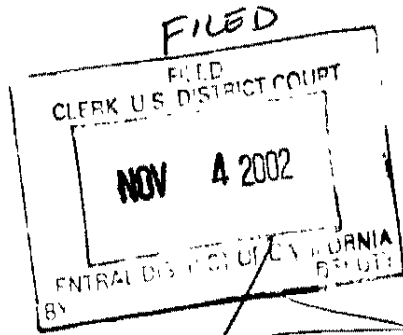


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- JS-2/JS-3

9 UNITED STATES DISTRICT COURT  
10 CENTRAL DISTRICT OF CALIFORNIA

11 UNITED STATES EQUAL EMPLOYMENT  
12 OPPORTUNITY COMMISSION,

13 Plaintiff,

14 vs.

15 CHEAP TICKETS, INC. d/b/a/  
16 CHEAP TICKETS, CENDANT  
17 CORPORATION, d/b/a CENDANT and  
18 DOES 1-10, Inclusive.,

19 Defendants.

20 CANDII ANDERSON, an individual,

21 Plaintiff in  
22 Intervention,

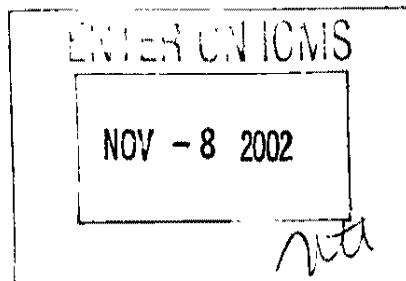
23 vs.

24 CHEAP TICKETS, INC. d/b/a/  
25 CHEAP TICKETS, CENDANT  
CORPORATION, d/b/a CENDANT and  
DOES 1-10, Inclusive.,

Defendants.

) Case No.: 02-7117WJR (VBKx)  
) (Complaint filed: 9/12/02  
)  
) COMPLAINT IN INTERVENTION-  
) CIVIL RIGHTS  
) SEXUAL HARRASSMENT; SEX-BASED  
) HARASSMENT; SEXUAL  
) DISCRIMINATION; RETALIATION  
)  
) 42 U.S.C., § 2000e, et seq.  
) Violations of California  
) Government Code § 12940, et  
) seq.  
) DEMAND FOR TRIAL BY JURY

) Assigned Judge:  
) The Honorable William J. Rea



16

1 NATURE OF THE ACTION

2 Plaintiff in Intervention and Charging Party Candii  
3 Anderson, pursuant to 42 U.S.C.A § 2000e-5 (f) (1) intervenes in  
4 this sexual harassment, sex-based harassment, and retaliation  
5 action brought by the United States Equal Employment Opportunity  
6 Commission (hereinafter, the "Commission") under Title VII of  
7 the Civil Rights Act of 1964, as amended, against Defendant  
8 CHEAP TICKETS, INC. d/b/a/ CHEAP TICKETS, CENDANT CORPORATION,  
9 d/b/a CENDANT (hereinafter, "Defendant Employers"), to correct  
10 unlawful employment practices on the basis of sex and to provide  
11 appropriate relief to the Plaintiff in Intervention and Charging  
12 Party Candii Anderson, and a class of similarly situated  
13 employees who were adversely affected by such practices  
14 including Plaintiff in Intervention herein.

15  
16 JURISDICTION AND VENUE

17 1. Jurisdiction of this Court is invoked pursuant to 28  
18 U.S.C. §§ 451, 1331, 1337, 1343, 1345, and 1367.

19 2. The employment practices alleged herein to be unlawful  
20 were committed within the jurisdiction of the United States  
21 District Court for the Central District of California.

22  
23 PARTIES

24 3. At all relevant times, Plaintiff in Intervention and  
25 Charging Party Candii Anderson worked for the Defendant

1 Employers in the State of California, County of Los Angeles, in  
2 the City of Los Angeles and is an aggrieved party authorized to  
3 intervene under 42 U.S.C., § 2000e-5 (f) (1).

