

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

**EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,**)

Plaintiff,)

vs.)

**HOUSE OF PHILADELPHIA
CENTER, INC.,**)

Defendant.)

CIVIL ACTION NO. 05-0530-D

COMPLAINT IN INTERVENTION

1. This claim arises under Title VII of the Civil Rights Act of 1964, as amended, and Plaintiff Sharonda Griffin also asserts state law claims. This Court has jurisdiction over this action pursuant to Title 28 U.S.C. §§1331 and 1343. This Court has supplemental jurisdiction over plaintiff's state law claims pursuant to 28 U.S.C. §1367.

2. Plaintiff Sharonda Griffin ("Plaintiff") is a female over the age of nineteen (19) years.

3. Defendant House of Philadelphia Center, Inc. ("Defendant") is a corporation doing business in the Southern District of Alabama.

4. At all times relevant to the complaint, Defendant had fifteen or more employees.

5. At all times relevant to the complaint, Plaintiff was employed by Defendant.

6. During the course of Plaintiff's employment, Defendant discriminated against Plaintiff on the basis of her sex and pregnancy.

7. Plaintiff's supervisor made defamatory remarks about Plaintiff to her co-workers.

8. Plaintiff was terminated from her employment on October 15, 2004.

9. Plaintiff's termination was based on her pregnancy.

10. In a letter to Plaintiff, dated October 15, 2004, Ms. Mamie H. Mackey, Director of the House of Philadelphia Center, Inc., stated, "Please be advised that your service is no longer needed at House of Philadelphia. Due to personal health reason which I have discussed with you. In the near future after you have the baby, I will consider you working for the company again. Your last working day will be Friday, October 15, 2004". (Letter attached as Exhibit 1)

11. Plaintiff filed a timely Charge of Discrimination with the Equal Employment Opportunity Commission, (EEOC) Charge Number 130-2005-00806, in or about November of 2004. (EEOC Charge attached as Exhibit 2)

12. Plaintiff received a "Cause Determination" from the EEOC. (Determination attached as Exhibit 3)

13. The EEOC issued a determination that :

Investigation revealed that Charging Party was discharged and informed she would be considered for re-employment after having her baby. Direct evidence indicates Charging Party's pregnancy was a motivating factor in Respondent's decision to discharge her. Evidence does not support the stated defense that the Charging Party voluntarily resigned. I find reasonable cause to believe that the Charging Party was subjected to discriminatory discharge due to her pregnancy, in violation of Title VII.

14. Thereafter, on or about September 19, 2005, the EEOC filed a lawsuit against the House of Philadelphia Center, Inc.

15. Plaintiff timely filed this complaint in intervention.

First Claim For Relief

16. Plaintiff incorporates by reference each of the foregoing allegations of fact as though

fully set forth herein.

17. Defendant discriminated against Plaintiff in the terms and conditions of her employment, at least partly because of her sex and pregnancy.

18. As a result of Defendant's intentional and unlawful conduct, Plaintiff suffered and continues to suffer emotional pain and suffering, inconvenience, mental anguish, loss of enjoyment of life, loss of income, and loss of employment benefits.

19. Defendant acted with malice or with reckless indifference to Plaintiff's federally protected rights.

WHEREFORE, Plaintiff demands reinstatement, the removal of all unfavorable material related to this matter from her personnel files, back pay, front pay, compensatory and punitive damages, costs and attorneys' fees and all other relief deemed appropriate by this Court and/or the jury.

Second Claim For Relief

20. Plaintiff incorporates by reference each of the foregoing allegations of fact as though fully set forth herein.

21. Defendant's conduct created and/or condoned a hostile work environment for Plaintiff.

22. As a result of Defendant's intentional and unlawful conduct, Plaintiff suffered and continues to suffer emotional pain and suffering, inconvenience, mental anguish, and loss of enjoyment of life.

23. Defendant acted with malice or with reckless indifference to Plaintiff's federally protected rights.

WHEREFORE, Plaintiff demands reinstatement, the removal of all unfavorable material related to this matter from her personnel files, back pay, front pay, compensatory and punitive damages, costs and attorneys' fees and all other relief deemed appropriate by this Court and/or the jury.

Third Claim For Relief

24. Plaintiff incorporates by reference each of the foregoing allegations of fact as though fully set forth herein.

25. Defendant terminated Plaintiff's employment because of her sex and pregnancy.

26. As a result of Defendant's intentional and unlawful conduct, Plaintiff suffered and continues to suffer emotional pain and suffering, inconvenience, mental anguish, and loss of enjoyment of life.

27. Defendant acted with malice or with reckless indifference to Plaintiff's federally protected rights.

WHEREFORE, Plaintiff demands reinstatement, the removal of all unfavorable material related to this matter from her personnel files, back pay, front pay, compensatory and punitive damages, costs and attorneys' fees and all other relief deemed appropriate by this Court and/or the jury.

Sixth Claim For Relief

28. Plaintiff incorporates by reference each of the foregoing allegations of fact as though fully set forth herein.

29. Defendant made defamatory remarks about Plaintiff.

30. As a proximate result of defendant's intentional and/or reckless conduct, Plaintiff

suffered and continues to suffer emotional pain and suffering, inconvenience, mental anguish, loss of enjoyment of life, loss of income, and loss of employment benefits.

WHEREFORE, Plaintiff demands reinstatement, the removal of all unfavorable material related to this matter from her personnel files, back pay, front pay, compensatory and punitive damages, costs and attorneys' fees and all other relief deemed appropriate by this Court and/or the jury.

s/Daniel A. Hannan
DANIEL A. HANNAN (HANND4492)
Attorney for Plaintiff

OF COUNSEL:

FRANKLIN & STEIN, P.C.
63 South Royal Street
Suite 1109
Mobile, Alabama 36602
Phone: 251-433-0051
Fax: 251-433-3919
Email: dahlawyer@hotmail.com

PLAINTIFF DEMANDS TRIAL BY JURY.

s/Daniel A. Hannan

Complaint in Intervention

EEOC vs. House of Philadelphia Center, Inc.

Civil Action No. 05-0530-D

United States District Court for the Southern District of Alabama Southern Division

CERTIFICATE OF SERVICE

I hereby certify that on 9th day of February, 2006, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: **Charles Guerrier, Esq., Mason D. Barrett, Esq. and Raymond L. Bell, Jr., Esq.**

s/Daniel A. Hannan

Federal Bar Number: HANND4492