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IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION

2007 NOV 27 P 3 22

UNITED STATES EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION,  
Plaintiff,

v.

CIVIL ACTION NO.:  
3:02-CV-910-J-20 HTS

ALLIED PLASTICS CO., INC.,  
Defendant.

U.S. DISTRICT COURT

Nov 27 2007 1:11 PM

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FILED

**INTERVENOR COMPLAINT AND DEMAND FOR JURY TRIAL**

Intervenors, Cheryl Williams, Christine Williams, Lee Dodd ("Ms. Dodd") and Donna Signorile ("Ms. Signorile") (collectively (the "Intervenors") hereby sue Defendant, Allied Plastics Co., Inc., ("Allied"), a Florida corporation, and Intervenor Defendant Rick Uhrie ("Mr. Uhrie") and alleges as follows:

**INTRODUCTORY ALLEGATIONS**

1. This Court has subject matter jurisdiction over this action by virtue of 28 U.S.C. §§1331, 1334, and 42 U.S.C. §2000(e-5), in that this action arises under Title VII of the Civil Rights Action of 1964 (42 U.S.C. §2000(e) et seq). To the extent that Intervenors assert herein state law claims this Court has supplemental jurisdiction over same in connection with 28 U.S.C. §1367.

2. Intervenors are females and at all times material hereto they were employed by Allied.

3. Allied is a Florida corporation and an employer within the meaning of Title VII, 42 U.S.C. §2000e(b) ("Title VII") and

Chapter 760, Florida Statutes (the "Florida Civil Rights Act").

4. Allied maintains its principal place of business in Jacksonville, Duval County, Florida. Upon information and belief Mr. Uhrie is a resident of Jacksonville, Duval County, Florida.

5. Venue is appropriate within the Jacksonville Division within the United States District Court, Middle District of Florida because the claims and damages asserted herein arose within the geographical area encompassed by this Court.

6. Pursuant to Title VII of the United States Code, this action should be scheduled for trial within 120 days.

7. Intervenors have complied with all conditions precedent to the maintenance of this action, or such conditions have been waived or excused by Allied. Specifically, Intervenors filed Charges of Discrimination against Allied with the Equal Employment Opportunity Commission (hereinafter "EEOC") and the Florida Commission on Human Relations (hereinafter "FCHR") complaining of the acts of sexual harassment, gender discrimination, termination and/or constructive discharge, and/or retaliation which form the grounds of the claims made herein, and the EEOC issued for cause determinations as to the charges filed by each Intervenor. The EEOC also filed suit against Allied for violating Title VII, 42 U.S.C. §§ 2000e, et seq. A true and correct copy of the Complaint filed against Allied by the EEOC is attached hereto and incorporated by reference.

**GENERAL ALLEGATIONS**

8. Intervenors are members of a protected group under Title VII and the Florida Civil Rights Act, in that they are females.

9. Allied employed Intervenors at all times material hereto and Mr. Uhrie and Dennis Burger ("Mr. Burger") had supervisory authority over the Intervenors at all times material hereto.

10. At all times material hereto, Messrs. Uhrie and Burger were acting in their capacity as agents, employees, supervisors, managers and/or owners of Allied.

11. At all times material hereto Messrs Uhrie and Mr. Burger were acting in the course and scope of their employment and/or agency with Allied.

12. Intervenors were subjected to gender discrimination, sexual harassment, and a hostile environment at their workplace because of their gender, female. This gender discrimination, sexual harassment and hostile environment included, without limitation, that the Intervenors were treated differently with respect to the terms and conditions of their employment than were male employees, and the Intervenors were forced to endure unwelcome sexual comments and/or physical contact because of their gender, by Messrs. Uhrie and Burger. The foregoing conduct was sufficiently severe and pervasive so as to constitute an intimidating hostile and offensive work environment. The sexually offensive conduct included, but was not limited to, touching, kissing, hugging,

reasonable fee for their services.

**COUNT I**  
**(Discrimination, Hostile Environment and  
Sexual Harassment Under Title VII By  
Cheryl Williams Against Allied)**

20. Cheryl Williams realleges and incorporates by reference as if set forth fully herein paragraphs numbered 1 through 19 above.

21. This is an action for violation of Title VII for the gender discrimination, hostile environment and sexual harassment against Cheryl Williams.

22. Allied has violated Title VII by discriminating and against and harassing Cheryl Williams in the terms, conditions, and privileges of her employment because of her gender, and by creating a hostile environment.

23. Allied's acts were undertaken with malice and reckless disregard for Cheryl Williams' federally protected rights.

24. Cheryl Williams is now suffering and will continue to suffer irreparable injury and monetary damages as a result of Allied's discriminatory and harassing practices.

**WHEREFORE**, Cheryl Williams prays that this Court will:

a. declare that the acts and practices complained of herein are in violation of Title VII;

b. enjoin Allied from continuing or maintaining any policy, practice, or custom of denying, abridging, withholding, or conditioning the rights of employees on the

basis of their sex, which rights are secured by Title VII;

c. award her compensatory damages from Allied, including all appropriate prejudgment interest thereon;

d. award her lost wages and all other sums of money, including employment benefits which were lost, together with set amounts for the injuries suffered as a result of Allied's violation of Title VII;

e. award her punitive damages from Allied to the maximum extent allowable;

f. award her costs and reasonable attorneys fees; and,

g. grant such other and further relief as is just.