4 4. At all relevant times, Defendant Employers have  
5 continuously been and are now doing business in the State of  
6 California and the City of Los Angeles; and at all relevant  
7 times, Defendant Employers have continuously employed fifteen  
8 (15) or more persons.

9 5. Plaintiff is ignorant of true names and capacities of  
10 Defendant Employers, sued as Does 1 through 10, inclusively, and  
11 therefore, Plaintiff in Intervention and Charging Party Candii  
12 Anderson sues said Defendant Employers by such fictitious names.  
13 Plaintiff in Intervention and Charging Party Candii Anderson  
14 reserves the right to amend the complaint to name the Doe  
15 Defendant Employers individually or corporately as they become  
16 known. Plaintiff in Intervention and Charging Party Candii  
17 Anderson alleges that each of the Defendant Employers named as  
18 Does was in some manner responsible for the acts and omissions  
19 alleged herein and Plaintiff in Intervention and Charging Party  
20 Candii Anderson will amend the complaint to allege such  
21 responsibility when same shall have been ascertained.

22 6. It is further alleged on information and belief that  
23 the unnamed defendants are mere alter egos of the Defendant  
24 Employer, Cheap Tickets Incorporated and Cendant Corporation.  
25 The remaining defendants are properly named in the complaint.

1           7. All of the acts and failures to act alleged herein  
2 were duly performed by and attributable to Defendant Employers,  
3 each acting as a successor, agent, employee or under the  
4 direction and control of the others, except as specifically  
5 alleged otherwise. Said acts and failures to act were within  
6 the scope of such agency and/or employment, and each Defendant  
7 Employers participated in, approved and/or ratified the unlawful  
8 acts and omissions by other Defendant Employers complained of  
9 herein. Whenever and wherever reference to any act in this  
10 Complaint to any act by a defendant employer or Defendant  
11 Employers, such allegations and reference shall also be deemed  
12 to mean the acts and failures to act of each Defendant Employers  
13 acting individually, jointly and/or severally.

14           8. At all relevant times, Defendant Employers have  
15 continuously been an employer engaged in an industry affecting  
16 commerce within the meaning of § 701(b), (g) and (h) of Title  
17 VII, 42 U.S.C., § 2000e-1 (b), (g) and (h) and 11 (b), (g) and  
18 (h).

19  
20                           EXHAUSTION OF ADMINISTRATIVE REMEDIES

21           9. Prior to institution of this lawsuit, Plaintiff in  
22 Intervention and Charging Party Candii Anderson, timely filed an  
23 administrative claim with the California Department of Fair  
24 Employment and Housing (hereinafter, "DFEH") and with the  
25 Commission. The DFEH issued Plaintiff in Intervention and

1 Charging Party Candii Anderson right to sue letters and the  
2 Commission thereafter assumed jurisdiction, duly conducted its  
3 investigation, and being unable to eliminate the unlawful  
4 employment practices alleged below through informal methods of  
5 conciliation and persuasion instituted this lawsuit against  
6 Defendant Employers on September 12, 2002. Plaintiff's federal  
7 and pendent state claims alleged herein are now ripe for  
8 decision in this court. See EEOC v. Farmers Bros. Co., 31 F.3d  
9 891, 903 (9<sup>th</sup> Cir. 1994).

10  
11 STATEMENT OF FEDERAL CLAIMS

12 10. Defendant Employers have engaged in unlawful  
13 employment practices at its facility in Los Angeles California,  
14 in violation of § 706(f) (1) and (3) of Title VII, 42 U.S.C., §  
15 5(f) (1) and in violation of the California Fair Employment and  
16 Housing Act, California Government Code §§ 12900-12996 ("FEHA").  
17 The unlawful sexual harassmt and sex-based harassmt in the  
18 form of verbal, and physical harassmt directed at Plaintiff in  
19 Intervention and Charging Party Candii Anderson impacted the  
20 terms and conditions of her employment and created a hostile  
21 working environment at Defendant Employers. These practices also  
22 include retaliation against the complaining party for having  
23 complained about the harassmt, including the termination of  
24 Plaintiff in Intervention and Charging Party Candii Anderson.

