

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

**EQUAL EMPLOYMENT)
OPPOSTUNITY COMMISSION,)**

Plaintiff; and)

JULIE MILLAR,)

Plaintiff-Intervenor,)

**CIVIL ACTION FILE
NO. 1:06-CV-0712-JTC-CCH**

v.)

**COLONIAL PROPERTIES)
TRUST,)**

Defendant.)

_____)

INTERVENOR COMPLAINT

PLAINTIFF INTERVENOR, Julie Millar, submits this Complaint against Defendant based on the following allegations:

1.

Plaintiff Intervenor alleges that Defendant violated her rights under Title VII of the Civil Rights Act of 1964 (“Title VII”) when it failed to hire her for employment.

2.

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

3.

Plaintiff Intervenor files this Intervenor Complaint pursuant to the Order of the Court.

Parties and Venue

4.

At all times relevant Defendant Colonial Properties Trust is and was an employer and covered under the provisions of Title VII.

5.

Defendant Colonial Properties Trust may be served with this Complaint through its attorney in fact, A. Craig Cleland, Esq., Ogletree Deakins Nash Smoak & Stewart, PC, 600 Peachtree Street, Suite 2100, Atlanta, Georgia 30308.

Facts

6.

Defendant engaged in the purchase of assets of a company called Roberts Properties in May 2004.

7.

At the time of this purchase of assets Plaintiff was an employee of Roberts Properties.

8.

At the time of the purchase of assets, Plaintiff was pregnant.

9.

All Roberts Properties' leasing managers retained the same or similar positions following Defendant's purchase of assets, except Plaintiff Intervenor, who was not hired by Defendant.

10.

Defendant's failure to hire Plaintiff was on the basis of her pregnancy.

Title VII and Pregnancy Discrimination Act

11.

Plaintiff incorporates the foregoing paragraphs as if fully set forth herein.

12.

At all times relevant Defendant is and was an employer as defined in § 701b of Title VII.

13.

Defendant discriminated against Plaintiff because of her gender and her pregnancy in violation of Title VII and the Pregnancy Discrimination Act.

14.

The above described gender and/or pregnancy discrimination placed stress and humiliation on Plaintiff not endured by her male and non-pregnant co-workers.

15.

At the time of the discriminatory acts alleged Defendant knew or should have known that the means utilized to discriminate against Plaintiff were discriminatory and forbidden by law.

16.

Defendant performed the above described discriminatory actions willfully wantonly intentionally and in reckless and callous disregard of Plaintiff's federally protected rights.

17.

As a direct result, Plaintiff suffered injuries and should be compensated in an amount to be proven at trial.

WHEREFORE, Plaintiff respectfully prays for judgment against Defendant as follows:

(a) Defendant be ordered to hire Plaintiff as an employee;

(b) Defendant be ordered to pay Plaintiff back pay in an amount to compensate Plaintiff for lost wages;

- (c) Defendant be enjoined from discriminating against Plaintiff on the basis of her sex in retaliation for her discrimination charges or otherwise;
- (d) Defendant be ordered to compensate reimburse and make whole Plaintiff for all the benefits Plaintiff would have received had it not been for Defendant's illegal actions, including but not limited to pay, benefits, insurance costs, training, promotions and seniority;
- (e) Plaintiff recover front pay if Plaintiff is not hired by Defendant as requested above;
- (f) Plaintiff be awarded compensatory damages;
- (g) Punitive damages be awarded to Plaintiff against Defendant;
- (h) Plaintiff recover reasonable attorney's fees including litigation expenses and costs;
- (i) Plaintiff recover interest on the back pay at the legal rate; and
- (j) Such other relief as the Court deems proper and just.

Jury Demand

Plaintiff herein requests trial by jury of all issues in this action.

This 12th day of July, 2006.

(SIGNATURE ON NEXT PAGE)

MILES, MCGOFF & MOORE, LLC

By: /s/ Marcus G. Keegan

Larry A. Pankey

Georgia Bar No. 560725

Marcus G. Keegan

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