

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

2001 APR -9 P 2:18

**FILED**

JUL 3 2001

CLERK  
U. S. DISTRICT COURT  
MIDDLE DIST. OF ALA.

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| <b>EQUAL EMPLOYMENT OPPORTUNITY<br/>COMMISSION and</b> | § |  |
| <b>Plaintiff Intervenor,<br/>PAMELA JODIE HARRIS,</b>  | § | <b>CIVIL ACTION NO.<br/>01-D-276-N</b> |
| <b>Plaintiffs,</b>                                     | § |  |
| <b>v.</b>  | § | <b><u>COMPLAINT</u></b>                |
| <b>BALLARD REALTY MANAGEMENT<br/>COMPANY, INC.</b>     | § | <b><u>JURY TRIAL DEMAND</u></b>        |
| <b>And</b>   | § |  |
| <b>BALLARD REALTY COMPANY, INC.,</b>                   | § |  |
| <b>Defendants.</b>                                     | § |  |

**COMPLAINT IN INTERVENTION**

This is a civil action for injunctive relief, declaratory judgment, damages and other appropriate relief to protect and redress the deprivation of rights, privileges, and immunities secured under Title VII of the Civil Rights Act of 1964, as amended, §701 et seq., §701(k), 42 U.S.C. §2000e et seq., §2000e(k), the Civil Rights Act of 1991, and 42 U.S.C. §1981a. Kathryn Dickey represents Pamela Jodie Harris ("Ms. Harris") and brings this action on her behalf.

**JURISDICTION**

1. Ms. Harris alleges that Federal question jurisdiction exists pursuant to 28 U.S.C. §1331, 1343, and 2201 and that there exists a justiciable controversy between her and the Defendants, Ballard Realty Management Company and Ballard Realty Company. Defendants have continuously employed at least fifteen employees and engages in an industry affecting

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interstate commerce.

2. Ms. Harris asserts that she has exhausted her administrative remedies by filing a Charge of Discrimination with the EEOC. Subsequently thereto, the EEOC timely brought the underlying case base on said Charge of Discrimination.

### **VENUE**

3. Ms. Harris is over the age of nineteen (19) years and is a resident of Elmore County, Alabama.

4. Defendants have been an Alabama corporation doing business in the State of Alabama in Montgomery County, Alabama at all times relevant to this complaint.

### **FACTS**

5. Plaintiff/Intervenor was employed by Ballard as a Leasing Consultant, from August 26, 1996 to June of 1998. Defendants engaged in a pattern of intentional abuse, pregnancy discrimination against the Plaintiff/Intervenor. As a result of the Defendant's actions, Ms. Harris has been denied her rights of equal employment opportunities on the basis of her sex.

6. Ms. Harris became pregnant in April of 1998. She informed management at Ballard of her pregnancy in late April or early May. Just prior to informing Ballard of her pregnancy, in March of 1998 Ms. Harris was Employee of the Quarter. After informing Ballard of her pregnancy, Ms. Harris experienced a hostile work environment.

7. Ms. Harris was told that she was not dependable because she came to work late, when in fact she was experiencing morning sickness. Ms. Harris' continued to complete her work Tardiness was never a problem prior to her pregnancy. The Friday prior to being told she was undependable, she had executed eight leases.

8. In June of 1998 Ballard decreased Ms. Harris' work hours from forty (40) hours a

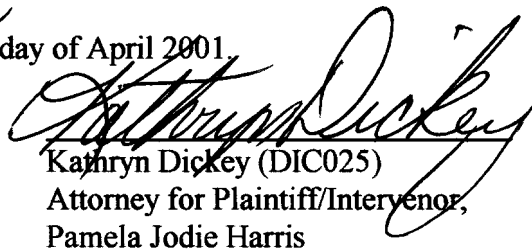
week to sixteen (16) hours a week.

9. Ms. Harris was harassed, discriminated against, and subjected to a hostile working environment, in violation to Title VII, as amended and as a result has suffered damages including but not limited to pain and suffering, mental anguish, humiliation and loss of income.

WHEREFORE, Ms. Harris requests that the Court grant the following relief:

- (1) Declare Defendants unfair and unequal practices in violation of the Federal Law;
- (2) Enjoin Defendants from further violations of the employment rights of individuals similarly situated;
- (3) Grant Ms. Harris such relief as it finds her entitled, including reinstatement, back pay, monetary damages, punitive damages, interest, Court costs, and reasonable attorney's fees.

RESPECTFULLY SUBMITTED this 9<sup>th</sup> day of April 2001.

  
Kathryn Dickey (DIC025)  
Attorney for Plaintiff/Intervenor,  
Pamela Jodie Harris

**OF COUNSEL:**

**Kathryn Dickey**  
**Attorney at Law**  
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Montgomery, Alabama 36104  
(334) 269-6011  
(334) 269-6012 FAX

**CERTIFICATE OF SERVICE**

I hereby certify that I have served a copy of the foregoing upon the following via U.S.

Mail with postage pre-paid this the 9<sup>th</sup> day of April 2001:

Mason D. Barrett  
Equal Employment Opportunity Commission  
1130 22<sup>nd</sup> Street South, Suite 2000  
Birmingham, Alabama 35205-2881

  
OF COUNSEL