**COUNT II**

**(Discrimination, Hostile Environment and  
Sexual Harassment Under Florida Civil Rights Act  
by Cheryl Williams Against Allied)**

25. Cheryl Williams reallages and incorporates by reference as if set forth fully herein paragraphs numbered 1 through 19 above.

26. This is an action for violation of the Florida Civil Rights Act of 1992, Chapter 760, Florida Statutes.

27. Allied has discriminated against and sexually harassed Cheryl Williams on the basis of her gender, and created a hostile work environment, in violation of the Florida Civil Rights Act of 1992, Chapter 760, Florida Statutes, including, without limitation, discriminating against her and harassing her with respect to the terms, conditions, and privileges of her employment and creating a

hostile work environment.

28. Allied's acts were undertaken with malice and reckless disregard for Cheryl Williams' rights protected under the law of the State of Florida.

29. Cheryl Williams is now suffering and will continue to suffer irreparable injury and monetary damages as a result of Defendant Allied's discriminatory practice and harassing practices.

**WHEREFORE**, Cheryl Williams prays that this Court will:

- a. direct Allied to pay damages representing lost wages and all other sums of money, including employment benefits which were lost, together with interest on said amount;
- b. award her compensatory damages from Allied, including all appropriate prejudgment interest thereon;
- c. award her punitive damages from Allied to the maximum extent allowable;
- d. Award her costs and reasonable attorneys fees; and,
- e. grant such other and further relief as is just.

**COUNT III**

**(Retaliation under Title VII  
by Cheryl Williams Against Allied)**

30. Cheryl Williams reallages and incorporates by reference as if set forth fully herein paragraphs numbered 1 through 19 above.

31. This is an action for violation of Title VII for the retaliation against Cheryl Williams due to her complaining about gender discrimination, sexual harassment and hostile environment.

32. Allied has violated Title VII by retaliating against Cheryl Williams in the terms, conditions, and privileges of her employment because of her complaint about gender discrimination, sexual harassment and hostile environment.

33. Allied's acts were undertaken with malice and reckless disregard for Cheryl Williams' federally protected rights.

34. Cheryl Williams is now suffering and will continue to suffer irreparable injury and monetary damages as a result of Allied's discriminatory, harassing and retaliatory practice.

**WHEREFORE**, Cheryl Williams prays that this Court will:

a. declare that the acts and practices complained of herein are in violation of Title VII;

b. enjoin Allied from continuing or maintaining any policy, practice, or custom of abridging, withholding, or conditioning the rights of employees by retaliating against persons who complain about discrimination, harassment and hostile environment;

c. award her compensatory damages, including all appropriate prejudgment interest thereon;

d. award her lost wages and all other sums of money, including employment benefits which were lost, together with

set amounts for the injuries suffered as a result of Allied's violation of Title VII;

e. award her punitive damages to the maximum extent allowable;

f. award her costs and award reasonable attorneys fees;  
and,

g. grant such other and further relief as is just.

**COUNT IV**  
**(Retaliation Under Florida Civil Rights Act**  
**By Cheryl Williams Against Allied)**

35. Cheryl Williams reallages and incorporates by reference as if set forth fully herein paragraphs numbered 1 through 19 above.

36. This is an action for violation of the Florida Civil Rights Act of 1992, Chapter 760, Florida Statutes.

37. Allied has retaliated against Cheryl Williams due to her complaining about gender discrimination, sexual harassment and hostile environment, in violation of the Florida Civil Rights Act of 1992, Chapter 760, Florida Statutes, including, without limitation, discriminating against her and harassing her with respect to the terms, conditions, and privileges of her employment and creating a hostile work environment.

38. Allied's acts were undertaken with malice and reckless disregard for Cheryl Williams' rights protected under the law of the State of Florida.



39. Cheryl Williams is now suffering and will continue to suffer irreparable injury and monetary damages as a result of Allied's discriminatory and harassing practices.

**WHEREFORE**, Cheryl Williams prays that this Court will:

- a. award damages to her representing lost wages and all other sums of money, including employment benefits which were lost, together with interest on said amount;
- b. award compensatory damages to her, including all appropriate prejudgment interest thereon;
- c. award her punitive damages from Allied to the maximum extent allowable;
- d. award her costs and reasonable attorneys fees; and,
- e. grant such other and further relief as is just.

**COUNT V**  
**(Assault by Cheryl Williams**  
**Against Uhrie and Allied)**

40. Cheryl Williams reallages and incorporates by reference as if set forth fully herein paragraphs numbered 1 through 5 and 9 through 12 above.

41. This is an action for assault.

42. Mr. Uhrie has engaged in numerous intentional acts of making threats of physical force or touching, directed to Cheryl Williams, including, without limitation, hugging, kissing, following, detaining and intimidating.

43. A reasonable person would believe that Mr. Uhrie's

conduct in this regard would be viewed as unwelcome and threatening and would create a fear on the part of the recipient of imminent peril, along with the present ability to effectuate the attempt.

44. At all times material hereto the Mr. Uhrie was acting within the course and scope of his employment with Allied, and/or Allied ratified, condoned or approved of Mr. Uhrie's behavior in this regard.

45. Mr. Uhrie's actions were undertaken with malice and reckless disregard for Cheryl Williams' well being.

46. Allied's conduct in ratifying, condoning or approving of Mr. Uhrie's actions was also undertaken with malice and reckless disregard for the Cheryl Williams' well-being.

47. Cheryl Williams is now suffering and will continue to suffer irreparable injury and monetary damages as a result of the conduct of Allied and Mr. Uhrie.

