

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF MARYLAND  
NORTHERN DIVISION

UNITED STATES )  
EQUAL EMPLOYMENT OPPORTUNITY )  
COMMISSION, )  
10 S. Howard Street )  
Third Floor )  
Baltimore, Maryland 21201 )  
 )  
Plaintiff, ) Civil Action No.  
 )  
v. ) COMPLAINT  
 )  
----- )  
Interstate Equities, Inc. )  
955 Dawson Drive ) JURY TRIAL DEMAND  
Suite 3 )  
Newark, Delaware 19713 )  
 )  
d/b/a Burger King )  
100 West Pulaski Highway )  
Elkton, Maryland 21921 )  
 )  
Defendant. )  
----- )

NATURE OF ACTION

\_\_\_\_\_This is an action under Title VII of the Civil Rights Act of 1964 ("Title VII"), as amended, 42 U.S.C. Section 2000e, et seq. and Title I of the Civil Rights Act of 1991, 42 U.S.C. Section 1981A, to correct unlawful employment practices on the basis of sex and engaging in protected activity and to make whole Linda Truslow, who was subjected to a sexually hostile work environment while she was employed by Defendant Interstate Equities, Inc., and who was discharged by Defendant because she opposed the sexual harassment.

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, 42 U.S.C. Section 2000e-5(f)(1),(3), and Section 102 of the Civil Rights Act of 1991, 42 U.S.C. Section 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, 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 Interstate Equities, Inc., has continuously been and is now a Delaware corporation doing business in Elkton, Maryland.

5. At all relevant times, Defendant Interstate Equities, Inc., has had at least fifteen employees.

6. At all relevant times, Defendant Interstate Equities, Inc., 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. Section 2000e-(b), (g), and (h).

STATEMENT OF CLAIMS

7. More than thirty days prior to the institution of this lawsuit, Linda Truslow 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.

8. Since at least August, 2002, Defendant Interstate Equities, Inc., has engaged in unlawful employment practices at its Burger King facility in Elkton, Maryland, in violation of Sections 703(a) and 704(a) of Title VII, 42 U.S.C. Sections 2000e-2(a) and 2000e-3(a). The practices include the following:

a. Subjecting Linda Truslow to a hostile and offensive work environment by condoning the sexually harassing and discriminating behavior of Christy Bolado and Timothy Drain. Incidents of harassment committed by Bolado and condoned by Defendant include, but are not limited to, taunting Ms. Truslow with vulgar questions about her sexual relations with her husband, such as by asking her about the size of her husband's penis and asking her to describe their sexual practices; engaging in vulgar conduct designed to humiliate Ms. Truslow, such as by simulating oral sex with a stack of plastic cup lids and asking Ms. Truslow whether that was how she "did it" to her husband; taunting Ms. Truslow about the size of her breasts and asking her to disclose her bra size; and engaging in grossly unwelcome touching, such as

by pulling open Ms. Truslow's blouse and pulling up her bra to expose her breasts in public, after taunting her about the size of her breasts. Incidents of harassment committed by Drain and condoned by Defendant include, but are not limited to, grabbing Ms. Truslow's buttocks and breasts; pulling Ms. Truslow close to him; teasing Ms. Truslow about her breasts; and making sexual overtures to Ms. Truslow.

b. Terminating Ms. Truslow's employment because she opposed the sexual harassment.

9. The unlawful employment practices complained of above were intentional.

10. The unlawful employment practices complained of above were done with malice or with reckless indifference to the federally protected rights of Linda Truslow.

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 sexual harassment, and from engaging in retaliation against employees who oppose practices made unlawful by Title VII;

B. Order Defendant to institute and carry out policies, practices, and programs which eradicate sexual harassment and

retaliation, and prevent sexual harassment and retaliation from occurring in the future, and which eradicate the effects of past and present sexual harassment and retaliation;

C. Grant such further injunctive relief as the Court deems proper;

D. Order Defendant to make whole Linda Truslow by providing appropriate back pay with prejudgment interest and front pay in amounts to be determined at trial, and other affirmative relief necessary to eradicate the effects of its unlawful employment practices;

E. Order Defendant to make whole Linda Truslow by providing compensation for pecuniary and nonpecuniary losses, including emotional pain, suffering, anxiety, depression, embarrassment, degradation, and humiliation;

F. Order Defendant to pay to Linda Truslow punitive damages for its callous indifference to her federally protected right to be free from gender discrimination and retaliation;

G. Grant such further monetary relief as the Court deems proper; and

H. Award the Commission its costs in this action.

JURY TRIAL DEMAND

\_\_\_\_\_The Commission requests a jury trial on all questions of fact raised by the Complaint.

Respectfully submitted,

ERIC S. DREIBAND  
General Counsel

JAMES L. LEE  
Deputy General Counsel

GWENDOLYN YOUNG REAMS  
Associate General Counsel

/s/

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/s/

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