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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,

Plaintiff

v.

ZALE CORPORATION,

Defendant.

CIVIL ACTION NO.

COMPLAINT

JURY TRIAL DEMAND

NATURE OF THE ACTION

This is an action under Title VII of the Civil Rights Act of 1964 and Title I of the Civil Rights Act of 1991 to correct unlawful employment practices on the basis of sex/pregnancy and to provide appropriate relief to Christina Kantarzis (“Ms. Kantarzis”). The Equal Employment

1 Opportunity Commission alleges that defendant subjected Ms. Kantarzis to disparate treatment
2 when it failed to promote her to a management position on the basis of her sex/pregnancy.
3 Plaintiff seeks monetary relief, including pecuniary and nonpecuniary compensatory and
4 punitive damages and injunctive relief, on behalf of Ms. Kantarzis.

5 JURISDICTION AND VENUE

6 1. Jurisdiction of this Court is invoked pursuant to 28 U.S.C. §§451, 1331, 1337,
7 1343 and 1345. This action is authorized and instituted pursuant to sections 706(f)(1) and (3) of
8 Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. sections 2000e-5(f)(1) and (3)
9 ("Title VII"), and Section 102 of the Civil Rights Act of 1991, 42 U.S.C. §1981a.

10
11 2. The employment practices alleged to be unlawful were committed within the
12 jurisdiction of the United States District Court for the District of Alaska.

13 PARTIES

14 3. Plaintiff, the Equal Employment Opportunity Commission (the "Commission"), is
15 the agency of the United States of America charged with the administration, interpretation and
16 enforcement of Title VII, and is expressly authorized to bring this action by Section 706(f)(1) of
17 Title VII, 42 U.S.C. §2000e-5(f)(1).

18
19 4. At all relevant times, defendant Zale Corporation ("Zale") has been a corporation
20 continuously doing business in the State of Alaska and has continuously had at least 15
21 employees.

22 5. At all relevant times, defendant Zale has continuously been an employer engaged
23 in an industry affecting commerce within the meaning of Sections 701(b), (g) and (h) of Title
24 VII, 42 U.S.C. §§2000e-(b), (g) and (h).
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STATEMENT OF CLAIMS

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2 6. More than thirty days prior to the institution of this lawsuit, Ms. Kantarzis filed a
3 charge with the Commission alleging violations of Title VII by defendant Zale. All conditions
4 precedent to the institution of this lawsuit have been fulfilled.

5 7. Since May 9, 2006, defendant Zale engaged in unlawful employment practices at
6 its Anchorage, Alaska facility in violation of §§ 703(a) of Title VII, 42 U.S.C. §§ 2000e-2(a).
7 The practices include the failure to promote Ms. Kantarzis to a management position because of
8 her sex/pregnancy.
9

10 8. The effect of the practices complained of in paragraph 7 above has been to
11 deprive Ms. Kantarzis of equal employment opportunities.

12 9. The unlawful employment practices complained of in paragraph 7 above were
13 intentional.

14 10. The unlawful employment practices complained of in paragraph 7 above were
15 done with malice or with reckless indifference to Ms. Kantarzis' federally protected rights.
16

PRAYER FOR RELIEF

17 Wherefore, the Commission respectfully requests that this Court:

18 A. Grant a permanent injunction enjoining defendant, its officers, successors, agents,
19 assigns, and all persons in active concert or participation with it, from engaging in any
20 employment practices which discriminate on the basis of sex/pregnancy.
21

22 B. Order defendant to institute and carry out policies, practices, and programs which
23 provide equal employment opportunities for all employees, and which eradicate the effects of its
24 past and present unlawful employment practices.
25

1 C. Order defendant to make whole Ms. Kantarzis by providing appropriate back pay
2 with prejudgment interest, in amounts to be determined at trial, and other affirmative relief
3 necessary to eradicate the effects of its unlawful employment practices.

4 D. Order defendant to make whole Ms. Kantarzis by providing compensation for past
5 and future pecuniary losses resulting from the unlawful employment practices described in
6 paragraph 7 above, including past and future out-of-pocket expenses, in amounts to be
7 determined at trial.

8
9 E. Order defendant to make whole Ms. Kantarzis by providing compensation for past
10 and future nonpecuniary losses resulting from the unlawful practices complained of in paragraph
11 7 above, including without limitation emotional pain, suffering, and loss of enjoyment of life, in
12 amounts to be determined at trial.

13 F. Order defendant to pay Ms. Kantarzis punitive damages for its malicious and
14 reckless conduct described in paragraph 7 above, in amounts to be determined at trial.

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16 G. Grant such further relief as the Court deems necessary and proper in the public
17 interest.

18 H. Award the Commission its costs of this action.

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JURY TRIAL DEMAND

The Commission requests a jury trial on all questions of fact raised by its complaint.

DATED this 15th day of March, 2007.

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