**WHEREFORE**, Cheryl Williams prays that this Court will:

- a. award her compensatory damages, including all appropriate prejudgment interest thereon, from Allied and Mr. Uhrie;
- b. award her punitive damages from Allied and Mr. Uhrie;
- c. award her costs; and
- d. grant such other and further relief as is just.

**COUNT VI**  
**(Battery by Cheryl Williams**  
**Against Uhrie and Allied)**

48. Cheryl Williams reallages and incorporates by reference as if set forth fully herein paragraphs numbered 1 through 5 and 9 through 12 above.

49. This is an action for battery.

50. Mr. Uhrie has engaged in numerous intentional acts of physical force or touching, directed to Cheryl Williams, including, without limitation, hugging, kissing, following, detaining and intimidating.

51. A reasonable person would believe that Mr. Uhrie's conduct in touching Cheryl Williams, as outlined above, would be harmful and offensive to the recipient.

52. At all times material hereto Mr. Uhrie was acting within the course and scope of his employment with Allied, and/or Allied ratified, condoned or approved of Mr. Uhrie's behavior in this regard.

53. Mr. Uhrie's actions were undertaken with malice and reckless disregard for Cheryl Williams' well being.

54. Allied's conduct in ratifying, condoning or approving of Mr. Uhrie's actions was also undertaken with malice and reckless disregard for the Cheryl Williams' well-being.

55. Cheryl Williams is now suffering and will continue to suffer irreparable injury and monetary damages as a result of the

conduct of Allied and Mr. Uhrie.

**WHEREFORE**, Cheryl Williams prays that this Court will:

- a. Award compensatory damages in her favor and against Allied and Mr. Uhrie, including all appropriate prejudgment interest thereon;
- b. award her punitive damages from Allied and Mr. Uhrie;
- c. award her costs; and,
- d. grant such other and further relief as is just.

**COUNT VII**

**(Intentional Infliction of Emotional Distress  
By Cheryl Williams Against Uhrie and Allied)**

56. Cheryl Williams reallages and incorporates by reference as if set forth fully herein paragraphs numbered 1 through 5 and 9 through 12 above.

57. This is an action for intentional infliction of emotional distress.

58. Mr. Uhrie has engaged in numerous intentional acts of physical force or touching, or making threats of physical force or touching, directed to Cheryl Williams, including, without limitation, hugging, kissing, following, detaining and intimidating.

59. Mr. Uhrie's conduct in this regard was extreme and outrageous and undertaken intentionally or recklessly.

60. At all times material hereto Mr. Uhrie was acting within

the course and scope of his employment with Allied, and/or Allied ratified, condoned or approved of Mr. Uhrie's behavior in this regard.

61. Mr. Uhrie's actions were undertaken with malice and reckless disregard for Cheryl Williams' well being.

62. Allied's conduct in ratifying, condoning or approving of Mr. Uhrie's actions was also undertaken with malice and reckless disregard for Cheryl Williams' well-being and was outrageous and undertaken intentionally.

63. Cheryl Williams is now suffering and will continue to suffer irreparable injury and monetary damages as a result of the conduct of Allied and Mr. Uhrie.

**WHEREFORE**, Cheryl Williams prays that this Court will:

- a. Award compensatory damages to her, against Mr. Uhrie and Allied, including all appropriate prejudgment interest thereon;
- b. award her punitive damages against Allied and Mr. Uhrie;
- c. award her costs; and,
- d. grant such other and further relief as is just.

**COUNT VIII**  
**(Discrimination, Sexual Harassment and  
Hostile Environment Under Title VII  
By Christine Williams Against Allied)**

64. Christine Williams reallages and incorporates by reference as if set forth fully herein paragraphs numbered 1

through 19 above.

65. This is an action for violation of Title VII for the gender discrimination and sexual harassment against Christine Williams.

66. Allied has violated Title VII by discriminating against and harassing Christine Williams in the terms, conditions, and privileges of her employment because of her gender and creating a hostile work environment.

67. Allied's acts were undertaken with malice and reckless disregard for Christine Williams' federally protected rights.

68. Christine Williams is now suffering and will continue to suffer irreparable injury and monetary damages as a result of Allied's discriminatory and harassing practices.

**WHEREFORE**, Christine Williams prays that this Court will:

a. declare that the acts and practices complained of herein are in violation of Title VII;

b. enjoin Allied from continuing or maintaining any policy, practice, or custom of denying, abridging, withholding, or conditioning the rights of employees on the basis of their sex, which rights are secured by Title VII;

c. award her compensatory damages from Allied, including all appropriate prejudgment interest thereon;

d. award her lost wages and all other sums of money, including employment benefits which were lost, together with

set amounts for the injuries suffered as a result of Defendant Allied's violation of Title VII;

e. award her punitive damages from Allied to the maximum extent allowable;

f. award her costs and reasonable attorneys fees; and,

g. grant such other and further relief as is just.

**COUNT IX**

**(Discrimination, Sexual Harassment and  
Hostile Environment Under Florida Civil Rights Act  
by Christine Williams Against Allied)**

69. Christine Williams realleges and incorporates by reference as if set forth fully herein paragraphs numbered 1 through 19 above.

70. This is an action for violation of the Florida Civil Rights Act of 1992, Chapter 760, Florida Statutes.

71. Allied has discriminated against and sexually harassed Christine Williams on the basis of her gender, and created a hostile environment, in violation of the Florida Civil Rights Act of 1992, Chapter 760, Florida Statutes, including, without limitation, discriminating against her and sexually harassing her with respect to the terms, conditions, and privileges of her employment, and creating a hostile work environment.

72. Allied's acts were undertaken with malice and reckless disregard for Christine Williams' rights protected under the law of the State of Florida.

73. Christine Williams is now suffering and will continue to

suffer irreparable injury and monetary damages as a result of Defendant Allied's discriminatory and harassing practices.

**WHEREFORE**, Christine Williams prays that this Court will:

- a. Award her damages representing lost wages and all other sums of money, including employment benefits which were lost, together with interest on said amount;
- b. award her compensatory damages from Allied, including all appropriate prejudgment interest thereon;
- c. award her punitive damages from Allied to the maximum extent allowable;
- d. Award her costs and award reasonable attorneys fees; and,
- e. grant such other and further relief as is just.

**COUNT X**

**(Retaliation under Title VII  
by Christine Williams Against Allied)**

74. Christine Williams reallages and incorporates by reference as if set forth fully herein paragraphs numbered 1 through 19 above.

75. This is an action for violation of Title VII for the retaliation against Christine Williams due to her complaining about gender discrimination, sexual harassmt and hostile environment.

76. Allied has violated Title VII by retaliating against



Christine Williams in the terms, conditions, and privileges of her employment because of her complaint about gender discrimination, sexual harassment and hostile environment.

77. Allied's acts were undertaken with malice and reckless disregard for Christine Williams' federally protected rights.

78. Christine Williams is now suffering and will continue to suffer irreparable injury and monetary damages as a result of Allied's discriminatory, harassing and retaliatory practice.

**WHEREFORE**, Christine Williams prays that this Court will:

a. declare that the acts and practices complained of herein are in violation of Title VII;

b. enjoin Allied from continuing or maintaining any policy, practice, or custom of abridging, withholding, or conditioning the rights of employees by retaliating against persons who complain about discrimination, hostile environment and sexual harassment;

c. award her compensatory damages, including all appropriate prejudgment interest thereon;

d. award her lost wages and all other sums of money, including employment benefits which were lost, together with set amounts for the injuries suffered as a result of Allied's violation of Title VII;

e. award her punitive damages to the maximum extent allowable;

- f. award her costs and award reasonable attorneys fees;  
and,  
g. grant such other and further relief as is just.

**COUNT XI**  
**(Retaliation Under Florida Civil Rights Act**  
**By Christine Williams Against Allied)**

79. Christine Williams reallages and incorporates by reference as if set forth fully herein paragraphs numbered 1 through 19 above.

80. This is an action for violation of the Florida Civil Rights Act of 1992, Chapter 760, Florida Statutes.

81. Allied has retaliated against Christine Williams due to her complaining about gender discrimination, sexual harassing and hostile environment, in violation of the Florida Civil Rights Act of 1992, Chapter 760, Florida Statutes, including, without limitation, discriminating against and sexually harassing her with respect to the terms, conditions, and privileges of her employment and creating a hostile environment.

82. Allied's acts were undertaken with malice and reckless disregard for Christine Williams rights protected under the law of the State of Florida.

83. Christine Williams is now suffering and will continue to suffer irreparable injury and monetary damages as a result of Allied's discriminatory and harassing practices.

**WHEREFORE**, Christine Williams prays that this Court will:

a. award damages to her representing lost wages and all other sums of money, including employment benefits which were lost, together with interest on said amount;

b. award compensatory damages to her including all appropriate prejudgment interest thereon;

c. award her punitive damages from Allied to the maximum extent allowable for an intentional violation of Title VII, as will be shown by the evidence;

d. award her costs and reasonable attorneys fees; and,

e. grant such other and further relief as is just.

**COUNT XII**  
**(Assault by Christine Williams**  
**Against Uhrie and Allied)**

84. Christine Williams realleges and incorporates by reference as if set forth fully herein paragraphs numbered 1 through 5 and 9 through 12 above.

85. This is an action for assault.

86. Mr. Uhrie has engaged in numerous intentional acts of making threats of physical force or touching, directed to the Christine Williams, including, without limitation, hugging, kissing, following, detaining and intimidating.

87. A reasonable person would believe that Mr. Uhrie's conduct in this regard would be viewed as unwelcome and threatening and would create a fear on the part of the recipient of imminent peril, along with the present ability to effectuate the attempt.

88. At all times material hereto the Mr. Uhrie was acting within the course and scope of his employment with Allied, and/or Allied ratified, condoned or approved of Mr. Uhrie's behavior in this regard.

89. Mr. Uhrie's actions were undertaken with malice and reckless disregard for Christine Williams' well being.

90. Allied's conduct in ratifying, condoning or approving of Mr. Uhrie's actions was also undertaken with malice and reckless disregard for the Christine Williams' well-being.

91. Christine Williams is now suffering and will continue to suffer irreparable injury and monetary damages as a result of the conduct of Allied and Mr. Uhrie.

**WHEREFORE**, Christine Williams prays that this Court will:

- a. award her compensatory damages, including all appropriate prejudgment interest thereon, from Allied and Mr. Uhrie;
- b. award her punitive damages from Allied and Mr. Uhrie;
- c. award her costs; and
- d. grant such other and further relief as is just.

**COUNT XIII**  
**(Battery by Christine Williams**  
**Against Uhrie and Allied)**

92. Christine Williams reallages and incorporates by reference as if set forth fully herein paragraphs numbered 1

through 5 and 9 through 12 above.

93. This is an action for battery.

94. Mr. Uhrie has engaged in numerous intentional acts of physical force or touching, directed to Christine Williams, including, without limitation, hugging, kissing, following, detaining and intimidating.

95. A reasonable person would also believe that Mr. Uhrie's conduct in touching Christine Williams, as outlined above, would be harmful and offensive to the recipient.

96. At all times material hereto Mr. Uhrie was acting within the course and scope of his employment with Allied, and/or Allied ratified, condoned or approved of Mr. Uhrie's behavior in this regard.

97. Mr. Uhrie's actions were undertaken with malice and reckless disregard for Christine Williams' well being.

98. Allied's conduct in ratifying, condoning or approving of Mr. Uhrie's actions was also undertaken with malice and reckless disregard for the Christine Williams' well-being.

99. Christine Williams is now suffering and will continue to suffer irreparable injury and monetary damages as a result of the conduct of Allied and Mr. Uhrie.

**WHEREFORE**, Christine Williams prays that this Court will:

a. Award her compensatory damages to be paid by Allied and Mr. Uhrie, including all appropriate prejudgment interest

thereon;

b. award her punitive damages from Allied and Mr. Uhrie;

c. award her costs; and,

d. grant such other and further relief as is just.

**COUNT XIV**

**(Intentional Infliction of Emotional Distress  
By Christine Williams Against Uhrie and Allied)**

100. Christine Williams realleges and incorporates by reference as if set forth fully herein paragraphs numbered 1 through 5 and 9 through 12 above.

101. This is an action for intentional infliction of emotional distress.

102. Mr. Uhrie has engaged in numerous intentional acts of physical force or touching, or making threats of physical force or touching, directed to Cheryl Williams, including, without limitation, hugging, kissing, following, detaining and intimidating.

103. Mr. Uhrie's conduct in this regard was extreme and outrageous and undertaken intentionally or recklessly.

104. At all times material hereto Mr. Uhrie was acting within the course and scope of his employment with Allied, and/or Allied ratified, condoned or approved of Mr. Uhrie's behavior in this regard.

105. Mr. Uhrie's actions were undertaken with malice and

reckless disregard for Christine Williams' well being.

106. Allied's conduct in ratifying, condoning or approving of Mr. Uhrie's actions was also undertaken with malice and reckless disregard for Christine Williams' well-being and was outrageous and undertaken intentionally.

107. Christine Williams is now suffering and will continue to suffer irreparable injury and monetary damages as a result of the conduct of Allied and Mr. Uhrie.

**WHEREFORE**, Christine Williams prays that this Court will:

- a. Award compensatory damages to her, against Mr. Uhrie and Allied, including all appropriate prejudgment interest thereon;
- b. award her punitive damages from Allied and Mr. Uhrie;
- c. award her costs; and,
- d. grant such other and further relief as is just.

**COUNT XV**

**(Discrimination, Sexual Harassment and  
Hostile Environment Under Title VII  
By Lee Dodd Against Allied)**

108. Ms. Dodd reallages and incorporates by reference as if set forth fully herein paragraphs numbered 1 through 19 above.

109. This is an action for violation of Title VII for the gender discrimination against, sexual harassment of Ms. Dodd, and creating a hostile environment.

110. Allied has violated Title VII by discriminating against

and sexual harassing, Ms. Dodd in the terms, conditions, and privileges of her employment because of her gender and creating a hostile work environment.

111. Allied's acts were undertaken with malice and reckless disregard for Ms. Dodd's federally protected rights.

112. Ms. Dodd is now suffering and will continue to suffer irreparable injury and monetary damages as a result of Allied's discriminatory and harassing practices.

**WHEREFORE**, Lee Dodd prays that this Court will:

a. declare that the acts and practices complained of herein are in violation of Title VII;

b. enjoin Allied from continuing or maintaining any policy, practice, or custom of denying, abridging, withholding, or conditioning the rights of employees on the basis of their sex, which rights are secured by Title VII;

c. award her compensatory damages from Allied, including all appropriate prejudgment interest thereon;

d. award her lost wages and all other sums of money, including employment benefits which were lost, together with set amounts for the injuries suffered as a result of Defendant Allied's violation of Title VII;

e. award her punitive damages from Allied to the maximum extent allowable;

f. award her costs and award reasonable attorneys fees;



and,

g. grant such other and further relief as is just.

**COUNT XVI**  
**(Discrimination, Sexual Harassment and Hostile  
Environment Under Florida Civil Rights Act  
by Lee Dodd Against Allied)**

113. Ms. Dodd reallages and incorporates by reference as if set forth fully herein paragraphs numbered 1 through 19 above.

114. This is an action for violation of the Florida Civil Rights Act of 1992, Chapter 760, Florida Statutes.

115. Allied has discriminated against and sexual harassment of Ms. Dodd on the basis of her gender, in violation of the Florida Civil Rights Act of 1992, Chapter 760, Florida Statutes, including, without limitation, discriminating against her and harassing her with respect to the terms, conditions, and privileges of her employment, and creating a hostile work environment.

116. Allied's acts were undertaken with malice and reckless disregard for Ms. Dodd's rights protected under the law of the State of Florida.

117. Ms. Dodd is now suffering and will continue to suffer irreparable injury and monetary damages as a result of Defendant Allied's discriminatory and harassing practices.

