

1 MARY JO O'NEILL # 005294  
2 C. EMANUEL SMITH MS BAR NO. 7473  
3 KATHERINE J. KRUSE # 019127  
4 **EQUAL EMPLOYMENT OPPORTUNITY**  
5 **COMMISSION**  
6 Phoenix District Office  
7 3300 North Central Avenue, Suite 690  
8 Phoenix, Arizona 85012  
9 Telephone: (602) 640-5029  
10 e-mail: mary.oneill@eeoc.gov  
11 emanuel.smith@eeoc.gov  
12 katherine.kruse@eeoc.gov

13 Attorneys for Plaintiff

14  
15 IN THE UNITED STATES DISTRICT COURT  
16 FOR THE DISTRICT OF ARIZONA

17 Equal Employment Opportunity  
18 Commission,

19 Plaintiff,

20 vs.

21 The Boeing Company, a Delaware  
22 corporation,

23 Defendant.

24 **COMPLAINT AND**  
25 **JURY TRIAL DEMAND**

26 **NATURE OF THE ACTION**

27 This is an action under Title VII of the Civil Rights Act of 1964, as amended, and  
28 Title I of the Civil Rights Act of 1991, against the Defendant, the Boeing Company, to  
correct unlawful employment practices on the basis of sex and/or opposition to unlawful sex  
discrimination, and to provide appropriate relief to Antonia Castron and Renee Wrede,  
female former employees of Boeing who worked as engineers. Boeing discriminated against  
Ms. Castron by transferring her due to her opposition to unlawful sex discrimination and then  
terminating her based on her sex, female, and/or her opposition to unlawful sex  
discrimination. Boeing also discriminated against Ms. Wrede by terminating her based on  
her sex, female, and/or her opposition to unlawful sex discrimination.

**JURISDICTION AND VENUE**

1. Jurisdiction of this Court is invoked pursuant to 28 U.S.C. §§ 451, 1331, 1337,

1 1343 and 1345. This action is authorized and instituted pursuant to Sections 706(f)(1) and  
2 (3) of Title VII of the Civil Rights Act of 1964, as amended, (“Title VII”), 42 U.S.C. §§  
3 2000e-5(f)(1) and (3), and Section 102 of the Civil Rights Act of 1991, 42 U.S.C. § 1981a.

4 2. The employment practices alleged to be unlawful were committed within the  
5 jurisdiction of the United States District Court for the District of Arizona.

#### 6 PARTIES

7 3. Plaintiff, the United States Equal Employment Opportunity Commission,  
8 (“EEOC” or “Commission”), is an agency of the United States of America charged with the  
9 administration, interpretation, and enforcement of Title VII, and is expressly authorized to  
10 bring this action by Section 706(f)(1) of Title VII, 42 U.S.C. § 2000e-5(f)(1).

11 4. More than thirty days prior to the institution of this lawsuit, both Ms. Castron  
12 and Ms. Wrede filed charges with the Commission alleging violations of Title VII by the  
13 Defendants. All conditions precedent to the institution of this lawsuit have been fulfilled.

14 5. At all relevant times, Defendant, the Boeing Company, has continuously been  
15 a Delaware corporation doing business in the State of Arizona.

16 6. At all relevant times, Defendant, the Boeing Company, has continuously had  
17 more than 500 employees.

18 7. At all relevant times, Defendant has continuously been an employer engaged  
19 in an industry affecting commerce under Sections 701(b), (g), and (h) of Title VII, 42 U.S.C.  
20 §§ 2000e(b), (g) and (h).

#### 21 CONCILIATION

22 8. Prior to institution of this lawsuit, the Commission's representatives attempted  
23 to eliminate the unlawful employment practices alleged below and to effect voluntary  
24 compliance with Title VII through informal methods of conciliation, conference and  
25 persuasion within the meaning of Section 706(b) of Title VII, 42 U.S.C. § 2000e-5(b).

#### 26 STATEMENT OF CLAIMS

##### 27 **First Claim: Discriminatory and/or Retaliatory Termination of Antonia 28 Castron**

9. After she was transferred to the PSA group at Boeing’s facility in Mesa,

1 Arizona, Antonia Castron began to make complaints to Boeing management about conduct  
2 she reasonably, and in good faith, believed to be unlawful sex discrimination.

