

FILED  
UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO *BA*

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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

*R. J. Marsh*  
CLERK OF COURT

EQUAL EMPLOYMENT OPPORTUNITY )  
COMMISSION, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
LOCKHEED MARTIN CORPORATION, )  
d/b/a LOCKHEED MARTIN MISSION )  
SYSTEMS, )  
 )  
Defendant. )  
\_\_\_\_\_ )

CIV **CIV-01 815**  
**LORENZO E. GARCIA**  
COMPLAINT Karen B. Molzen  
JURY TRIAL DEMANDED

**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 Janna Roberts and Jeanette Wolfe who were subjected to sex discrimination while employed by defendant Lockheed Martin Corporation, d/b/a Lockheed Martin Mission Systems ("Lockheed" or "Defendant"). The Commission alleges that Janna Roberts and Jeanette Wolfe were subjected to a hostile work environment when they were victims of both verbal and physical sexual harassment by their immediate supervisor. The Commission also alleges Jeanette Wolfe was subjected to harassment based upon her gender and that she was forced to resign as a result of Lockheed's failure to effectively remedy her work environment.

## **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) ("Title VII") 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 District of New Mexico.

## **PARTIES**

3. The Plaintiff, the Equal Employment Opportunity Commission (the "Commission"), is an 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 Lockheed Martin Corporation was a Maryland corporation, which continuously did and is now doing business in the State of New Mexico and the metropolitan Albuquerque, New Mexico area as Lockheed Martin Mission Systems. At all relevant times, Defendant has continuously had at least fifteen employees.

5. At all relevant times, the Defendant has continuously been and is now an employer engaged in an industry affecting commerce within the meaning of Section 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, Janna Roberts filed a charge with the Commission alleging violations of Title VII by Defendant. All conditions

precedent to the institution of this lawsuit have been fulfilled.

7. Since at least May 1998, Defendant has engaged in unlawful employment practices at its Albuquerque, New Mexico Lockheed Martin Mission Systems facility in violation of Section 703(a) of Title VII, 42 U.S.C. §§2000e-2(a). These practices include:

- a) the sexual harassment of Jeanette Wolfe and Janna Roberts;
- b) the gender harassment of Jeanette Wolfe; and
- c) the constructive discharge of Jeanette Wolfe as a result of Defendant's failure to effectively remedy her work environment.

8. The effect of the practices complained of in paragraph 7 above has been to deprive Jeanette Wolfe of equal employment opportunities and otherwise adversely affect her status as an employee because of her sex and/or gender.

9. The effect of the practices complained of in paragraph 7 above has been to deprive Janna Roberts of equal employment opportunities and otherwise adversely affect her status as an employee because of her sex.

10. The unlawful employment practices complained of in paragraph 7 above were intentional.

11. The unlawful employment practices complained of in paragraph 7 above were done with malice and/or reckless indifference to the federally protected rights of Janna Roberts and Jeanette Wolfe.

#### **PRAYER FOR RELIEF**

Wherefore, the Commission 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 or gender, including sexual harassment and/or gender harassment or discrimination.

B. Order Defendant to institute and carry out policies, practices and programs which provide equal employment opportunities for women, and which eradicate the effects of its past and present unlawful employment practices.

C. Grant a judgment requiring Defendant to pay Jeanette Wolfe appropriate back wages with prejudgment interest and front pay, in amounts to be proved at trial, and other affirmative relief necessary to eradicate the effects of its unlawful employment practices, including but not limited to reinstatement of Jeanette Wolfe.

D. Order Defendant to make whole Jeanette Wolfe, by providing compensation for past and future pecuniary losses resulting from the unlawful employment practices described in paragraph 7 above, including but not limited to, job search expenses and medical expenses, in amounts to be determined at trial.

E. Order Defendant to make whole Janna Roberts, by providing compensation for past and future pecuniary losses resulting from the unlawful employment practices described in paragraph 7 above, including but not limited to, medical and psychological care expenses, in amounts to be determined at trial.

F. Order Defendant to make whole Jeanette Wolfe, by providing compensation for past and future non-pecuniary losses resulting from the unlawful practices complained of in paragraph 7 above, including but not limited to, emotional pain, suffering, loss of sleep, loss of health, loss of enjoyment of life, humiliation and damage to her character and reputation, in amounts to be

determined at trial.

G. Order Defendant to make whole Janna Roberts, by providing compensation for past and future non-pecuniary losses resulting from the unlawful practices complained of in paragraph 7 above, including but not limited to, emotional pain, suffering, anxiety, loss of sleep, loss of health, marital strain, loss of enjoyment of life, humiliation and damage to her character and reputation in amounts to be determined at trial.

H. Order Defendant to pay Janna Roberts and Jeanette Wolfe punitive damages for its malicious and/or reckless conduct described in paragraph 7 above, in amounts to be determined at trial.

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

J. Award the Commission its costs in this action.

**JURY TRIAL DEMANDED**

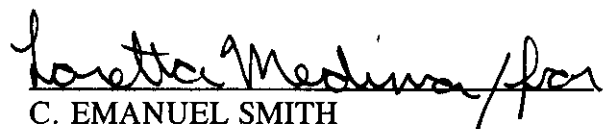
The Commission requests a jury trial on all questions of fact raised by its Complaint.

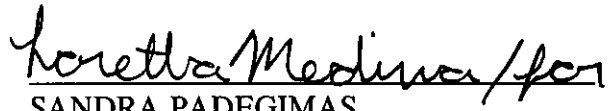
DATED this 3<sup>th</sup> day of July, 2001.

Respectfully submitted,

GWENDOLYN YOUNG REAMS  
Acting General Counsel


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