

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND  
NORTHERN DIVISION

EQUAL EMPLOYMENT OPPORTUNITY )  
COMMISSION, )  
)  
10 S. Howard Street )  
3<sup>rd</sup> Floor )  
Baltimore, Maryland 21201 )  
)  
Plaintiff, )  
)  
v. ) Civil Action No.  
)  
) COMPLAINT & JURY TRIAL DEMAND  
DUCLAW BREWING CO. OF )  
ARUNDEL MILLS, LLC., )  
)  
16A Bel Air South Parkway )  
Bel Air, Maryland 21015 )  
)  
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 on the bases of sex and engaging in protected activity, and to provide appropriate relief to Jaime Mangum who was adversely affected by such practices. The Commission alleges that Ms. Mangum worked for Defendant DuClaw Brewing Co. of Arundel Mills, LLC. ("Defendant") as a bartender/bar server and shift manager and before announcing her pregnancy to Defendant, enjoyed a successful career with Defendant. In December, 2002, after announcing her pregnancy,

Defendant discriminated and retaliated against her by creating meritless disciplinary warnings against her, by threatening to demote her, by reducing her work hours, and by eventually terminating her because of her pregnancy and because she opposed Defendant's pregnancy-based mistreatment towards her.

#### JURISDICTION AND VENUE

1. Jurisdiction of this Court is invoked pursuant to 28 U.S.C. Sections 451, 1331, 1337, 1343 and 1345. This action is authorized and instituted pursuant to Section 706(f) (1) and (3) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. Section 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 and are now being committed within the jurisdiction of the United States District Court for the District of Maryland, Northern Division.

#### PARTIES

3. Plaintiff, Equal Employment Opportunity Commission (the "Commission"), is an 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) and (3) of Title VII, 42 U.S.C., Section 2000e-5(f) (1) and (3).

4. At all relevant times, Defendant has continuously been a Maryland corporation doing business in the State of Maryland, and the cities of Bel Air and Hanover, and has continuously had at least fifteen employees.

5. At all relevant times, Defendant has continuously been an employer engaged in an industry affecting commerce under Section 701(b), (g) and (h) of Title VII, 42 U.S.C. Sections 2000e(b), (g) and (h).

STATEMENT OF CLAIMS

6. More than thirty days prior to the institution of this lawsuit, Jaime Mangum filed a charge with the Commission alleging violations of Title VII by Defendant. All conditions precedent to the institution of this lawsuit have been fulfilled.

7. Since at least December, 2002, Defendant Employer has engaged in unlawful employment practices at its Bel Air and Hanover, Maryland facilities in violation of Sections 703(a) and 704(a) of Title VII, 42 U.S.C. Section 2000e-2(a) and 3(a). These practices include threatening demotion, issuing meritless warnings, reducing the work hours, and terminating the employment of Jaime Mangum because of her pregnancy and because she opposed her pregnancy-based mistreatment.

8. The effect of the practices complained of in paragraph 7 above has been to deprive Jaime Mangum of equal employment

opportunities and otherwise adversely affect her status as an employee because of her sex and because she opposed her pregnancy-based mistreatment.

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 Jaime Mangum.

PRAYER FOR RELIEF

Wherefore, the Commission respectfully requests that this Court:

A. Grant a permanent injunction enjoining Defendant Employer, its officers, successors, assigns and all persons in active concert or participation with it, from engaging in employment practices which discriminate on the basis of sex by mistreating and terminating employees because they are pregnant and because they complain of pregnancy-based mistreatment in violation of Sections 703(a) and 704(a) of Title VII, 42 U.S.C. Section 2000e-2(a) and 3(a).

B. Order Defendant Employer to institute and carry out policies, practices and programs which provide equal employment opportunities for persons who oppose practices made unlawful under Title VII or who participate in investigations and

proceedings under this Title, and which eradicate the effects of their past and present unlawful employment practices.

C. Order Defendant Employer to make whole Jaime Mangum by providing appropriate back pay with prejudgment interest, in amounts to be determined at trial, reinstatement to her position, and other affirmative relief necessary to eradicate the effects of its unlawful employment practices.

D. Order Defendant Employer to pay Jaime Mangum punitive damages for its malicious and reckless conduct described in paragraph 7 above, in amounts to be determined at trial.

E. Order Defendant to make whole Jaime Mangum by providing compensation for pecuniary losses, including job search expenses.

F. Order Defendant to make whole Jaime Mangum by providing compensation for non-pecuniary losses, including emotional pain, suffering, mental anguish, embarrassment, isolation, and loss of reputation in amounts to be proven at trial.

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

H. Award the Commission its costs in this action.

#### JURY TRIAL DEMAND

The Commission requests a jury trial on all questions of fact raised in the Complaint.

Respectfully submitted,

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General Counsel

JAMES L. LEE  
Deputy General Counsel

GWENDOLYN YOUNG REAMS  
Associate General Counsel

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