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U.S. DISTRICT COURT _____
 U.S. BANKRUPTCY COURT _____
 DISTRICT OF IDAHO

JUN - 2 2003

 M. REC'D _____
 LOGGED _____ FILED _____
ORIGINAL

UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF IDAHO

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION,)	CIVIL ACTION NO.
)	CIVO 3 - 221 - E - MHW
Plaintiff,)	COMPLAINT
)	
v.)	JURY TRIAL DEMAND
)	
TELE-SERVICING INNOVATIONS, INC.,)	
)	
Defendant.)	
_____)	

NATURE OF THE ACTION

This is an action under Title VII of the Civil Rights Act of 1964 and Title I of the Civil Rights Act of 1991 to correct unlawful employment practices based on retaliation and to provide appropriate relief to Brittney Baker who was adversely affected by such practices. The Equal Employment Opportunity Commission (the "Commission") alleges that defendant retaliated against Ms. Baker because she engaged in protected EEO activity, complaining about sexual harassment, when defendant terminated her. Plaintiff seeks monetary and injunctive relief, including pecuniary and nonpecuniary

compensatory damages and punitive damages, on behalf of Ms. Baker.

JURISDICTION AND VENUE

1. Jurisdiction of this Court is invoked pursuant to 28 U.S.C. §§ 451, 1331, 1337, 1343 and 1345. This action is authorized and instituted pursuant to Sections 706(f)(1) and (3) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 2000e-5(f)(1) and (3) ("Title VII"), and Section 102 of the Civil Rights Act of 1991, 42 U.S.C. §1981a.

2. The employment practices alleged to be unlawful were committed within the jurisdiction of the United States District Court for the District of Idaho.

PARTIES

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

4. At all relevant times, defendant Tele-Servicing Innovations, Inc., incorporated in the State of Delaware, has continuously been a corporation doing business in the State of Idaho and has continuously had at least 15 employees.

5. At all relevant times, defendant Tele-Servicing Innovations, Inc. has continuously been an employer engaged in an industry affecting commerce within the meaning of Sections 701(b), (g) and (h) of Title VII, 42 U.S.C. §§2000e-(b), (g) and (h).

STATEMENT OF CLAIMS

6. More than thirty days prior to the institution of this lawsuit, Brittney Baker filed a charge with the Idaho Human Rights Commission and the Equal Employment

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Opportunity Commission, alleging violations of Title VII by defendant, Tele-Servicing Innovations, Inc. All conditions precedent to the institution of this lawsuit have been fulfilled.

7. From at least August 1, 2001, defendant, Tele-Servicing Innovations, Inc., engaged in unlawful employment practices at its Idaho Falls, Idaho facility in violation of § 704(a) of Title VII, 42 U.S.C. § 2000e-3(a). Defendant affected the terms and conditions of Ms. Baker's employment by terminating her in retaliation for her participation in protected EEO activity, including the filing of internal complaints of sexual harassment and/or harassment based on her sex.

8. The effect of the practices complained of in paragraph 7 above has been to deprive Ms. Baker of equal employment opportunities and otherwise adversely affect her status as an employee.

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

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

PRAYER FOR RELIEF

Wherefore, the Commission respectfully requests that this Court:

A. Grant a permanent injunction enjoining defendant, its officers, successors, agents, assigns, and all persons in active concert or participation with it, from engaging in any employment practice constituting retaliation based on a person engaging in protected EEO activity, e.g., opposing a discriminatory employment practice and/or

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participating in the informal and/or formal discrimination charge process.

B. Order defendant to institute and carry out policies, practices, and programs which provide equal employment opportunities for all employees, and which eradicate the effects of its past and present unlawful employment practices.

C. Order defendant to make whole Ms. Baker by providing appropriate back pay with prejudgment interest, in amounts to be determined at trial, and other affirmative relief necessary to eradicate the effects of its unlawful employment practices.

D. Order defendant to make whole Ms. Baker by providing compensation for past and future pecuniary losses resulting from the unlawful employment practices described in paragraph 7 above, including past and future out-of-pocket expenses, in amounts to be determined at trial.

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

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

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

H. Award the Commission its costs of this action.

JURY TRIAL DEMAND

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

DATED this 29th day of May, 2003.

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