

within the jurisdiction of the United States District Court for the Northern District of Texas.

PARTIES

3. Plaintiff, Equal Employment Opportunity Commission (the "Commission"), is an agency of the United States of America charged with the administration, interpretation and enforcement of the ADEA and is expressly authorized to bring this action by Section 7(b) of the ADEA, 29 U.S.C. § 626(b), as amended by Section 2 of Reorganization Plan No. 1 of 1978, 92 Stat. 3781, and by Public Law 98-532 (1984), 98 Stat. 2705.

4. At all relevant times, Defendant, 7-Eleven, Inc. ("Defendant"), has continuously been and is now doing business in the State of Texas and has continuously employed at least fifteen employees.

5. At all relevant times, Defendant has continuously been an employer engaged in an industry affecting commerce under Section 11(b), (g) and (h) of the ADEA, 29 U.S.C. § 630(b), (g) and (h).

CONCILIATION

6. Prior to institution of this lawsuit, the Commission's representatives attempted to eliminate the unlawful employment practice alleged below and to effect voluntary compliance with the ADEA through informal methods of conciliation, conference and persuasion within the meaning of Section 7(b) of the ADEA, 29 U.S.C. § 626(b).

STATEMENT OF CLAIMS

7. Since at least May 2000, the Defendant has engaged in an unlawful employment practice at its Dallas, Texas facility in violation of Sections 4(a)(1) and (d) of the ADEA, 29

U.S.C. § 623(a) and (d). Specifically, the EEOC alleges that in May 2000, Defendant denied Betty Huntington a promotion to the position of Executive Assistant - Non-Foods Merchandising because of her age.

8. The effect of the practices complained of in paragraph 7 above has been to deprive Betty Huntington of equal employment opportunities and otherwise adversely affect her status as an employee because of her age.

9. The unlawful employment practice complained of above was willful within the meaning of the ADEA.

PRAYER FOR RELIEF

Wherefore, the Commission respectfully requests that this Court:

A. Grant a permanent injunction enjoining the Defendant, 7-Eleven, Inc., 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 age.

B. Order the Defendant to institute and carry out policies, practices, and programs which provide equal employment opportunities for qualified individuals who are at least age 40, and which eradicate the effects of its past and present unlawful employment practices.

C. Order the Defendant to pay Betty Huntington appropriate back wages, in an amount to be proven at trial, and an equal amount in liquidated damages, and prejudgment interest.

D. Order the Defendant to make Betty Huntington whole by providing the affirmative relief necessary to eradicate the effects of its unlawful practice, including but not limited to rightful-place promotion.

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

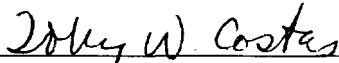
F. Award the Commission its costs in this action.

JURY TRIAL DEMAND

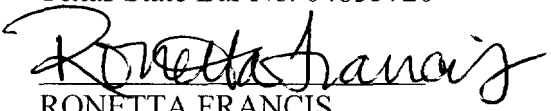
The Commission requests a jury trial on all questions of fact raised by its Complaint.

Respectfully submitted,

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