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10 Attorneys for Plaintiff  
11 Equal Employment Opportunity Commission

12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA

14 EQUAL EMPLOYMENT OPPORTUNITY )  
15 COMMISSION, )  
16 Plaintiff, )  
17 v. )  
18 RICOH CORPORATION, a subsidiary of )  
19 RICOH COMPANY, LTD., d/b/a, RICOH )  
20 BUSINESS SYSTEMS, INC.; TAYLOR )  
21 MADE DIGITAL SYSTEMS, INC., )  
22 Defendant. )

CIVIL ACTION NO. C-05-3952-JCS

**FIRST AMENDED COMPLAINT**

Civil Rights - Employment  
Discrimination

**JURY TRIAL DEMAND**

**NATURE OF THE ACTION**

23 This action is brought pursuant to Title VII of the Civil Rights Act of 1964 and Title I  
24 of the Civil Rights Act of 1991 to correct unlawful employment practices on the basis of sex and  
25 race and to provide appropriate relief to Chene Gasper, who was adversely affected by such  
26 practices. Defendant Taylor Made Digital Systems, Inc., subjected Ms. Gasper to unlawful sex  
27 and race discrimination when it refused to allow her to return to her position, demoted her and  
28 terminated her employment. Defendant Ricoh Corporation, d/b/a Ricoh Business Systems, is a  
successor to Defendant Taylor Made Digital Systems, Inc.

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1 Made Systems, Inc, and as successor is liable for the discriminatory acts herein alleged.

2 7. At all relevant times, Defendants Taylor Made Digital Systems, Inc. and Ricoh  
3 Corporation, d/b/a, Ricoh Business Systems, Inc., have continuously been employers engaged in  
4 an industry affecting commerce within the meaning of Section 701(b)(g) and (h) of Title VII, 42  
5 U.S.C. §2000e(b), (g) and (h).

6 **STATEMENT OF CLAIMS**

7 8. More than thirty (30) days prior to the institution of this lawsuit, Chene  
8 Gasper (“Charging Party”) filed a charge with the Commission alleging violations of Title VII  
9 by Defendant Taylor Made Digital Systems, Inc. All conditions precedent to the institution of  
10 this lawsuit have been fulfilled.

11 9. Since at least May 2, 2003, Defendant Taylor Made Digital Systems, Inc. engaged  
12 in unlawful employment practices in violation of Section 703 (a) (1) of Title VII, 42 U.S.C.  
13 §2000e-2(a) (1) by discriminating against Charging Party because of her sex (female/pregnancy)  
14 and race (African American). Defendant Taylor Made Digital Systems, Inc., unlawfully refused  
15 to allow Charging Party to return to her previous position after her pregnancy despite the fact  
16 that she could perform all her job functions, and instead replaced her and demoted her; in  
17 further violation of the statute Defendant Taylor Made Systems, Inc., laid of Charging Party  
18 because of her sex (female/pregnancy) and race (African American).

19 10. The effect of the practices complained of above have been to deprive Charging  
20 Party of equal employment opportunities and otherwise adversely affect her employment status  
21 because of her sex and race.

22 11. The unlawful employment practices complained of above were and are  
23 intentional.

24 12. The unlawful employment practices complained of above were done with malice  
25 and/or reckless indifference to the federally protected rights of Charging Party.

26 13. Defendant Taylor Made Digital Systems, Inc., and Defendant Ricoh are  
27 individually, jointly and/or severally liable for the unlawful employment parties complaint of  
28 above.

**PRAYER FOR RELIEF**

Wherefore, the Commission respectfully request that this Court:

A. Grant a permanent injunction enjoining Defendants, their respective officers, successors, assigns, and all persons in active concert or participation with them, from engaging in sex and race discrimination based on pregnancy, childbirth, or related medical conditions.

B. Order Defendants to institute and carry out policies, practices, and programs which provide equal employment opportunities for female employees and which eradicate the effect of their past and present unlawful employment practices of sex and race discrimination based on pregnancy, childbirth, or related medical conditions.

C. Order Defendants to make whole Charging Party by providing appropriate back pay with prejudgment interest, in amounts to be determined at trial, reinstatement and/or front pay in amounts to be determined at trial and other affirmative relief necessary to eradicate the effects of its unlawful employment practices.

D. Order Defendants to make whole Charging Party by providing compensation for past and future pecuniary losses resulting from the unlawful employment practices described above, including but not limited to medical expenses, with interest, in amounts to be determined at trial.

E. Order Defendants to make whole Charging Party by providing compensation for past and future non-pecuniary losses resulting from the unlawful employment practices described above, including but not limited to emotional pain and suffering, inconvenience, loss of enjoyment of life and humiliation, in amounts to be determined at trial.

F. Order Defendants to pay Charging Party punitive damages for their malicious and reckless conduct described above, in amounts to be determined at trial.

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

H. Award the Commission its costs in this action.

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**JURY TRIAL DEMAND**

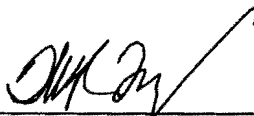
Pursuant to the provisions of Federal Rule of Civil Procedure 38(b), Plaintiff hereby demands a jury trial.

JAMES L. LEE  
Deputy General Counsel

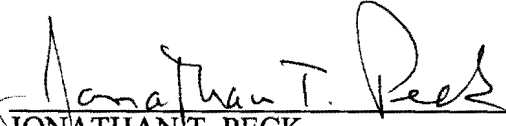
GWENDOLYN YOUNG REAMS  
Associate General Counsel

EQUAL EMPLOYMENT OPPORTUNITY  
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DATE: Dec. 21, 2005

  
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WILLIAM R. TAMAYO  
Regional Attorney

DATE: Dec. 21, 2005

  
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JONATHAN T. PECK  
Supervisory Trial Attorney

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