

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MARYLAND

EQUAL EMPLOYMENT)
OPPORTUNITY COMMISSION)
)
and)
)
ALICIA DOUGLAS)
)
)
Plaintiffs)
v.)
)
NEW YORK FASHIONS)
)
Defendant)
_____)

Civil Action No.: WDQ-04-cv-3037

INTERVENOR'S COMPLAINT AND
ELECTION FOR JURY TRIAL

Now comes Alicia Douglas, Plaintiff, by her attorneys, Morton Edelstein, Courtney E. Swears and Edelstein & Radford, and sues New York Fashions, Defendant, and for reasons states:

1. Plaintiff is bringing this action under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e, et seq.
2. The unlawful employment practices alleged below were committed in Baltimore County, Maryland, a county within the jurisdiction of the United States District Court for the District of Maryland, Northern Division.
3. At all relevant times, Defendant, New York Fashions, Inc., has continuously been a sole proprietorship and an inactive corporation doing business in Baltimore, Maryland, and has continuously had at least fifteen (15) employees.
4. At all relevant times, New York Fashions has continuously been and is now an employer engaged in an industry affecting commerce within the meaning of § 701(b), (g) and (h) of Title VII, 42 U.S.C. 2000e-(b), (g) and (h).
5. That the Plaintiff has been granted the right to intervene in this action.

6. More than thirty (30) days prior to the institution of this lawsuit, Alicia Douglas filed a charge with the EEOC alleging violations of Title VII by New York Fashions. All other conditions precedent to the institution of this lawsuit have been fulfilled.

7. Since at least March, 2003 Defendant, New York Fashions, has engaged in unlawful employment practices in its Baltimore, Maryland facility, in violation of Section 703(a) and 704(a) of Title VII, 42 U.S.C. 2000e-2 and 2000e-3. These practices include subjecting Alicia Douglas to pervasive, unwelcome and offensive harassment based on her sex, female by and through Leroy Reinhardt, Store Manager. Such harassment created a hostile work environment on the basis of sex and culminated in a tangible employment action. Defendant had actual and constructive notice of the unlawful harassment and failed to take reasonable corrective action or action reasonably calculated to prevent harassment.

8. Furthermore, on or about July 5, 2003, Defendant terminated Ms. Douglas due to her pregnancy and in retaliation for her opposition to the discriminatory behavior.

9. The effect of the practices complained of in paragraph 7 above, has been to deprive Alicia Douglas of equal employment opportunities and otherwise adversely affect her status as an employee because of her sex, pregnancy and conduct protected under Section 704 (a) of Title VII.

11. The unlawful employment practices complained of in paragraphs 7 and 8 above were intentional.

12. The unlawful employment practices complained of in paragraphs 7 and 8 above were done with malice or with reckless indifference to the federally protected rights of Alicia Douglas.

WHEREFORE, the Plaintiff, Alicia Douglas, respectfully requests that this Court:

A. Order Defendant, New York Fashions, to make whole Alicia Douglas by providing appropriate back pay with prejudgment interest in amounts to be determined at trial, and other affirmative pecuniary relief necessary to eradicate the effects of the unlawful employment practices;

B. Order Defendant, New York Fashions, to make whole Alicia Douglas by providing compensation for non-pecuniary losses, including emotional pain, suffering and mental anguish, in amounts to be proven at trial;

C. Order Defendant, New York Fashions, to pay punitive damages for its malice and reckless disregard to Alicia Douglas' federally protected rights to have a work environment free from sexual harassment and retaliation in accord with Title VII, in amounts to be proven at trial; and

D. Order Defendant, New York Fashions, to pay counsel fees.

EDELSTEIN & RADFORD

/s/

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PRAYER FOR JURY TRIAL

Plaintiff, Alicia Douglas, respectfully requests a jury trial in the instant case.

EDELSTEIN & RADFORD

/s/

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