1 11. The impact of the aforementioned conduct deprived  
2 Plaintiff in Intervention and Charging Party Candii Anderson of  
3 equal employment opportunities and to otherwise adversely impact  
4 her employment status because of her sex and also in retaliation  
5 for engaging in a protected activity.

6 12. The unlawful employment practices complained of above  
7 were and are willful within the meaning of § 706(f) (1) and (3)  
8 of TITLE VII, 42 U.S.C., § 20005e-(f) (1) and (3).

9 13. The unlawful employment practices complained of above  
10 were intentional and caused Plaintiff in Intervention and  
11 Charging Party Candii Anderson to suffer emotional distress.

12 14. Defendant Employers have acted with malice or reckless  
13 indifference to the federally protected rights of Plaintiff and  
14 Charging Party Candii Anderson by subjecting her to harassment  
15 consisting of sexually charged conduct, derogatory statements,  
16 propositions for sexual favors, obscene and vulgar gestures and  
17 unwelcome physical touching. The plaintiff was also subject to  
18 retaliation for engaging in a protected activity resulting in an  
19 adverse employment action.

20 15. As a further direct and proximate result of the  
21 oppressive, intimidating, and unlawful conduct of Defendant  
22 Employers, Plaintiff in Intervention and Charging Party Candii  
23 Anderson has been forced to retain an attorney and therefore  
24 requests reasonable attorneys' fees and costs.

25 //

STATEMENT OF STATE CLAIMS

16. This court has supplemental jurisdiction over Plaintiff's state claims pursuant to 28 U.S.C., § 1367 (a).

17. Defendant Employers have engaged in unlawful employment practices at its facility in Los Angeles, California, in violation of the California Fair Employment and Housing Act, California Government Code §§ 12900-12996 ("FEHA"). The unlawful sexual harassment, sex discrimination and sex-based harassment in the form of verbal, and physical harassment directed at Plaintiff in Intervention and Charging Party Candii Anderson impacted the terms and conditions of her employment and created a hostile working environment at Defendant Employers. The Plaintiff in Intervention and Charging Party Candii Anderson was also subjected to retaliation for engaging in a protected activity.

18. In the course of Plaintiff in Intervention and Charging Party Candii Anderson's employment, Defendant Employers, acting by and through it's employees, supervisors and/or agents, engaged in a continuing and ongoing pattern and practice of unlawful sexual harassment, sex discrimination and retaliation by routinely subjecting Plaintiff in Intervention and Charging Party Candii Anderson to sexually demeaning and explicit comments, gestures and other unlawful conduct. Such actions, which were offensive, unwelcome, and created a hostile and intimidating work environment included, without limitation,

1 the following: sexually charged conduct, derogatory statements,  
2 propositions for sexual favors, obscene and vulgar gestures, and  
3 unwelcome physical touching, all in violation of Government Code  
4 § 12940, et seq. The Plaintiff in Intervention and Charging  
5 Party Candii Anderson was also subject to retaliation for  
6 engaging in a protected activity resulting in an adverse  
7 employment action.

8 19. Plaintiff in Intervention and Charging Party Candii  
9 Anderson is informed and believes and thereon alleges that  
10 Defendant Employers, and each of them, did not conduct adequate  
11 investigations into Plaintiff in Intervention and Charging Party  
12 Candii Anderson's complaints or take appropriate corrective  
13 action to correct the hostile work environment and to ensure  
14 that Plaintiff in Intervention and Charging Party Candii  
15 Anderson would not be subjected to further harassment or  
16 retaliatory treatment. The harassment was sufficiently  
17 pervasive and severe as to alter the conditions of Plaintiff in  
18 Intervention and Charging Party Candii Anderson's employment and  
19 to create a hostile, intimidating and/or abusive work  
20 environment.

