

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA
KEY WEST DIVISION

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EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION.

Case No. 01-10082-CIV. BAUMAN

Plaintiff,

CARRIE A. BAUMAN and
KIM MARIE REMER

Intervenors,

v.

MARINE BANK OF THE FLORIDA
KEYS

Defendant.

INTERVENERS' COMPLAINT AND DEMAND FOR JURY TRIAL

CARRIE A. BAUMAN ("Bauman") and KIM MARIE REMER ("Remer") hereby sue
MARINE BANK OF THE FLORIDA KEYS, (hereinafter "Defendant") and in support thereof allege
as follows:

Nature of the Case

This action is brought pursuant to Title VII of the Civil Rights Act of 1964, as amended. 42
U.S.C. §2000e et seq. to correct unlawful employment practices on the basis of sex, and to provide
appropriate relief to Intervenors' BAUMAN and REMER, who were adversely affected by such
practices. Intervenors' BAUMAN and REMER allege that a co-worker/supervisor sexually harassed
them and that the harassment persisted despite their complaint(s) to Defendant. As alleged with
greater particularity below, Intervenors' were subjected to unwelcome sexual comments and physical

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contact because of their sex, which created a hostile work environment. As a result of the sexual harassment and Defendant's failure to take prompt remedial action, the employment conditions of the Interveners' were so intolerable that BAUMAN was forced to resign her position, and REMER was discharged in retaliation for complaining. Interveners' seek back pay, front pay, compensatory damages, punitive damages, attorneys' fees, costs and all other relief this court deems just and proper.

Jurisdiction and Venue

1. This Court has original jurisdiction over Plaintiffs' claims under Title VII of the Civil Rights Act of 1964, as amended, pursuant to 28 U.S.C. §1331. This Court has supplemental jurisdiction over BAUMAN'S and REMER'S state law claims pursuant to 28 U.S.C. §1367, as their state law claims are so related to their claims under federal law that they form part of the same case or controversy.

2. The employment practices alleged to be unlawful were and are now being committed within the jurisdiction of the United States District Court for the Southern District of Florida, Key West Division.

Parties

3. At all times material, Defendant was a Florida corporation authorized to do business and doing business with the State of Florida.

4. At all material times, Defendant employed at least fifteen employees and was an employer with the meaning of the Title VII.

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5. Plaintiff Equal Employment Opportunity Commission (“EEOC”), is the agency of the United States of America charged with the administration, interpretation and enforcement of Title VII, as amended.

6. At all times material, BAUMAN was a female citizen of the United States and a resident of the State of Florida, County of Marathon.

7. At all times material, BAUMAN was an employee of Defendant and was an aggrieved person within the meaning of Title VII.

8. At all times material, REMER was a female citizen of the United States and a resident of the State of Florida, County of Marathon.

9. At all times material, REMER was an employee of Defendant and was an aggrieved person within the meaning of Title VII.

STATEMENT OF TITLE VII CLAIMS

10. Interveners’ BAUMAN and REMER restate and incorporate by reference the allegations set forth in paragraph numbers 6 through 10 of the Complaint, Prayer for Relief paragraphs A - H, and Jury Trial Demand filed by the EEOC.

11. BAUMAN and REMER have met all conditions precedent and have exhausted all administrative remedies prior to the institution of this action.

12. As a result of the above actions, BAUMAN and REMER have had to retain the undersigned law firm to which they are obligated to pay reasonable attorneys’ fees, costs and expenses.

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Prayer for Relief

WHEREFORE, BAUMAN and REMER respectfully request that this Court:

A. Interveners' BAUMAN and REMER restate and incorporate by reference the allegations set for in paragraphs 6 through 10 of the Complaint, Prayer for Relief paragraphs A - H and Jury Trial Demand filed by the EEOC.

B. Award BAUMAN and REMER reasonable attorneys' fees and costs incurred on this action and such other relief as the Court deems just and appropriate..


Demand for Jury Trial

14. BAUMAN and REMER demand a trial by jury on all issues so triable.

Respectfully Submitted this 5th day of December, 2001.

IAN G. OSUR, P.A.
Attorneys for Plaintiff
Suite 1200
9350 South Dixie Highway
Miami, Florida 33156
(305) 670-7737

By:



IAN G. OSUR, ESQ.
F.B.# 301841

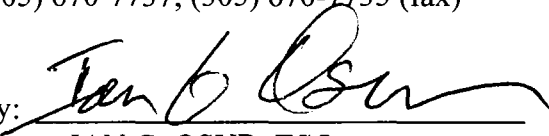
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CERTIFICATE OF SERVICE

WE HEREBY CERTIFY that a true and correct copy of the foregoing was furnished by U.S. Mail, this 5th day of December, 2001, to: Lauren Greenbaum, Esq., Equal Employment Opportunity Commission, One Biscayne Tower, Suite 2700, Two S. Biscayne Blvd, Miami, FL 33131 and Irving M. Miller, Esquire, Akerman, Senterfitt, SunTrust International Center, 1 Southeast 3rd Avenue, 28th Floor, Miami, Florida 33131-1714.

IAN G. OSUR, P.A.
Attorney for Intervenors/Plaintiffs
9350 South Dixie Highway, Suite 1200
Miami, Florida 33156
(305) 670-7737; (305) 670-7735 (fax)

By:



IAN G. OSUR, ESQ.
Florida Bar No. 301841