

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

**EQUAL EMPLOYMENT OPPORTUNITY )  
COMMISSION, )  
City Crescent Building, 3<sup>rd</sup> Floor )  
10 South Howard Street )  
Baltimore, MD 21201 )**

**Plaintiff,**

v.

**THE FULLERTON ANIMAL HOSPITAL )  
8018 Bel Air Road )  
Baltimore, Maryland 21236 )**

**Defendant.**

**Civil Action No.**

**COMPLAINT AND JURY TRIAL  
DEMAND**

NATURE OF THE ACTION

This is an action under Title VII of the Civil Rights Act of 1964, as amended (“Title VII”) and Title I of the Civil Rights Act of 1991 to correct unlawful employment practices on the basis of retaliation, and to provide appropriate relief to Charging Parties Catherine Krupa, Cathy Chatterton, Lisa Phillips, Nicole Ruble, and Stacey Erisman. As alleged with greater particularity, below, the United States Equal Employment Opportunity Commission (“the Commission”) alleges that Defendant Fullerton Animal Hospital has committed retaliation in violation of Title VII by terminating the Charging Parties for opposing conduct protected by Title VII.

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 Section 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 Maryland, Northern Division.

### PARTIES

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

4. At all relevant times, Defendant Fullerton Animal Hospital, incorporated in the State of Maryland, which has continuously been doing business in the State of Maryland and the City of Baltimore, and has continuously had at least 15 employees.

5. At all relevant times, Defendant has continuously been an employer engaged in an industry affecting commerce within the meaning of Section 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, Catherine Krupa, Cathy Chatterton, Lisa Phillips, Nicole Ruble, and Stacey Erisman filed charges of discrimination 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 February 2003, Defendant has engaged in unlawful employment practices in violation of Section 704(a) of Title VII, 42 U.S.C. 2000e-3(a).

8. On or about February 2003 and March 2003, Defendant discharged Catherine Krupa, Cathy Chatterton, Lisa Phillips, Nicole Ruble, and Stacey Erisman in retaliation for complaining about a sexually hostile work environment caused by the intimate personal relationship between Defendant's owner and a female doctor employed by the practice. The aforementioned discharges violated Section 704(a) of Title VII.

9. The effect of the practices complained of in paragraph 8, above, has been to deprive Catherine Krupa, Cathy Chatterton, Lisa Phillips, Nicole Ruble, and Stacey Erisman of equal employment opportunities and otherwise adversely affect their status as employees.

10. The unlawful employment practices complained of in paragraph 8, above, were intentional.

11. The unlawful employment practices complained of in paragraph 8, above, were done with malice or with reckless indifference to the federally protected rights of Catherine Krupa, Cathy Chatterton, Lisa Phillips, Nicole Ruble, and Stacey Erisman.

#### PRAYER FOR RELIEF

Wherefore, the Commission respectfully requests that this Court:

A. Grant a permanent injunction enjoining Defendant, its officers, successors, assigns, and all persons in active concert or participation with it, from engaging in employment practices that violate Section 704(a) of Title VII, and any other employment practice which constitutes unlawful retaliation.

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

C. Order Defendant to make whole, Catherine Krupa, Cathy Chatterton, Lisa Phillips, Nicole Ruble, and Stacey Erisman, by providing appropriate backpay with prejudgment interest, in amounts to be determined at trial, and other affirmative relief necessary to eradicate the effects of its unlawful employment practices, including but not limited to reinstatement or frontpay in lieu thereof.

D. Order Defendant to make whole Catherine Krupa, Cathy Chatterton, Lisa Phillips, Nicole Ruble, and Stacey Erisman by providing compensation for past and future pecuniary losses resulting from the unlawful employment practices described in paragraph 8, above, in amounts to be determined at trial.

E. Order Defendant to make whole Catherine Krupa, Cathy Chatterton, Lisa Phillips, Nicole Ruble, and Stacey Erisman by providing compensation for past and future non-pecuniary losses resulting from the unlawful practices complained of in paragraph 8, above, including emotional pain, suffering, inconvenience, mental anguish, loss of enjoyment of life, and other non-pecuniary losses, in amounts to be determined at trial.

F. Order Defendant to pay Catherine Krupa, Cathy Chatterton, Lisa Phillips, Nicole Ruble, and Stacey Erisman punitive damages for the malicious and reckless conduct described in paragraph 8, above, in amounts to be determined at trial.

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

