

1 PAMELA J. THOMASON
PETER F. LAURA
2 U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
255 E. Temple Street, 4th Floor
3 Los Angeles, California 90012
Telephone: (213) 894-1083
4

5 Attorneys for Plaintiff

6 U.S. DISTRICT COURT
DISTRICT OF NEVADA
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CV-N-97-00144-ECR (RAM)

7
8 MAR 17 1997

9 UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

10 CLERK, U.S. DISTRICT COURT

BY DEPUTY

11 U. S. EQUAL EMPLOYMENT) CASE NO.:
OPPORTUNITY COMMISSION,)
12)
Plaintiff,) COMPLAINT - CIVIL RIGHTS
13) EMPLOYMENT DISCRIMINATION
v.) JURY TRIAL DEMAND
14) (42 U.S.C., §§ 2000e, et seq.)
LAUGHLIN ASSOCIATES, INC.,)
15)
16)
Defendant.)

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18 NATURE OF THE ACTION

19 This is an action brought under Title VII of the Civil
20 Rights Act of 1964, as amended, to correct unlawful employment
21 practices on the basis of retaliation, and to provide appropriate
22 relief to Lisa A. Lundquist ("Lundquist") who was adversely
23 affected by such practices. Plaintiff Equal Employment
24 Opportunity Commission ("Commission") alleges that Lundquist, who
25 reported to Lewis E. Laughlin, Senior Vice President and C.E.O.
26 of Laughlin Associates, Inc., complained of sexual harassment in
27 the workplace and was discharged in retaliation for her
28 complaints.

1 JURISDICTION AND VENUE

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

4 2. This action is authorized and instituted pursuant to §
5 706(f)(1) and (3) of Title VII of the Civil Rights Act of 1964,
6 as amended, 42 U.S.C. § 2000e-5(f)(1) and (3) ("Title VII") and
7 pursuant to § 102 of the Civil Rights Act of 1991, 42 U.S.C. §
8 1981A.

9 3. The employment practices alleged to be unlawful were
10 committed within the jurisdiction of the District of Nevada.

11 PARTIES

12 4. Plaintiff Commission is an agency of the United States
13 of America charged with the administration, interpretation and
14 enforcement of Title VII, and is expressly authorized to bring
15 this action under § 706(f)(1) and (3) of Title VII, 42 U.S.C., §
16 2000e-5(f)(1) and (3).

17 5. At all relevant times, Laughlin Associates, Inc. has
18 continuously been and is now doing business in the State of
19 Nevada and in Carson City, and has continuously had at least
20 fifteen (15) employees.

21 6. At all relevant times, Defendant Employer has
22 continuously been an employer engaged in an industry affecting
23 commerce within the meaning of §§ 701 (b), (g) and (h) of Title
24 VII, 42 U.S.C., §§ 2000e-(b), (g) and (h).

25 STATEMENT OF CLAIMS

26 7. More than thirty (30) days prior to the institution of
27 this lawsuit, Lundquist filed a charge with the Commission
28 alleging violations of Title VII by Defendant Employer. All

1 conditions precedent to the institution of this lawsuit have been
2 fulfilled.

3 8. Since at least January, 1993, Defendant Employer has
4 engaged in unlawful employment practices at its Carson City,
5 Nevada location, in violation of § 704(a) of Title VII, 42 U.S.C.
6 § 2000e-3(a). These practices include retaliation against
7 Lundquist for complaining about sexual harassment.

8 9. The effect of the practices complained of above has
9 been to deprive Lundquist of equal employment opportunities and
10 to otherwise adversely affect her employment status.

11 10. The unlawful employment practices complained of above
12 were intentional, and caused Lundquist to suffer emotional
13 distress.

14 11. Defendant Employer at all relevant times has been
15 acting with malice or reckless indifference to the federally
16 protected rights of Lisa A. Lundquist in violation of Title VII
17 of the Civil Rights Act of 1964, as amended.

18 PRAYER FOR RELIEF

19 Wherefore, the Commission respectfully requests that this
20 Court:

21 A. Grant a permanent injunction enjoining Defendant
22 Employer, its officers, successors, assigns and all persons in
23 active concert or participation with it, from engaging in any
24 employment practice which involves retaliation;

25 B. Order Defendant Employer to institute and carry out
26 policies, practices, and programs which eradicate the effects of
27 its past and present unlawful employment practices;

28 C. Order Defendant Employer to pay appropriate back wages,

4 not limited to rightful-place employment;

5 E. Order Defendant Employer to make whole Lundquist by
6 providing compensation for non-pecuniary losses, including
7 emotional distress, suffering, loss of enjoyment of life, and
8 humiliation;

9 F. Order Defendant to pay Lundquist punitive damages for
10 its malicious and/or reckless conduct in an amount to be
11 determined at trial;

12 G. Grant such further relief as the Court deems necessary
13 and proper; and

14 H. Awarding the Commission its costs in this action.

15
16 JURY TRIAL DEMAND

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

19 Respectfully Submitted,

20 C. GREGORY STEWART
21 General Counsel

22 U. S. EQUAL EMPLOYMENT
23 OPPORTUNITY COMMISSION
24 1801 "L" Street, NW
25 Washington, D.C. 20507

26 Dated: March 11, 1997

27 By: Pamela J. Thomason

28 PAMELA J. THOMASON
Regional Attorney
255 E. Temple Street, 4th Fl.
Los Angeles, CA 90012