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FILED
Clerk
District Court

SEP 28 2006

For The Northern Mariana Islands
By _____
(Deputy Clerk)

10 Attorneys for Plaintiff
11 U.S. EQUAL EMPLOYMENT
12 OPPORTUNITY COMMISSION

13 **UNITED STATES DISTRICT COURT**
14 **DISTRICT OF THE NORTHERN MARIANA ISLANDS**

15 U.S. EQUAL EMPLOYMENT
16 OPPORTUNITY COMMISSION,)

CASE NO.: 06 - 0031

17 Plaintiff,

**COMPLAINT- CIVIL RIGHTS
EMPLOYMENT
DISCRIMINATION**
(42 U.S.C. §§ 2000e, *et seq.*)

18 v.

JURY TRIAL DEMAND

19
20 L&T INTERNATIONAL
CORPORATION; L&T GROUP
21 OF COMPANIES, LTD. and DOES
1-10, Inclusive,

22 Defendant.
23
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25 **NATURE OF THE ACTION**

26 This is an action under Title VII of the Civil Rights Act of 1964, as
27 amended, and Title I of the Civil Rights Act of 1991 to correct unlawful
28 employment practices on the basis of retaliation and national origin, and to

1 provide appropriate relief to Nassar Vega, Jose Dayrit, Rufino Miguel, Tamiz
2 Uddin, Abdul Mothalib, Monir Monir, Arvin Orense, Shahinur Rahman, Shafiqul
3 Islam, and Ramon Santos who were adversely affected by such practices. The
4 Equal Employment Opportunity Commission alleges that Defendants L&T
5 International Corporation; L&T Group of Companies, Ltd. and DOES 1-10
6 (collectively "Defendants" or "Defendant Employers") unlawfully terminated the
7 employment of the named individuals, either by firing them or refusing to renew
8 their employment contract, in retaliation for their participation in protected
9 activity, namely, the filing of discrimination charges against Defendants. Further,
10 Defendants unlawfully discriminated against the charging parties by targeting
11 them for termination on account of their national origin, Bangladeshi or Filipino.

12 JURISDICTION AND VENUE

13 1. Jurisdiction of this Court is invoked pursuant to 28 U.S.C. §§ 451,
14 1331, 1337, 1343 and 1345.

15 2. This action is authorized and instituted pursuant to Section 706(f)(1)
16 and (3) and 707 of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C.
17 § 2000e-5(f)(1) and (3) and 6 ("Title VII") and Section 102 of Title I of the Civil
18 Rights Act of 1991, 42 U.S.C. § 1981a.

19 3. Some of the employment practices alleged to be unlawful were
20 committed within the jurisdiction of the United States District Court for the
21 District of Northern Mariana Islands.

22 PARTIES

23 4. Plaintiff, Equal Employment Opportunity Commission (the
24 "Commission"), is the federal agency of the United State of America charged with
25 the administration, interpretation and enforcement of Title VII, and is expressly
26 authorized to bring this action by Section 706(f)(1) and (3) and 707 of Title VII,
27 42 U.S.C. § 2000e-5(f)(1) and (3) and -6.

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1 5. At all relevant times, Defendant Employer L&T International
 2 Corporation has continuously been a Northern Mariana Islands corporation doing
 3 business in the Northern Mariana Islands and has continuously had at least fifteen
 4 (15) employees. At all relevant times, Defendant L&T International Corporation
 5 has continuously been an employer engaged in an industry affecting commerce
 6 within the meaning of Sections 701(b), (g) and (h) of Title VII, 42 U.S.C. §§
 7 2000e(b), (g) and (h).

8 6. At all relevant times, Defendant Employer L&T Group of Companies,
 9 Ltd., has continuously been a Northern Mariana Islands corporation doing
 10 business in the Northern Mariana Islands and has continuously had at least fifteen
 11 (15) employees. At all relevant times, Defendant L&T Group of Companies, Ltd.,
 12 has continuously been an employer engaged in an industry affecting commerce
 13 within the meaning of Sections 701(b), (g) and (h) of Title VII, 42 U.S.C. §§
 14 2000e(b), (g) and (h).

15 7. Plaintiff is ignorant of the true names and capacities of Defendants
 16 sued as DOES 1 through 10, inclusive, herein and therefore Plaintiff sues said
 17 Defendants by such fictitious names. Plaintiff reserves the right to amend the
 18 complaint to name the DOE defendants individually or corporately as they become
 19 known. Plaintiff alleges that each of the Defendants named as DOES was in some
 20 manner responsible for the acts and omissions alleged herein and Plaintiff will
 21 amend the complaint to allege such responsibility when same shall have been
 22 ascertained by Plaintiff.

23 8. All of the acts and failures to act alleged herein were duly performed
 24 by and attributable to all Defendants, each acting as a successor, agent, joint
 25 employer, integrated enterprise, employee and/or under the direction and control
 26 of the other Defendants, except as otherwise specifically alleged. Said acts and
 27 failures to act were within the scope of such agency and/or employment, and each
 28 Defendant participated in, approved and/or ratified the unlawful acts and

1 omissions by other Defendants complained of herein. Whenever and wherever
2 reference is made in this Complaint to any act by a Defendant or Defendants, such
3 allegations and reference shall also be deemed to mean the acts and failures to act
4 of each Defendant acting individually, jointly, and/or severally.

5 9. It is further alleged on information and belief that the unnamed
6 Defendants in the complaint are alter egos, joint employers, and/or integrated
7 enterprises of Defendants L&T International Corporation.