21 20. As a direct, foreseeable, and proximate result of  
22 Defendant Employers' discriminatory acts, Plaintiff in  
23 Intervention and Charging Party Candii Anderson has suffered and  
24 continues to suffer substantial losses in earnings and job  
25 benefits, and has suffered humiliation, anxiety, embarrassment,



1 mental and emotional distress, and discomfort, all to her damage  
2 in an amount in excess of the minimum jurisdiction of this  
3 Court, the precise amount of which will be proven at trial.

4 21. Defendant Employers committed the acts herein alleged  
5 maliciously, fraudulently, oppressively, with the wrongful  
6 intention of injuring Plaintiff in Intervention and Charging  
7 Party Candii Anderson, and acted with an improper and evil  
8 motive amounting to malice, and in conscious disregard of  
9 Plaintiff's rights. Because the acts taken towards Plaintiff in  
10 Intervention and Charging Party Candii Anderson were carried out  
11 by employees in positions of authority, acting in a despicable,  
12 deliberate, cold, callous, and intentional manner in order to  
13 injure and damage Plaintiff in Intervention and Charging Party  
14 Candii Anderson, who is entitled to recover punitive damages in  
15 a sum to be proved by trial.

16 22. As a further direct and proximate result of the  
17 oppressive, intimidating, and unlawful conduct of Defendant  
18 Employers, Plaintiff in Intervention and Charging Party Candii  
19 Anderson has been forced to retain an attorney and therefore  
20 requests reasonable attorney's fees and costs.

21 PRAYER FOR RELIEF

22 WHEREFORE, Plaintiff in Intervention and Charging Party  
23 Candii Anderson prays that judgment be entered in her favor, as  
24 follows, as to Plaintiff in Intervention and Charging Party  
25 Candii Anderson's state and federal claims:

1 A. A permanent injunction enjoining Defendant Employers,  
2 its officers, successors, assigns and all persons in active  
3 concert or participation with them, from engaging in any  
4 employment practices that discriminate on the basis of sex or  
5 from engaging in unlawful retaliation;

6 B. For back pay, front pay and benefits in an amount to  
7 be determined by trial including prejudgment interest;

8 C. For compensatory, special and general damages in an  
9 amount to be determined at trial;

10 D. For punitive damages in an amount to be determined at  
11 trial;

12 E. For attorneys fees and costs of suit;

13 F. For interest, including prejudgment interest; and

14 G. For such further relief as the Court deems necessary  
15 and proper under the circumstances.

16 JURY DEMAND

17 Plaintiff in Intervention and Charging Party Candii  
18 Anderson requests a jury trial on all questions of fact raised  
19 by her complaint.

20 DATED: October 3, 2002

21 Law Offices  
22 Delahoussaye-Turner & Turner

23   
24 \_\_\_\_\_  
25 Anthony J. Turner  
Attorney for Intervener  
Charging Party Candii Anderson

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**PROOF OF SERVICE BY MAIL**

I am over the age of 18 and not a party to this cause. I am a resident of or employed in the county where the mailing occurred. My business address is:

10801 National Blvd., Suite 545

Los Angeles, California 90064

I served a copy of the following document(s):

**Complaint in Intervention**

by placing a true copy of each document in the United States mail, in a sealed envelope with postage fully prepaid, as follows:

Date of Deposit: October 7, 2002

Place of Deposit: Los Angeles, California

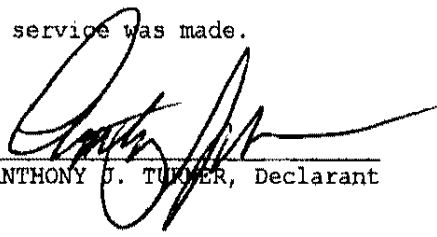
Addressed as follows:

Anna Park, Esq.  
Sue Noh, Esq.  
Gregory McClinton, Esq  
United States Equal Employment  
Opportunity Commission  
255 East Temple Street, 4<sup>th</sup> Floor  
Los Angeles, CA 90012

Attorneys for Plaintiff  
United States Equal Employment  
Opportunity Commission

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Dated: October 7, 2002

  
\_\_\_\_\_  
ANTHONY J. TURNER, Declarant