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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

CIV-

Plaintiff,

v.

COMPLAINT

DEMAND FOR JURY TRIAL

THE REGENTS OF THE UNIVERSITY
OF CALIFORNIA,

Defendant.

Plaintiff, the United States of America, alleges:

Jurisdiction

1. This action is brought on behalf of the United States to enforce the provisions of Title VII of the Civil Rights Act of

1964, as amended, 42 U.S.C. § 2000e, et seq.

2. This Court has jurisdiction over this action under 42 U.S.C. § 2000e-5(f) and 28 U.S.C. § 1345.

3. The defendant, the Regents of the University of California, ("Regents"), is a corporation that administers the University of California, a public trust.

4. The defendant Regents possesses the power to sue and be sued. Cal. Const. Art. 9, § 9.

5. The defendant Regents is an employer within the

meaning of 42 U.S.C. § 2000e(a).

6. Patricia Ormsby is a former employee of the University of California Davis Medical Center, ("UCDMC"), a component of the University of California.

7. Defendant Regents has retaliated against Patricia Ormsby and Karen Knuth, a similarly situated individual formerly employed by UCDMC, in violation of § 704(a) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e-3(a), among other ways, by releasing Ms. Ormsby and Ms. Knuth from their employment as Telecommunications Operators in the Operator Services Unit of the Telecommunications Department because they opposed employment practices that they reasonably believed to be unlawful employment practices under Title VII.

8. The Equal Employment Opportunity Commission ("EEOC") received a timely charge filed by Patricia Ormsby, (Charge No. 370-99-1221) in which she alleged, among other things, that the UCDMC discriminated against her in violation of Title VII by terminating her in retaliation for reporting sexual harassment by a male co-worker.

9. Pursuant to § 706 of Title VII, 42 U.S.C. § 2000e-5, the EEOC investigated Ms. Ormsby's charge, found reasonable cause to believe that, among other things, Ms. Ormsby and other women were retaliated against for engaging in protected activity in violation of Title VII, unsuccessfully attempted to achieve through conciliation a voluntary resolution of these matters and subsequently referred the charge to the Department of Justice.

10. All conditions precedent to the filing of this suit have been performed or have occurred.

WHEREFORE, the Plaintiff prays that the Court grant the following relief:

a. Enjoin the Defendant from failing or refusing to:

(i) provide sufficient remedial relief to make whole Patricia Ormsby and Karen Knuth for the losses they have suffered as a result of the retaliation against them as alleged in this complaint including offers of reinstatement with retroactive seniority, as appropriate, and back pay with interest;

(ii) take other appropriate nondiscriminatory measures to overcome the effects of the discrimination.

(b) Award compensatory damages to Patricia Ormsby and Karen Knuth as would fully compensate them for mental and/or physical injuries caused by the Defendant's discriminatory conduct, pursuant to and within the statutory limitations of § 102 of the Civil Rights Act of 1991, 42 U.S.C. § 1981a.

(c) Award such additional relief as justice may require, together with Plaintiff's costs and disbursements in this action.

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By:

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DATED: