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U.S. DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA, FLORIDA

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

STEPHANIE P. CREDIT,

Plaintiff,

v.

CASE NO.: 8:03-cv-568-T-24MAP

CHECKERS DRIVE-IN RESTAURANTS, INC.

Defendant.

_____ /

COMPLAINT IN INTERVENTION OF STEPHANIE P. CREDIT

STEPHANIE P. CREDIT files this Complaint against CHECKERS DRIVE-IN RESTAURANTS, INC. and states:

PARTIES

1. At all relevant times, Defendant, Checkers Drive-In Restaurants, Inc. ("Checkers"), has continuously been a Delaware Corporation doing business in the State of Florida in the city of Tampa, and has continuously had at least 15 employees. Checkers is an "Employer" as defined by Title VII and the Florida Civil Rights Act of 1992.

2. At all relevant times, Ms. Credit has been a citizen of the State of Florida and resident of Hillsborough County Florida. She is a former employee of Checkers and is an "employee" as defined by Title VII and the Florida Civil Rights Act of 1992.

3. Jurisdiction of this Court is invoked under 28 U.S.C. §1331, 1332, 1343, 1367, 2201, and 2202; Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e *et seq.*; and the Florida Civil Rights Act of 1992. Diversity jurisdiction under 28 U.S.C. §1332 exists because Credit and

Defendant are citizens of different states and the amount in controversy exceeds \$75,000, excluding interest and costs.

COUNT I: TITLE VII CLAIMS

4. Plaintiff incorporates by reference the allegations stated at ¶¶6-15 of the Complaint filed by the United States Equal Employment Opportunity Commission in Case No.: 8:03-cv-568-T-29MN, filed in the United States District Court for the Middle District of Florida.

5. As a result of Defendant's unlawful conduct, Plaintiff has suffered humiliation, suffering, mental anguish, pain, anxiety, embarrassment, inconvenience and loss of income.

6. Plaintiff has complied with all conditions precedent to bringing suit.

7. Plaintiff has retained the undersigned attorneys and agreed to pay them a fee.

WHEREFORE, Ms. Credit prays for the following relief:

(a) a jury trial on all issues;

(b) judgement against Checkers and for Ms. Credit awarding compensatory damages and punitive damages against Checkers for Checkers' violations of law enumerated herein;

(c) judgement against Checkers and for the Plaintiff permanently enjoining Checkers from future violations of law enumerated herein and remedying all lost income, raises, promotions, and other benefits of which Plaintiff was unlawfully deprived;

(d) reinstatement of Ms. Credit to a position comparable to a position she should have held at Checkers absent the unlawful discrimination enumerated herein or, in the alternative, front pay;

(e) prejudgment interest on all monetary recovery obtained;

(f) judgment against Checkers and for Ms. Credit awarding her attorneys' fees and costs;
and

(g) such further relief as is equitable and just.

COUNT II: FLORIDA CIVIL RIGHTS ACT CLAIMS

8. Plaintiff incorporates by reference the allegations stated at ¶¶6-15 of the United States Equal Employment Opportunity Commission's Complaint in Case No.: 8:03-cv-568-T-29MN, filed in the United States District Court for the Middle District of Florida.

9. The practices complained of at ¶¶7-11, and 13-15 constitute unlawful sex discrimination in violation of the Florida Civil Rights Act of 1992.

10. As a result of Defendant's unlawful conduct, Plaintiff has suffered humiliation, suffering, mental anguish, pain, anxiety, embarrassment, inconvenience and loss of income.

11. Plaintiff has complied with all conditions precedent to bringing suit.

12. Plaintiff has retained the undersigned attorneys and agreed to pay them a fee.

WHEREFORE, Ms. Credit prays for the following relief:

(a) a jury trial on all issues;

(b) judgement against Checkers and for Ms. Credit awarding compensatory damages and punitive damages against Checkers for Checkers' violations of law enumerated herein;

(c) judgement against Checkers and for the Plaintiff permanently enjoining Checkers from future violations of law enumerated herein and remedying all lost income, raises, promotions, and other benefits of which Plaintiffs were unlawfully deprived;

(d) reinstatement of Ms. Credit to a position comparable to a position she should have held at Checkers absent the unlawful discrimination enumerated herein or, in the alternative, front pay;

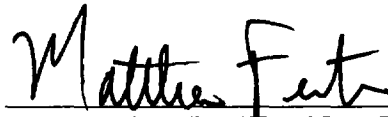
(e) prejudgment interest on all monetary recovery obtained;

(f) judgment against Checkers and for Ms. Credit awarding her attorneys' fees and costs;

and

(g) such further relief as is equitable and just.

Respectfully submitted,



MATTHEW K. FENTON, ESQUIRE

Florida Bar Number: 0002089

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(813) 224-0431 Telephone

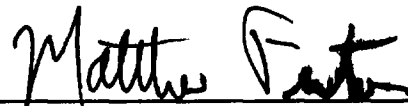
(813) 229-8712 Facsimile

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing has been furnished by U.S.

mail to James A. Martin, Esquire, MacFarlane, Ferguson & McMullen, P.O. Box 1669, Clearwater,

FL 33757 this 24 day of September, 2003.



MATTHEW K. FENTON, ESQUIRE