**WHEREFORE,** Lee Dodd prays that this Court will:

- a. Award her damages representing lost wages and all other sums of money, including employment benefits which were lost, together with interest on said

- amount;
- b. award her compensatory damages from Allied, including all appropriate prejudgment interest thereon;
  - c. award her punitive damages from Allied to the maximum extent allowable;
  - d. Award her costs and reasonable attorneys fees; and,
  - e. grant such other and further relief as is just.

**COUNT XVII**  
**(Assault by Lee Dodd**  
**Against Uhrie and Allied)**

118. Ms. Dodd reallages and incorporates by reference as if set forth fully herein paragraphs numbered 1 through 5 and 9 through 12 above.

119. This is an action for assault.

120. Mr. Uhrie has engaged in numerous intentional acts of making threats of physical force or touching, directed to the Ms. Dodd, including, without limitation, hugging and intimidating.

121. A reasonable person would believe that Mr. Uhrie's conduct in this regard would be viewed as unwelcome and threatening and would create a fear on the part of the recipient of imminent peril, along with the present ability to effectuate the attempt.

122. At all times material hereto the Mr. Uhrie was acting within the course and scope of his employment with Allied, and/or Allied ratified, condoned or approved of Mr. Uhrie's behavior in

this regard.

123. Mr. Uhrie's actions were undertaken with malice and reckless disregard for Ms. Dodd's well being.

124. Allied's conduct in ratifying, condoning or approving of Mr. Uhrie's actions was also undertaken with malice and reckless disregard for the Ms. Dodd's well-being.

125. Ms. Dodd is now suffering and will continue to suffer irreparable injury and monetary damages as a result of the conduct of Allied and Mr. Uhrie.

**WHEREFORE**, Lee Dodd prays that this Court will:

- a. award her compensatory damages, including all appropriate prejudgment interest thereon, from Allied and Mr. Uhrie;
- b. award her punitive damages from Allied and Mr. Uhrie;
- c. award her costs; and
- d. grant such other and further relief as is just.

**COUNT XVIII**  
**(Battery by Lee Dodd**  
**Against Uhrie and Allied)**

126. Ms. Dodd reallages and incorporates by reference as if set forth fully herein paragraphs numbered 1 through 5 and 9 through 12 above.

127. This is an action for battery.

128. Mr. Uhrie has engaged in numerous intentional acts of

physical force or touching, directed to Ms. Dodd, including, without limitation, hugging and intimidating.

129. A reasonable person would also believe that Mr. Uhrie's conduct in touching Ms. Dodd, as outlined above, would be harmful and offensive to the recipient.

130. At all times material hereto Mr. Uhrie was acting within the course and scope of his employment with Allied, and/or Allied ratified, condoned or approved of Mr. Uhrie's behavior in this regard.

131. Mr. Uhrie's actions were undertaken with malice and reckless disregard for Ms. Dodd's well being.

132. Allied's conduct in ratifying, condoning or approving of Mr. Uhrie's actions was also undertaken with malice and reckless disregard for the Ms. Dodd's well-being.

133. Ms. Dodd is now suffering and will continue to suffer irreparable injury and monetary damages as a result of the conduct of Allied and Mr. Uhrie.

**WHEREFORE**, Lee Dodd prays that this Court will:

- a. Award her compensatory damages to be paid by Allied and Mr. Uhrie, including all appropriate prejudgment interest thereon;
- b. award her punitive damages from Allied and Mr. Uhrie;
- c. award her costs; and,

d. grant such other and further relief as is just.

**COUNT XIX**  
**(Intentional Infliction of Emotional Distress**  
**By Lee Dodd Against Uhrie and Allied)**

134. Ms. Dodd reallages and incorporates by reference as if set forth fully herein paragraphs numbered 1 through 5 and 9 through 12 above.

135. This is an action for intentional infliction of emotional distress.

136. Mr. Uhrie has engaged in numerous intentional acts of physical force or touching, or making threats of physical force or touching, directed to Ms. Dodd, including, without limitation, hugging and intimidating.

137. Mr. Uhrie's conduct in this regard was extreme and outrageous and undertaken intentionally or recklessly.

138. At all times material hereto Mr. Uhrie was acting within the course and scope of his employment with Allied, and/or Allied ratified, condoned or approved of Mr. Uhrie's behavior in this regard.

139. Mr. Uhrie's actions were undertaken with malice and reckless disregard for Ms. Dodd's well being.

140. Allied's conduct in ratifying, condoning or approving of Mr. Uhrie's actions was also undertaken with malice and reckless disregard for Ms. Dodd's well-being and was outrageous and undertaken intentionally.

141. Ms. Dodd is now suffering and will continue to suffer irreparable injury and monetary damages as a result of the conduct of Allied and Mr. Uhrie.

**WHEREFORE**, Lee Dodd prays that this Court will:

- a. Award compensatory damages to her, against Mr. Uhrie and Allied, including all appropriate prejudgment interest thereon;
- b. award her punitive damages from Allied and Mr. Uhrie;
- c. award her costs; and,
- d. grant such other and further relief as is just.

**COUNT XX**  
**(Discrimination, Sexual Harassment and  
Hostile Environment Under Title VII  
By Donna Signorile Against Allied)**

142. Ms. Signorile reallages and incorporates by reference as if set forth fully herein paragraphs numbered 1 through 19 above.

143. This is an action for violation of Title VII for the gender discrimination against and sexual harassment of Ms. Signorile, creating a hostile work environment.

144. Allied has violated Title VII by discriminating against and sexually harassed Ms. Signorile in the terms, conditions, and privileges of her employment because of her gender and created a hostile work environment.

