

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

<b>EQUAL EMPLOYMENT</b>	:	
<b>OPPORTUNITY COMMISSION,</b>	:	<b>CIVIL ACTION FILE NO.</b>
	:	
<i>Plaintiff; and</i>	:	
	:	<b>1:05-CV-2504-TWT</b>
<b>ROBIN FRIENDS,</b>	:	
	:	
<i>Plaintiff-Intervenor,</i>	:	
	:	
<b>vs.</b>	:	
	:	
<b>ATLANTA</b>	:	
<b>GASTROENTEROLOGY</b>	:	
<b>ASSOCIATES, LLC,</b>	:	
	:	
<i>Defendant.</i>	:	

**INTERVENOR COMPLAINT**

Plaintiff-Intervenor Robin Friends submits this Complaint against Defendant based on the following allegations.

1.

Robin Friends alleges that Defendant violated her rights under Title VII's anti-retaliation provision, 42 U.S.C. § 2000e-3(a), when, among other things, it terminated her for her refusal to carry out certain discriminatory practices and for her opposition to Defendant's unlawful employment practices.

2.

The Court has jurisdiction over this claim under 28 U.S.C. §§ 1331 and 1343. Venue is proper.

3.

Intervenor Friends files this Intervenor Complaint pursuant to the order of this Court granting intervention dated February 27, 2006.

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**Parties and Venue**

4.

Intervenor was an employee of Defendant Atlanta Gastroenterology Associates, LLC and covered under the protections of Title VII's anti-retaliation provisions.

5.

Defendant Atlanta Gastroenterology Associates, LLC may be served with this complaint through its attorney-in-fact: David F. Root, Carlock Copeland Semler & Stair, 2600 Marquis Two Tower, 285 Peachtree Center Avenue, Atlanta, Georgia 30303.

## **Facts**

6.

Defendant employed Intervenor as an office manager.

7.

Intervenor is a white female.

8.

During the course of Intervenor's employment, Defendant ordered her to terminate, transfer or to take other adverse employment actions against black employees, for the purpose of replacing them with white employees.

9.

After Intervenor refused to carry out Defendant's instructions and opposed what she reasonably and in good faith believed to be an employment practice made unlawful under Title VII, Defendant fired Intervenor on August 13, 2004.

### **(Title VII Retaliation)**

10.

At all times relevant, Defendant was Intervenor's "employer" as defined in Section 701(b) of the Civil Rights Act of 1964.

11.

Intervenor was qualified for her position.

12.

Intervenor opposed Defendant's unlawful employment practices.

13.

Defendant fired Intervenor in retaliation for her opposition to its unlawful employment practices, in violation of 42 U.S.C. § 2000e-3(a).

14.

Defendant performed the above retaliatory actions willfully, wantonly, intentionally and in reckless and callous disregard of Intervenor's Federally-protected rights, to justify the imposition of punitive damages.

**WHEREFORE**, Intervenor prays for the following relief from this Court:

- (a) That Defendant be ordered to reinstate Intervenor to her position with full seniority, benefits and back pay;
- (b) An award of front pay if Intervenor is not reinstated;
- (c) Actual and consequential damages as may be proven, plus interest;
- (d) Compensatory damages to compensate for the pain, suffering, and

humiliation Intervenor suffered as a result of Defendant's retaliation;

(e) Punitive damages payable to Intervenor in an amount to properly penalize Defendant for its misconduct and to deter such wrongdoing in the future; and

(f) An award of costs incurred in this action, plus reasonable attorney's fees.

Jury Trial Demand

Intervenor demands a trial by jury on all issues so triable.

/s/ Andrew Y. Coffman  
Andrew Y. Coffman  
Georgia Bar No. 173115

PARKS, CHESIN, & WALBERT, P.C.  
26th Floor, 75 Fourteenth Street  
Atlanta, Georgia 30309  
Telephone: (404)873-8000  
Facsimile: (404)873-8050

**CERTIFICATE OF SERVICE**

The undersigned certifies that on March 16, 2006 Robin Friends's  
*Intervenor Complaint* is served on all parties by using the CM/ECF system  
which will cause electronic service on the following:

S. Robert Royal  
E.E.O.C. Atlanta District Office  
*For Plaintiff*

David F. Root  
Carlock, Copeland, Semler & Stair  
*For Defendant*

          /s/ Andrew Y. Coffman            
Andrew Y. Coffman