

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,

Plaintiff,

v.

PREMIER LOGISTICS, INC.,

Defendant.

02-73837
CIVIL ACTION NO.

AVERN COHN

HONORABLE

MAGISTRATE JUDGE SCHEER

COMPLAINT AND JURY
TRIAL DEMAND

NATURE OF THE ACTION

This is an action under Title VII of the Civil Rights Act of 1964, and Title of Civil Rights Act of 1991, to correct unlawful employment practices on the basis of sex and to provide appropriate relief to Jamila Butler, who was adversely affected by such practices. As alleged with greater particularity in paragraph 7, the United States Equal Employment Opportunity Commission ("Commission" or "EEOC") alleges that Premier Logistics, Inc. ("Defendant" or "Employer") terminated Butler's employment after learning that she was pregnant.

FILED
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S. FISHER COURT CLERK
EAST LANSING, MICHIGAN

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) 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 Eastern District of Michigan, Southern Division.

PARTIES

3. Plaintiff, EEOC 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 has continuously been a corporation doing business in the State of Michigan and City of Romulus, 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 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 before the institution of this lawsuit, Butler filed a Charge of Discrimination with the Commission alleging violations of Title VII by the Defendant. All conditions precedent to the institution of this lawsuit have been fulfilled.

7. Since September 2000, the Defendant has engaged in unlawful employment practices at its Romulus, Michigan location, in violation of Section 703 of Title VII, 42 U.S.C. §2000e-(2). These practices include, but are not limited to, terminating Butler's employment after learning that she was pregnant.

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

employee because of her sex.

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 and reckless indifference to the federally protected rights of Butler.

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 discriminating against individuals based upon sex.

B. ORDER Defendant to provide mandatory training regarding Title VII and its prohibition against pregnancy discrimination to all management and non-management employees at its Romulus, Michigan facility.

C. ORDER Defendant Employer to make whole Butler, by providing appropriate and other affirmative relief to eradicate the effect of its unlawful employment practices including, but not limited to, reinstating Butler as a Dock Worker, restoring her seniority and fringe benefits, and providing compensation for pecuniary losses resulting from the unlawful employment practices complained of in paragraph 7.

D. Order Defendant Employer to make whole Butler, 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.

E. ORDER Defendant Employer to make whole Butler, by providing nominal damages and compensation for past and future non-pecuniary losses resulting from the

unlawful employment practices complained of in paragraph 7 including, but not limited to, emotional pain, suffering, and loss of enjoyment of life, in amounts to be determined at trial.

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

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.

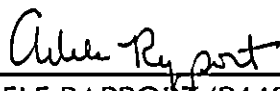
JURY TRIAL DEMAND

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

NICHOLAS M. INZEO
Acting Deputy General Counsel

EQUAL EMPLOYMENT OPPORTUNITY
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Dated: September 25, 2002


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