145. Allied's acts were undertaken with malice and reckless disregard for Ms. Signorile's federally protected rights.

146. Ms. Signorile is now suffering and will continue to suffer irreparable injury and monetary damages as a result of Allied's discriminatory and harassing practices.

**WHEREFORE,** Donna Signorile prays that this Court will:

a. declare that the acts and practices complained of herein are in violation of Title VII;

b. enjoin Allied from continuing or maintaining any policy, practice, or custom of denying, abridging, withholding, or conditioning the rights of employees on the basis of their sex, which rights are secured by Title VII;

c. award her compensatory damages from Allied, including all appropriate prejudgment interest thereon;

d. award her lost wages and all other sums of money, including employment benefits which were lost, together with set amounts for the injuries suffered as a result of Defendant Allied's violation of Title VII;

e. award her punitive damages from Allied to the maximum extent allowable;

f. award her costs and reasonable attorneys fees; and,

g. grant such other and further relief as is just.

**COUNT XXI**

**(Discrimination, Sexual Harassment and Hostile Environment Under Florida Civil Rights Act by Donna Signorile Against Allied)**

147. Ms. Signorile reallages and incorporates by reference as if set forth fully herein paragraphs numbered 1 through 19 above.

148. This is an action for violation of the Florida Civil Rights Act of 1992, Chapter 760, Florida Statutes.

149. Allied has discriminated against and sexually harassed Ms. Signorile on the basis of her gender, and created a hostile environment, in violation of the Florida Civil Rights Act of 1992, Chapter 760, Florida Statutes, including, without limitation, discriminating against her and sexually harassing her with respect to the terms, conditions, and privileges of her employment, and creating a hostile environment.

150. Allied's acts were undertaken with malice and reckless disregard for Ms. Signorile's rights protected under the law of the State of Florida.

151. Ms. Signorile is now suffering and will continue to suffer irreparable injury and monetary damages as a result of Defendant Allied's discriminatory and harassing practices.

**WHEREFORE,** Donna Signorile prays that this Court will:

- a. Award her damages representing lost wages and all other sums of money, including employment benefits which were lost, together with interest on said amount;
- b. award her compensatory damages from Allied, including all appropriate prejudgment interest thereon;
- c. award her punitive damages from Allied to the



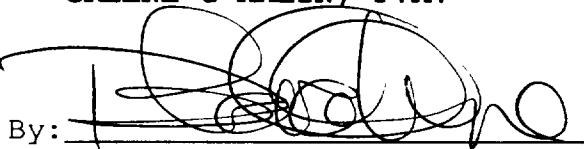
maximum extent allowable;

- d. Award her costs and reasonable attorneys fees; and,
- e. grant such other and further relief as is just.

**JURY DEMAND**

Intervenors demand trial by jury on all issues so triable.

**BARTLETT, HEKIN, SMITH  
GREENE & MALIN, P.A.**

By: 

Deborah L. Greene  
Florida Bar No. 933716  
P.O. Box 477  
Jacksonville, FL 32201  
Telephone: 904-355-7000  
Facsimile: 904-355-0266  
Attorneys for Intervenors

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was provided to: Carla J. Von Greiff, Esquire, Trial Attorney for EEOC, 501 East Polk Street, Suite 1020, Tampa, Florida 33602; Delner-Franklin Thomas, Regional Attorney for EEOC, One South Biscayne Tower, 2 South Biscayne Boulevard, Suite 2700, Miami, Florida 33131; and William H. Andrews, Esquire, Coffman, Coleman, Andrews & Grogan, P.A., Counsel for Allied, 2065 Herschel Street, Jacksonville, Florida 32204; by United States Mail this 27th day of November, 2002.

  
Attorney

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION

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UNITED STATES EQUAL EMPLOYMENT )  
OPPORTUNITY COMMISSION, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
ALLIED PLASTICS COMPANY, INC., )  
 )  
 )  
Defendant. )  
\_\_\_\_\_ )

CLERK U.S. DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE, FLORIDA

CIVIL ACTION NO.  
3:02-cv-910-J-20 HTS  
COMPLAINT  
JURY TRIAL DEMAND  
INJUNCTIVE RELIEF SOUGHT

NATURE OF THE ACTION

This is an action under Title VII of the Civil Rights Act of 1964 and Title I of the Civil Rights Act of 1991 to correct unlawful employment practices on the basis of sex, and to provide appropriate relief to Lee Dodd ("Ms. Dodd"), Donna Signorile ("Ms. Signorile"), Cheryl Williams, Christine Williams and any other similarly situated individuals who were adversely affected by such practices. As stated with greater particularity in paragraph seven below, the Commission alleges that Ms. Dodd, Ms. Signorile, Cheryl Williams, Christine Williams and any other similarly situated individuals were sexually harassed at Defendant's place of business in Jacksonville, Florida. Ms. Dodd, Ms. Signorile, Cheryl Williams, Christine Williams and any other similarly situated individuals were forced to endure unwelcome sexual comments and/or physical contact because of their sex, which created a hostile work environment. The Commission further alleges that the conditions of Ms. Dodd's and Ms. Signorile's employment were made so intolerable by the hostile work environment that they were forced to resign.

### JURISDICTION AND VENUE

1. Jurisdiction of this Court is invoked pursuant to 28 U.S.C. §§ 451, 1331, 1337, 1343, and 1345. This action is authorized and instituted pursuant to Section 706(f)(1) and (3) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e-5(f)(1) and (3) ("Title VII") and Section 102 of the Civil Rights Act of 1991, 42 U.S.C. § 1981A.
2. The employment practices alleged to be unlawful were committed within the jurisdiction of the United States District Court for the Middle District of Florida, Jacksonville Division.