3 10. Beginning on or near August, 2002, Defendant engaged in unlawful  
4 employment practices in Arizona, in violation of Section 703(a) and/or 704(a) of Title VII,  
5 42 U.S.C. §§ 2000e-2(a), 2000e-3(a), by transferring Antonia Castron due to her opposition  
6 to unlawful sex discrimination, and then terminating Ms. Castron based on her sex, female,  
7 and/or her opposition to unlawful sex discrimination.

8 **Second Claim: Discriminatory and/or Retaliatory Termination of Renee Wrede**

9 11. In 1998 and in 2000, Antonia Castron complained to Boeing management  
10 about conduct she reasonably, and in good faith, believed to be unlawful sex discrimination.

11 12. On or near January, 2003, Defendant engaged in unlawful employment  
12 practices in Arizona, in violation of Section 703(a) and/or 704(a) of Title VII, 42 U.S.C. §§  
13 2000e-2(a), 2000e-3(a), by terminating Renee Wrede based on her sex, female, and/or her  
14 opposition to unlawful sex discrimination.

15 **Allegations Pertaining to Both Claims:**

16 13. The effect of the practices complained of in paragraphs 9 through 12 above has  
17 been to deprive Ms. Castron and Ms. Wrede of equal employment opportunities and  
18 otherwise adversely affect their status as employees because of their sex and/or their  
19 opposition to unlawful sex discrimination.

20 14. The unlawful employment practices complained of in paragraphs 9 through  
21 12 above were intentional.

22 15. The unlawful employment practices complained of in paragraphs 9 through  
23 12 above were done with malice or with reckless indifference to the federally protected rights  
24 of Ms. Castron and Ms. Wrede.

25 **PRAYER FOR RELIEF**

26 Wherefore, the Commission respectfully requests that this Court:

27 A. Grant a permanent injunction enjoining the Defendant, its officers, successors,  
28 assigns, and all persons in active concert or participation with it, from engaging in any  
employment practice which discriminates on the basis of sex or because a person has

1 opposed unlawful discrimination.

2 B. Order the Defendant to institute and carry out policies, practices, and programs  
3 which provide equal employment opportunities for female employees and for persons who  
4 oppose unlawful discrimination, and which eradicate the effects of its past unlawful  
5 employment practices.

6 C. Order the Defendant to make whole Ms. Castron and Ms. Wrede by providing  
7 compensation for past and future pecuniary losses resulting from the unlawful employment  
8 practices described in paragraphs 9 through 12 above, in amounts to be determined at trial.

9 D. Order the Defendant to make whole Ms. Castron and Ms. Wrede by providing  
10 compensation for past and future nonpecuniary losses resulting from the unlawful  
11 employment practices described in paragraphs 9 through 12 above, including, but not limited  
12 to, emotional pain, suffering, mental anguish, humiliation, inconvenience, and loss of  
13 enjoyment of life, in amounts to be determined at trial.

14 F. Order the Defendant to pay Ms. Castron and Ms. Wrede punitive damages for  
15 their malicious conduct or reckless indifference described and referenced in paragraphs 9  
16 through 12 above, in amounts to be determined at trial.

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

19 H. Award the Commission its costs in this action.

20 **JURY TRIAL DEMAND**

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

22 RESPECTFULLY SUBMITTED this 30<sup>th</sup> day of September, 2005.

23 JAMES L. LEE  
Deputy General Counsel

24 GWENDOLYN YOUNG REAMS  
Associate General Counsel

25 EQUAL EMPLOYMENT  
26 OPPORTUNITY COMMISSION  
1801 L Street, N.W.  
27 Washington, D.C. 20507  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

s/ Mary Jo O'Neill  
MARY JO O'NEILL  
Regional Attorney

s/ C. Emanuel Smith  
C. EMANUEL SMITH  
Supervisory Trial Attorney

s/ Katherine J. Kruse  
KATHERINE J. KRUSE  
Trial Attorney

EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION  
Phoenix District Office  
3300 North Central Ave., Suite 690  
Phoenix, Arizona 85012-2504  
(602) 640-5029

Attorneys for Plaintiff