8 STATEMENT OF CLAIMS

9 10. More than thirty days prior to the institution of this lawsuit, Nassar
10 Vega, Jose Dayrit, Rufino Miguel, Tamiz Uddin, Abdul Mothalib, Monir Monir,
11 Arvin Orense, Shahinur Rahman, Shafiqul Islam, and Ramon Santos filed a charge
12 with the Commission alleging violations of Title VII by Defendant Employers.
13 All conditions precedent to the institution of this lawsuit have been fulfilled.

14 11. Since at least May 21, 2003, Defendant Employers engaged in a
15 pattern and practice of unlawful employment discrimination at its Saipan,
16 Northern Mariana Islands, facility in violation of Section 703(a), 704(a) and 707
17 of Title VII, 42 U.S.C. § 2000e 2(a), -3(a), and -6. These practices include, but
18 are not limited to, unlawfully terminating the employment of Nassar Vega, Jose
19 Dayrit, Rufino Miguel, Tamiz Uddin, Abdul Mothalib, Monir Monir, Arvin
20 Orense, Shahinur Rahman, Shafiqul Islam, and Ramon Santos, either by firing
21 them or refusing to renew their employment contract, in retaliation for their
22 participation in protected activity, namely, the filing of discrimination charges
23 against Defendant Employers and opposing discriminatory practices.

24 Defendants retaliated against claimants for opposing discrimination.
25 Defendants unlawfully discriminated against the charging parties by targeting
26 them for termination on account of their national origin, Bangladeshi or Filipino.

27 12. The effect of the practice complained of above has been to deprive
28 Nassar Vega, Jose Dayrit, Rufino Miguel, Tamiz Uddin, Abdul Mothalib, Monir

1 Monir, Arvin Orense, Shahinur Rahman, Shafiqul Islam, and Ramon Santos of
2 equal employment opportunities and otherwise adversely affect their status as
3 employees because of their national origin and in retaliation for their protected
4 activities.

5 13. The unlawful employment practices complained of above were
6 intentional.

7 14. The unlawful employment practices complained of above were done
8 with malice or with reckless indifference to the federally protected rights of
9 Nassar Vega, Jose Dayrit, Rufino Miguel, Tamiz Uddin, Abdul Mothalib, Monir
10 Monir, Arvin Orcnse, Shahinur Rahman, Shafiqul Islam, and Ramon Santos.

11 **PRAYER FOR RELIEF**

12 Wherefore, the Commission respectfully requests that this Court:

13 A. Grant a permanent injunction enjoining Defendant Employers, their
14 officers, successors, assigns, and all persons in active concert or participation
15 with them, from (1) engaging in retaliation and disparate treatment and any other
16 employment practices which discriminates on the basis of national origin, and (2)
17 discriminating against any individual because he or she has opposed any unlawful
18 employment practice or because he or she has made a charge, testified, assisted, or
19 participated in any manner in an investigation, proceeding, or hearing under 42
20 U.S.C. §2000e-3.

21 B. Order Defendant Employers to institute and carry out policies,
22 practices, and programs which provide equal employment opportunities for
23 Bangladeshi and Filipinos and which eradicate the effects of their past and present
24 unlawful employment practices.

25 C. Order Defendant Employers to make whole Nassar Vega, Jose Dayrit,
26 Rufino Miguel, Tamiz Uddin, Abdul Mothalib, Monir Monir, Arvin Orense,
27 Shahinur Rahman, Shafiqul Islam, and Ramon Santos by providing appropriate
28 backpay with prejudgment interest, in amounts to be determined at trial, and other

1 affirmative relief necessary to eradicate the effects of their unlawful employment
2 practices, including but not limited to reinstatement.

3 D. Order Defendant Employers to make whole Nassar Vega, Jose Dayrit,
4 Rufino Miguel, Tamiz Uddin, Abdul Mothalib, Monir Monir, Arvin Orense,
5 Shahinur Rahman, Shafiqul Islam, and Ramon Santos by providing compensation
6 for past and future nonpecuniary losses resulting from the unlawful practices
7 described above, including relocation expenses, job search expenses, and medical
8 expenses not covered by the Employers' employee benefit plan, in amounts to be
9 determined at trial.

10 E. Order Defendant Employers to make whole Nassar Vega, Jose Dayrit,
11 Rufino Miguel, Tamiz Uddin, Abdul Mothalib, Monir Monir, Arvin Orense,
12 Shahinur Rahman, Shafiqul Islam, and Ramon Santos by providing compensation
13 for past and future nonpecuniary losses resulting from the unlawful practices
14 complained of above, including emotional pain, suffering, inconvenience, loss of
15 enjoyment of life, and humiliation, in amounts to be determined at trial.

16 F. Order Defendant Employers to pay Nassar Vega, Jose Dayrit, Rufino
17 Miguel, Tamiz Uddin, Abdul Mothalib, Monir Monir, Arvin Orense, Shahinur
18 Rahman, Shafiqul Islam, and Ramon Santos punitive damages for their malicious
19 and reckless conduct described above in amounts to be determined at trial.

20 G. Grant such further relief as the Court deems necessary and proper in
21 the public interest.

22 H. Award the Commission its costs of this action.

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JURY TRIAL DEMAND

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

Dated: September 27, 2006

Respectfully Submitted,

RONALD S. COOPER
General Counsel

JAMES L. LEE
Deputy General Counsel

GWENDOLYN YOUNG REAMS
Associate General Counsel

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