The Women's Law Project (WLP) is a non-profit public interest law firm with offices in Philadelphia and Pittsburgh, Pennsylvania. Founded in 1974, the WLP works to abolish discrimination and injustice and to advance the legal and economic status of women through high impact litigation, systems change advocacy, and education. The WLP has helped countless women and girls gain equality and opportunity. [www.womenslawproject.org](http://www.womenslawproject.org).

**ABOUT FLASTER/GREENBERG P.C.:** [Flaster/Greenberg, Attorneys at Law](#) has been providing legal services to individuals, entrepreneurs, privately held and family owned businesses and publicly traded corporations throughout the Delaware Valley for nearly four decades. A [regional business law firm](#) of 70 lawyers with offices in [Pennsylvania \(PA\)](#), [New](#)

[Jersey \(NJ\)](#) and [Delaware \(DE\)](#), [Flaster/Greenberg](#) serves clients in dozens of industries and practice areas including [bankruptcy](#), [business & corporate](#), [construction](#), [environmental](#), [health care](#) and [intellectual property](#) law.

**ABOUT PINCKNEY, HARRIS & WEIDINGER, LLC:** Pinckney, Harris & Weidinger is a majority woman-owned law firm, representing commercial and corporate clients in need of representation in Delaware. The firm's practice areas include commercial and corporate litigation in all Delaware courts, bankruptcy and commercial restructuring and other commercial practice areas. [www.phw-law.com](http://www.phw-law.com); 302-504-1497