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HIRE SUCCESS 11715 Fox Road, #400-227 Indianapolis, Indiana 46236

> RE: **Hire Success Employment Testing System Personality Profile**

Our law firm was retained by Hire Success, a division of Decision Support Technology, to review its Hire Success personality test and render an opinion as to its compliance with current law. Despite some challenges to the application of pre-employment tests, the Supreme Court has upheld the employer's right to use employment testing in the hiring process.

After an extensive review of the Hire Success Personality Profile, as well as the software on which it is administered, we are of the opinion that the Hire Success system is in compliance with current EEO laws including Title VII of the Civil Rights Act of 1964 and the Civil Rights Act of 1991, the Americans with Disabilities Act ("ADA"), the Age Discrimination Employment Act ("ADEA"), 42 U.S.C. §1983, and 42 U.S.C. §2000e. These laws have each been enacted to ensure that potential applicants are not discriminated against in the hiring process. The Hire Success Personality Profile is designed to assess business related personality traits of potential employees. The test does not require an applicant to reveal information about his or her race, sex and/or age. These factors are not taken into consideration when determining personality or trait information, rather the personality assessment of the potential employee is based solely on the applicant's own response to the adjectives on the test.

Edward D. Lewis 1922 - 1996

Judith T. Kirtland 1947 - 1990

Of Counsel: Felson Bowman

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In our opinion, the Hire Success Personality Profile is fully compliant with the above-referenced laws including State and Federal regulations and statutes. There is no litigation pending or adjudication challenging the use of the Hire Success Personality Profile in any jurisdiction to date. The test, if used according to its design, has no adverse impact against classes that are protected by Equal Employment Opportunity laws and/or regulations. In conclusion, it is the opinion September 3, 1999 Page 2

of the undersigned counsel that the Hire Success Personality Profile, when used within and according to the system's intended use, can be used with confidence in conformity with EEO laws currently in effect within the United States.

Very truly yours,

OHN C. TRIMBLE

MARK E. WALKER

MEW/kgl