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6 UNITED STATES DISTRICT COURT
7 FOR THE DISTRICT OF HAWAII

8 U.S. EQUAL EMPLOYMENT
9 OPPORTUNITY COMMISSION,

10 and

11 ABDULLAH YAHYA, AHMED
ALMLHANY, AHMED ALMRAISI,
12 NAGI A. ALZIAM, MUTHANA A.
SHAIBI, NORK YAFAIE, and
13 SAMED KASSEM,

14 Plaintiff-Intervenors,

15 v.

16 NCL AMERICA, INC. and NCL
(BAHAMAS), Ltd., aka
17 NORWEGIAN CRUISE LINES,
LTD.,

18 Defendants.
19

NO. CV06-00451 SOM-BMK
NO. CV07-00372 SOM-BMK
(Consolidated Cases)

AMENDED COMPLAINT OF
PLAINTIFF-INTERVENORS

20 COMES NOW the Plaintiff-Intervenors Abdullah Yahia, Ahmed Al-
21 Mlhany, Ahmed Almraisi, Nagi A. Alziam, Muthana A. Shaibi, Nork Yafaie,
22 and Samed Kassem, and, for cause of action against the Defendants, alleges and
23 states as follows:
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I. NATURE OF ACTION

1.1 This is an action to recover damages arising from unlawful discrimination in violation of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §2000e, *et. seq*, the Civil Rights Act of 1991; 42 U.S.C. §1981; and Section 378-2 of Hawaii’s Employment Practices Act, H.R.S. Chapter 378.

1.2 Plaintiff-Intervenors have an unconditional statutory right to intervene in this action pursuant to 42 U.S.C. §2000e-5(f)(1) and Federal Rule of Civil Procedure 24(a).

II. PARTIES

2.1 Plaintiff Equal Employment Opportunity Commission (“Commission”) is the agency of the United States charged with the administration, interpretation and enforcement of Title VII and is expressly authorized to bring this action under §706(f)(1) and (3) of Title VII, 42 U.S.C. §2000e-5(f)(1) and (3).

2.2 Plaintiff-Intervenor Abdullah Yahya is a resident of Tacoma, Washington. At all relevant times, Yahya was an “employee” within the meaning of 42 U.S.C. 2000e-(f) and was engaged in “employment” with Defendants within the meaning of Hawaii Revised Statute §378-1.

1 2.3 Plaintiff-Intervenor Ahmed Almlhany is a resident of Dearborn,
2 Michigan. At all relevant times, Almlhany was an “employee” within the
3 meaning of 42 U.S.C. 2000e-(f) and was engaged in “employment” with
4 Defendants within the meaning of Hawaii Revised Statute §378-1.
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6 2.4 Plaintiff-Intervenor Ahmed Almraisi is a resident of Tacoma,
7 Washington. At all relevant times, Almraisi was an “employee” within the
8 meaning of 42 U.S.C. 2000e-(f) and was engaged in “employment” with
9 Defendants within the meaning of Hawaii Revised Statute §378-1.
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11 2.5 Plaintiff-Intervenor Nagi A. Alziam is a resident of Brooklyn, New
12 York. At all relevant times, Alziam was an “employee” within the meaning of
13 42 U.S.C. 2000e-(f) and was engaged in “employment” with Defendants within
14 the meaning of Hawaii Revised Statute §378-1.
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16 2.6 Plaintiff-Intervenor Muthana A. Shaibi is a resident of Brooklyn,
17 New York. At all relevant times, Shaibi was an “employee” within the meaning
18 of 42 U.S.C. 2000e-(f) and was engaged in “employment” with Defendants
19 within the meaning of Hawaii Revised Statute §378-1.
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21 2.7 Plaintiff-Intervenor Nork Yafaie is a resident of Brooklyn, New
22 York. At all relevant times, Yafaie was an “employee” within the meaning of 42
23 U.S.C. 2000e-(f) and was engaged in “employment” with Defendants within the
24 meaning of Hawaii Revised Statute §378-1.
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1 §703(a) of Title VII, 42 U.S.C. §2000e-2(a), and Hawaii Revised Statute §378-2,
2 by, *inter alia*, discharging the Plaintiff-Intervenors' on the basis of their national
3 origin (Yemeni/Middle Eastern) and/or religion (Muslim).
4

5 4.4 The effect of the actions complained of above has been to deprive
6 the Plaintiff-Intervenors and other individuals of equal employment opportunities
7 and otherwise adversely affect their status as employees on the basis of their
8 national origin (Yemeni/Middle Eastern) and/or religion (Muslim).
9

10 4.5 The effect of the actions complained of above has been to deprive
11 Plaintiff-Intervenor Samed Kassem and other individuals of equal employment
12 opportunities and otherwise adversely affect his status as employee on the basis
13 of his national origin (Yemeni/Middle Eastern) and/or religion (Muslim).
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15 4.6 The unlawful employment practices complained of above were
16 intentional.
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18 4.7 The unlawful employment practices complained of above were done
19 with malice and/or with reckless indifference to the federally protected rights of
20 Plaintiff-Intervenors and other similarly situated individuals.

21 4.8 The unlawful employment practices complained of above were done
22 with malice and/or with reckless indifference to the rights of Plaintiff-Intervenors
23 and other similarly situated individuals that are protected by the laws of the State
24 of Hawaii.
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VII. JURY DEMAND

7.1 Messrs. Yahya, Allmlhany, Almraisi, Alziam, Shaibi, Yafaie, and Kassem respectfully requests that this matter be tried to a jury of their peers.

DATED this 7th day of March, 2008 at Seattle, Washington.

S/ Thomas M. Geisness
THOMAS M. GEISNESS
Attorney for Plaintiff-Intervenors