

ORIGINAL

U.S. COURTS

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1 A. LUIS LUCERO, JR.  
2 CLAIRE CORDON  
3 EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
4 909 FIRST AVENUE, SUITE 400  
5 SEATTLE, WA 98104  
6 TEL: 206/220-6895  
7 FAX: 206/220-6869

8 UNITED STATES DISTRICT COURT  
9 FOR THE DISTRICT OF IDAHO

10 EQUAL EMPLOYMENT OPPORTUNITY )  
11 COMMISSION, )  
12 )  
13 Plaintiff, )  
14 )  
15 v. )  
16 )  
17 HALL-COPELAND FORD LINCOLN )  
18 MERCURY MAZDA d/b/a HALL-COPELAND )  
19 AUTO VILLAGE d/b/a TONY COPELAND )  
20 AUTO VILLAGE, )  
21 )  
22 Defendants. )  
23 )  
24 )  
25 )

CIVIL ACTION NO.

COMPLAINT **CIV99-0089-N-EJ**

JURY TRIAL DEMAND

26 NATURE OF THE ACTION

27 This is an action under Title VII of the Civil Rights Act of 1964 and Title I of the Civil  
28 Rights Act of 1991 to correct unlawful employment practices and to provide appropriate relief to  
29 Marla Martin. The Equal Employment Opportunity Commission alleges that defendant sexually  
30 harassed Ms. Martin, retaliated against her when she complained of the harassment, and failed to  
31 take prompt corrective action to remedy the harassment, thus forcing Ms. Martin to quit her job.  
32 Plaintiff seeks monetary relief including pecuniary and nonpecuniary compensatory and punitive  
33 damages and injunctive relief.

34 U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
35 Seattle District Office  
36 909 First Avenue, Suite 400  
37 Seattle, Washington 98104-1061  
38 Telephone: (206) 220-6883  
39 Facsimile: (206) 220-6911  
40 TDD: (206) 220-6882



1 Defendant's unlawful employment practices at its facilities in Lewiston, Idaho violated Section  
2 704(a) of Title VII, 42 U.S.C. § 2000e-2(a).

3 8. The effect of the practice(s) complained of in paragraph 7 above, has been to  
4 deprive Ms. Martin of equal employment opportunities and otherwise adversely affect her status  
5 as an employee because of her sex and in retaliation for her having complained about sexual  
6 harassment in Defendant's workplace.

7 9. The unlawful employment practices complained of in paragraph 7 above were  
8 intentional.

9 10. The unlawful employment practices complained of in paragraph 7 above, were  
10 done with malice or with reckless indifference to the federally protected rights of Ms. Martin.

11 PRAYER FOR RELIEF

12 Wherefore, the Commission respectfully requests that this Court:

13 A. Grant a permanent injunction enjoining Defendant and its officers, agents,  
14 successors, assigns, and all persons in active concert or participation with them, from engaging in  
15 sex discrimination and retaliation against employees who oppose discrimination.

16 B. Order Defendant to institute and carry out policies, practices, and programs which  
17 prevent its employees from being subjected to sexual harassment and retaliation for opposing  
18 practices that they believe are unlawful under federal anti-discrimination laws and which  
19 eradicate the effects of its past and present unlawful employment practices.

20 C. Order Defendant to make whole Ms. Martin by providing appropriate back pay  
21 with prejudgment interest, and front pay in amounts to be determined at trial, and other  
22 affirmative relief necessary to eradicate the effects of its unlawful employment practices  
23 described above, including but not limited to, reinstatement.

24 D. Order Defendant to make whole Ms. Martin by providing compensation for past  
25 and future pecuniary losses resulting from the unlawful employment practices described in

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1 paragraph 7 above, including without limitation medical expenses, job search expenses and other  
2 past and future out-of-pocket expenses, in amounts to be determined at trial.

3 E. Order Defendant to make whole Ms. Martin by providing compensation for past  
4 and future nonpecuniary losses resulting from the unlawful practices complained of in paragraph  
5 7 above, including without limitation emotional pain, suffering, and loss of enjoyment of life, in  
6 amounts to determined at trial.

7 F. Order Defendant to pay Ms. Martin punitive damages for its malicious and  
8 reckless conduct described in paragraph 7 above, in amounts to be determined at trial.

9 G. Grant such further relief as the Court deems necessary and proper in the public  
10 interest.

11 I. Award the Commission its costs of this action.

12 JURY TRIAL DEMAND

13 The Commission requests a jury trial on all questions of fact raised by its complaint.

14 DATED this 3<sup>rd</sup> day of March, 1999.

15 A. LUIS LUCERO, JR.  
16 Regional Attorney

C. GREGORY STEWART  
General Counsel

17 CLAIRE CORDON  
18 Supervisory Trial Attorney

GWENDOLYN YOUNG REAMS  
Associate General Counsel

19 BY: A. Luis Lucero Jr

20 EQUAL EMPLOYMENT  
21 OPPORTUNITY COMMISSION  
22 Seattle District Office  
23 909 First Avenue, Suite 400  
24 Seattle, Washington 98104  
25 Telephone (206) 220-6912

Office of the General Counsel  
1801 "L" Street NW  
Washington, D.C. 20507

Attorneys for Plaintiff