

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MINNESOTA

EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION,

Plaintiff,

v.

LUBRICATION TECHNOLOGIES, INC.

Defendant.

CIVIL ACTION NO.

04-4170 JNE/SRN

COMPLAINT

Jury Trial Demand

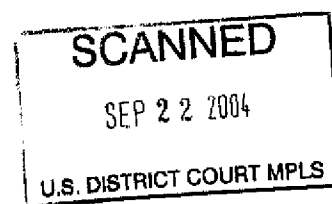
NATURE OF THE ACTION

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 basis of sex, and to provide appropriate relief to Julie Eliassen who was adversely affected by such practices. Specifically, Defendant discriminated against Eliassen when it failed to promote her because she is a woman. Defendant's action violated Section 703(a) of Title VII, 42 U.S.C. §2000e-2(a), which prohibits discrimination on the basis of sex.

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) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e-5(f)(1) ("Title VII").

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 Minnesota.



## PARTIES

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

4. At all relevant times, Lubrication Technologies, Inc. ("Defendant"), has continuously been a Minnesota corporation doing business in the State of Minnesota and the City of Golden Valley, and has continuously had at least 15 employees.

5. At all relevant times, Lubrication Technologies, Inc. has continuously been an employer engaged in an industry affecting commerce under 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 prior to the institution of this lawsuit, Eliassen filed a charge with the EEOC alleging violations of Title VII by Defendant. All conditions precedent to the institution of this lawsuit have been fulfilled.

7. At all times relevant, Defendant failed to promote Eliassen because of her sex. In particular, Defendant failed to promote Eliassen to a vacant field sales representative position, and instead hired a man for the job. Defendant's actions were in violation of Section 703(a) of Title VII, 42 U.S.C. §2000e-2(a), which prohibits discrimination on the basis of sex.

8. The effect of the practices complained of in paragraph 7 above has been to deprive Eliasen of equal employment opportunities and otherwise adversely 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 or with reckless indifference to the federally protected rights of Eliasen.

PRAYER FOR RELIEF

Wherefore, the EEOC 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 any employment practice which discriminates on the basis of sex.

B. Order Defendant to make whole Eliasen 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.

C. Order Defendant to make whole Eliasen by providing compensation for past and future pecuniary losses resulting from the unlawful employment practices complained of in paragraph 7 above, in amounts to be determined at trial.

D. Order Defendant to make whole Eliasen by providing compensation for past and future nonpecuniary losses resulting from the unlawful practices complained of in paragraph 7 above, including emotional distress in amounts to be determined at trial.

E. Order Defendant to pay Eliassen punitive damages for its malicious and reckless conduct, complained of in paragraph 7 above, in amounts to be determined at trial.

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

G. Award the EEOC its costs of this action.

JURY TRIAL DEMAND

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

EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION


ERIC S. DREIBAND  
General Counsel

JAMES L. LEE  
Deputy General Counsel

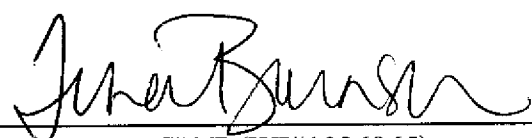
GWENDOLYN YOUNG REAMS  
Associate General Counsel

EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION  
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Dated: Sept. 16, 2004

  
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JEAN P. KAMP  
Regional Attorney

Dated: 9/20/04

  
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