

The U.S. Equal Employment Opportunity Commission

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APPEALS COURT REVERSES DISMISSAL OF EEOC SUIT AGAINST REEVES LAW FIRM IN CALIFORNIA

Ninth Circuit Decision Revives Case, Vindicates Commission

LOS ANGELES - The U.S. Equal Employment Opportunity Commission (EEOC) today announced that the U.S. Court of Appeals for the Ninth Circuit has reversed a lower court's dismissal of EEOC's sexual harassment and pregnancy discrimination lawsuit against the Pasadena, Calif.-based law firm Reeves & Associates (formerly known as Robert L. Reeves & Associates) and remanded the case for further proceedings (EEOC v. Robert L. Reeves & Associates, 9th Circuit Case No. 02-56179, District Court Case No. CV-00-10515). The Ninth Circuit also overturned a rare award of attorneys' fees against the EEOC previously granted by the Federal District Court in Los Angeles.

In an unpublished opinion, a majority of the three-judge Ninth Circuit panel reversed the lower court's decision and ruled that the EEOC had presented sufficient evidence to support a claim for both sexual harassment and pregnancy discrimination, and that the Reeves firm was not entitled to any of the \$363,075.21 in attorneys' fees awarded against the EEOC. In the event that Reeves & Associates does not petition the Ninth Circuit for a rehearing, the case will be remanded to the district court for trial.

The EEOC's lawsuit charged that the law firm's founder, Robert L. Reeves, sexually harassed several women and discriminated against women on the basis of pregnancy. The suit, initially filed on September 29, 2000, in the U.S. District Court for the Central District of California (Western Division), was dismissed in 2002 by the district court after the Reeves firm brought motions for Summary Judgment - a legal maneuver used by parties to avoid a jury trial by securing a dismissal of the case from the presiding judge.

In its unpublished opinion, the Ninth Circuit found that a reasonable woman in the position of the EEOC claimants "could have believed that Reeves' sexual jokes, comments, leering, and offensive touching were sufficiently severe or pervasive to alter the conditions of their employment." The Court also found that the alleged conduct, "combined with [Reeves'] position within the firm as the partner with final decision-making authority in all matters concerning the firm, is sufficient to permit a reasonable juror to conclude that Reeves created an abusive working environment."

The Ninth Circuit further found that the EEOC had "presented sufficient evidence" of one female employee's "satisfactory work performance and the discriminatory circumstances surrounding her termination to establish a prima facie case of pregnancy discrimination." Moreover, the court said that the EEOC had also "presented sufficient, specific evidence to allow a reasonable juror" to find that the reasons Reeves & Associates gave for firing her "were a pretext for pregnancy discrimination."

Olophius Perry, Director of the EEOC's Los Angeles District Office, which investigated the case and brought the suit, said: "The Ninth Circuit has applied the proper legal standards in evaluating the facts of this case. The Ninth Circuit's opinion vindicates our decision to file this lawsuit on behalf of the women who we believe were subjected to a sexually hostile work environment and pregnancy discrimination at the Reeves law firm."

Gregory Gochanour, EEOC's Acting Regional Attorney in Los Angeles, added, "We are pleased by the Ninth Circuit's opinion and look forward to giving the female victims their day in court. In the end, we are confident that justice will prevail."

EEOC enforces Title VII of the Civil Rights Act of 1964, which prohibits employment discrimination based on race, color, religion, sex or national origin; the Age Discrimination in Employment Act; the Equal Pay Act; Title I of the Americans with Disabilities Act, which prohibits employment discrimination against people with disabilities in the private sector and state and local governments; prohibitions against discrimination affecting individuals with disabilities in the federal government; and sections of the Civil Rights Act of 1991. Further information about the Commission is available on its web site at www.eeoc.gov.

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