

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION,

Plaintiff,

JEFF WYLER CHEVROLET, INC.

Defendant.

CIVIL ACTION NO. 1:03cv662

COMPLAINT  
JURY TRIAL DEMAND

WEBER/HOGAN

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 Patricia S. Cameron-Lytle who was adversely affected by such practices. The Commission alleges that Defendant failed to hire females, including Patricia S. Cameron-Lytle, as salespersons because of their 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) 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 Southern District of Ohio, Western Division.

#### PARTIES

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

4. At all relevant times, Defendant, Jeff Wyler Chevrolet, Inc. (the "Employer"), has continuously been an Ohio corporation doing business in the State of Ohio and the City of Batavia, and has continuously had at least 15 employees.

5. At all relevant times, Defendant Employer has continuously been an employer engaged in an industry affecting commerce within the meaning of 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, Patricia S. Cameron-Lytle filed a charge with the Commission alleging violations of Title VII by Defendant Employer. All conditions precedent to the institution of this lawsuit have been fulfilled.

7. Since at least 300 days before the August 28, 2001 charge

signed by Patricia S. Cameron-Lytle, mailed to the EEOC on or about August 29, 2001 and docketed by the EEOC on October 5, 2001, Defendant Employer has engaged in unlawful employment practices at its facilities in Batavia, Ohio in violation of Section 703 of Title VII, 42 U.S.C. § 2000e-2 by failing to hire females, including Patricia S. Cameron-Lytle, as salespersons because of their sex.

8. The effect of the practices complained of in paragraph 7 above has been to deprive Patricia S. Cameron-Lytle and similarly situated females of equal employment opportunities and otherwise adversely affect their status as an employee because of their 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 Patricia S. Cameron-Lytle and similarly situated females.

PRAYER FOR RELIEF

Wherefore, the Commission respectfully requests that this Court:

A. Grant a permanent injunction enjoining Defendant Employer, its officers, successors, assigns, and all persons in active concert or participation with it, from refusing to hire females, including Patricia S. Cameron-Lytle, and any other employment practice which discriminates on the basis of sex.

B. Order Defendant Employer 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. Order Defendant Employer to make whole Patricia S. Cameron-Lytle and similarly situated females, by providing appropriate backpay with prejudgment interest, in amounts to be determined at trial, and other affirmative relief necessary to eradicate the effects of its unlawful employment practices, including, but not limited to, the rightful place hiring of Patricia S. Cameron-Lytle and similarly situated females.

G. Order Defendant Employer to make whole Patricia S. Cameron-Lytle and similarly situated females, by providing compensation for past and future pecuniary losses resulting from the unlawful employment practices described in paragraph 7 above, including past and future out-of-pocket losses in amounts to be determined at trial.

H. Order Defendant Employer to make whole Patricia S. Cameron-Lytle and similarly situated females by providing compensation for past and future nonpecuniary losses resulting from the unlawful practices complained of in paragraph 7 above, including nonpecuniary losses such as emotional pain, suffering, inconvenience, loss of enjoyment of life, and humiliation in amounts to be determined at trial.

I. Order Defendant Employer to pay Patricia S. Cameron-

Lytle, and similarly situated females, punitive damages for its malicious and reckless conduct described in paragraph 7 above, in amounts to be determined at trial.

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

K. Award the Commission its costs of this action.

JURY TRIAL DEMAND

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

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