### PARTIES

3. Plaintiff, the Equal Employment Opportunity Commission (the "Commission"), is the agency of the United States of America charged with the administration, interpretation and enforcement of Title VII, and is expressly authorized to bring this action by Section 706(f)(1) and (3) of Title VII, 42 U.S.C. § 2000e-5(f)(1) and (3).
4. At all relevant times, Defendant, Allied Plastics Company, Inc. (the "Employer"), has continuously been a Florida corporation doing business in the State of Florida and the City of Jacksonville, and has continuously had at least 15 employees.
5. At all relevant times, Defendant Employer has continuously been an employer engaged in an industry affecting commerce within the meaning of Sections 701(b), (g) and (h) of Title VII, 42 U.S.C. §§ 2000e(b), (g) and (h).

### STATEMENT OF CLAIMS

6. More than thirty days prior to the institution of this lawsuit, Ms. Dodd, Ms. Signorile, Cheryl Williams and Christine Williams filed charges with the Commission alleging violations of Title VII by Defendant Employer. All conditions precedent to the institution of this lawsuit have been fulfilled.

7. Since on or about March, 2000, Defendant Employer has engaged in unlawful employment practices at its Jacksonville facility, in violation of Section 703(a)(1) of Title VII, 42 U.S.C. § 2000e-2(a).

- (a) Specifically, Ms. Dodd, Ms. Signorile, Cheryl Williams and Christine Williams and other similarly situated individuals were subjected to unwelcome physical and verbal conduct of a sexual nature by Dennis Berger, Owner, and Richard Uhrig, Vice President of Operations, which was sufficiently severe and pervasive to constitute an intimidating hostile and offensive work environment. The sexually offensive conduct included, but was not limited to, touching, kissing, hugging, vulgar language and sexually explicit discussions and jokes.
- (b) Ms. Dodd and Ms. Signorile were forced to resign their position because the working conditions of their employment were so intolerable (due to the persistent sexual harassment by Dennis Berger and Richard Uhrig and Defendant's failure to take any action) that a reasonable person subjected to the same or similar conduct would have been compelled to resign.

8. The effect of the practices complained of in paragraphs seven above has been to deprive Ms. Dodd, Ms. Signorile, Cheryl Williams, Christine Williams and other similarly situated individuals of equal employment opportunities and otherwise adversely affect their status as an employee because of their sex.

9. The unlawful employment practices complained of in paragraph seven above were intentional.

MIAMI

10. The unlawful employment practices complained of in paragraph seven above were done with malice or with reckless indifference to the federally protected rights of Ms. Dodd, Ms. Signorile, Cheryl Williams, Christine Williams and any other similarly situated individuals.

PRAYER FOR RELIEF

Wherefore, the Commission respectfully requests that this Court:

- A. Grant a permanent injunction enjoining Defendant Employer, its officers, successors, assigns, and all persons in active concert or participation with it, from engaging in sexual harassment and any other employment practice which discriminates on the basis of sex.
- B. Order Defendant Employer to institute and carry out policies, practices, and programs which provide equal employment opportunities for victims of sexual harassment, and which eradicate the effects of its past and present unlawful employment practices.
- C. Order Defendant Employer to make whole Ms. Dodd and Ms. Signorile by providing appropriate backpay with prejudgment interest, in amounts to be determined at trial, and other affirmative relief necessary to eradicate the effects of its unlawful employment practices.
- D. Order Defendant Employer to make whole Ms. Dodd and Ms. Signorile by providing compensation for past and future pecuniary losses resulting from the unlawful employment practices described in paragraph seven above including, but not limited to, job search expenses, in amounts to be determined at trial.
- E. Order Defendant Employer to make whole Ms. Dodd, Ms. Signorile, Cheryl Williams, Christine Williams and any other similarly situated individual by providing compensation for past and future nonpecuniary losses resulting from the unlawful practices complained of in paragraph seven above, including emotional pain, suffering and inconvenience, in amounts to be determined at trial.

- F. Order Defendant Employer to pay Ms. Dodd, Ms. Signorile, Cheryl Williams, Christine Williams and any other similarly situated individual punitive damages for its malicious and reckless conduct described in paragraph seven 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.

**JURY TRIAL DEMAND**

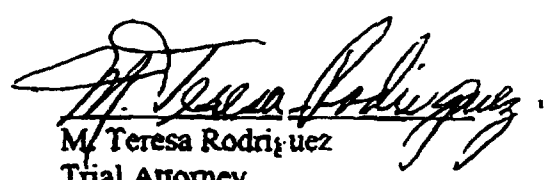
The Commission requests a jury trial on all questions of fact raised by its complaint.

**NICHOLAS M. INZEO**  
Acting Deputy General Counsel

**GWENDOLYN YOUNG REAMS**  
Associate General Counsel

**DELNER FRANKLIN-THOMAS**  
Regional Attorney

**MICHAEL J. FARRELL**  
Supervisory Trial Attorney



**M. Teresa Rodriguez**  
Trial Attorney

FL Bar No. 0951876

**EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION**

Miami District Office

One Biscayne Tower

Suite 2700

Two S. Biscayne Blvd.

Miami, FL 33131

Tel. (305) 530-6010

Fac. (305) 536-4494