

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

EQUAL EMPLOYMENT)	
OPPORTUNITY COMMISSION,)	
)	
Plaintiff,)	
)	
and)	Cause No. 05CV00778CEJ
)	
CHRISTOPHER HEMAN,)	
)	
Plaintiff-Intervenor,)	
)	
v.)	
)	
DAIMLER CHRYSLER CORPORATION,)	
)	
Defendant.)	

COMPLAINT

COMES NOW Plaintiff-Intervenor Christopher Heman, by and through his attorneys, and for his Complaint against Daimler Chrysler Corporation states as follows:

1. Plaintiff-Intervenor Christopher Heman brings this action for legal and equitable relief to redress the injuries done to him by Defendant Daimler Chrysler Corporation.

2. Plaintiff-Intervenor brings his complaint under the Americans with Disabilities Act of 1990, 42 U.S.C. § 12101, et. seq. Jurisdiction of this Court is invoked pursuant to 28 U.S.C. § 1331.

3. The unlawful employment practices complained of herein were committed within the Eastern District of Missouri.

4. Plaintiff-Intervenor Christopher Heman is a male citizen of the United States, who, at all times relevant herein, resided in Fenton, Missouri.

5. Plaintiff-Intervenor Heman is a qualified individual with a disability within the meaning of 42 U.S.C. § 12111(8) in that he has a severe and permanent foot injury that substantially limits him in the major life activities of walking and standing.

6. At all relevant times, Defendant Daimler Chrysler Corporation has been a Delaware Corporation doing business in the State of Missouri, has continuously had at least fifteen (15) employees and has been an employer within the meaning of 42 U.S.C. § 12111(5)(A).

7. Since at least October 17, 2001, Defendant Daimler Chrysler has failed to accommodate Plaintiff-Intervenor Heman's disability and laid Heman off from work because of his disability in violation of 42 U.S.C. § 12112(a) and (b).

8. As a result of Defendant's aforementioned conduct, Plaintiff has lost compensation and benefits of employment, has suffered emotional pain, suffering, humiliation, embarrassment, mental anguish and loss of enjoyment of life.

9. Defendant's conduct was undertaken with malice and reckless indifference to Plaintiff's federally protected rights.

10. Plaintiff has incurred and will continue to incur attorney's fees and costs in connection with this matter.

WHEREFORE, Plaintiff prays for judgment in his favor and against Defendant for lost wages and other benefits of employment; front pay; compensatory damages; punitive damages; appropriate injunctive relief; prejudgment interest; attorney's fees and costs; and for such additional relief as this Court deems appropriate.

SEDEY & RAY, P.C.
Attorneys for Plaintiff

/s/ Alicia Y. Waller

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing was filed electronically with the Clerk of Court to be served via the Court's electronic filing system upon Barbara A. Seely and Melvin D. Kennedy, Equal Employment Opportunity Commission, St. Louis District Office, Robert A. Young Federal Bldg., 1222 Spruce St., Rm. 8.100, St. Louis, MO 63103 and via U.S. mail to The Corporation Company, Registered Agent for Daimler Chrysler Corporation, 120 S. Central Ave., Clayton, MO 63105 this 25th day of May, 2005.

/s/ Alicia Y. Waller
