

PLAINTIFFS AND EASTMAN KODAK COMPANY ANNOUNCE SETTLEMENT OF RACE DISCRIMINATION CLASS ACTION

Eastman Kodak Company and Employees Committed for Justice, an organization of African American current and former employees of Kodak, jointly announce that they have reached an agreement to settle their pending litigation. The case, *Davis, et al. v. Eastman Kodak Company*, Civil Action No. 6:04-cv-06098, was filed in the United States District Court for the Western District of New York on July 30, 2004, and originates from complaints of racial discrimination filed with the United States Equal Employment Opportunity Commission (the EEOC) in the late 1990's. The settlement also resolves claims made in a related case, *Alston, et al. v. Eastman Kodak Company*, Civil Action No. 07-cv-6512, which is also pending in the United States District Court for the Western District of New York.

In achieving this settlement, all parties have agreed to completely resolve the issues between them and to dismiss all pending legal actions. All parties have also recognized that the settlement does not suggest any wrongdoing on the part of Kodak.

Under the terms of the settlement agreement, Kodak will establish a settlement fund of \$21.4 million that will be used for payments to the plaintiffs and class members, as well as attorneys' fees, litigation costs, and claims administration costs. Kodak, consistent with its commitment to continuous improvement of its highly regarded diversity and inclusion practices, has also agreed to conduct an examination of its policies relating to certain employment practices and to engage outside experts who will make recommendations for improvement.

Kodak, Employees Committed for Justice and the other named plaintiffs believe that this settlement represents a resolution of mutual interest. In arriving at the settlement, the parties took into account the risk of further litigation, including the potential for significant delay as well as the potential for further lengthy and expensive legal proceedings.

About Employees Committed for Justice, the Named Plaintiffs and Class Counsel

Employees Committed for Justice is an organization of African American current and former employees of Kodak. The other named plaintiffs in this litigation include Courtney Davis, Cynthia Gayden, Robert Gibson, Jannie Nesmith, Norlean Pringle, Maria Scott, Victor Smith, Edna Williams, Gladys Alston, Thomas Gainey, Carrie Rice, and the Estate of Olin Singletary. Employees Committed for Justice and the other plaintiffs in this litigation are

represented by co-lead counsel, Shanon Carson of Berger & Montague, P.C., Bruce Gerstein and Jan Bartelli of Garwin Gerstein & Fisher LLP, and Clay Chavers of The Chavers Law Firm, P.C.

Berger & Montague, P.C. is a national class action law firm consisting of over 60 attorneys who represent plaintiffs in complex litigation. Shanon Carson is the Chair of the firm's Employment Law Group, which has extensive experience in representing employees in class and collective action litigation. Berger & Montague, P.C. has played lead roles in major cases for almost 40 years resulting in recoveries of billions of dollars for its clients and the classes they represent. On the web: www.bergermontague.com.

Garwin Gerstein & Fisher LLP is well known nationwide as a champion of the rights of small businesses, investors, consumers and employees in complex class action litigation. The firm's employment practice focuses on litigation on behalf of employees and also includes class and collective actions brought on behalf of plaintiffs under federal and state laws. On the web: www.garwingerstein.com.

The Chavers Law Firm, P.C., a minority owned law firm based in Washington, DC, specializes in civil rights and business representation. For over thirty years, Clay Chavers has worked with companies and non-profit organizations on civil rights issues, to ensure diversity, inclusion and equal opportunity. On the web: www.chavlawfirm.com.

About Kodak

Kodak is a nationally recognized leader in diversity and human resources best practices. The company is committed to creating and maintaining an inclusive workplace in which all employees are valued, treated fairly and can contribute to their full potential. Learn more about Kodak's diversity practices at: <http://www.kodak.com/global/en/corp/diversity/index.jhtml>.