

within the State of Texas and the Northern District of Texas. Defendant's are subject to service in the Northern District of Texas Dallas Division.

II.

Parties

3. At all relevant times, Plaintiff Kimberly Long was a citizen of the United States and resident of Texas. Plaintiff Long was employed by Defendant at a facility in the Northern District of Texas, Dallas Division. At all relevant times, Plaintiff Cynthia Wilson was a citizen of the United States and resident of Texas. Plaintiff Wilson was employed by Defendant at a facility in the Northern District of Texas, Dallas Division. Both Plaintiffs have been subjected to unlawful employment practices committed in the State of Texas, Northern District, Dallas Division.

4. Defendants are companies doing business in the Northern District of Texas, Dallas Division. Defendants maintain and administer records relevant to its employment practices within said district and division. Defendants are an employer within the meaning of 42 U.S.C. § 2000e et seq., in that the Defendants are engaged in an industry affecting commerce and employ at least fifteen (15) persons.

Federal Causes of Action

5. This is a proceeding for a declaratory judgment, injunctive relief, compensatory and punitive damages, and other relief to secure the rights of Plaintiffs under 42 U.S.C. § 2000e, et seq. and 1981(a). It is brought to prevent Defendant from maintaining a policy, practice, custom or usage, of discriminating against Plaintiffs in regard to terms, conditions and privileges of employment, and to compensate them for discrimination and discharge.

6. Since at least November 2003, the Defendants have engaged in unlawful, discriminatory practices against Plaintiffs at their Dallas, Texas facility in violation of Section 703(a)(1) of Title VII, 42 U.S.C. §2000e-2(a)(1), by subjecting Kimberly Long to a racially hostile work environment due to her association with an African-American.

7. Since at least November 2003, the Defendants have engaged in unlawful employment practices at the Dallas, Texas facility in violation of Section 703(a)(1) of Title VII, 42 U.S.C. §2000-e(a)(1), by subjecting former employees Kimberly Long and Cynthia Wilson to a sexually hostile work environment.

8. Cynthia Wilson was constructively discharged by Defendants due to the sexually hostile work environment.

9. Since at least November 2003, the Defendants have engaged in unlawful employment practices at their Dallas, Texas facility in violation of Section 704(a) of Title VII, 42 U.S.C. §2000e-3(a), by retaliating against Kimberly Long by demoting her and subjecting her to an unwarranted investigation in retaliation for her complaining about the harassment she was experiencing in the workplace. As a result, Ms. Long was constructively discharged due to the harassment by Defendants based upon her sex, female, harassment based upon race due to her association with an African-American and the unlawful retaliation, in violation of Title VII.

10. The result of the foregoing practices has been to deprive Kimberly Long and Cynthia Wilson of Equal Employment opportunities.

11. The unlawful employment practices complained of above were intentional.

12. The unlawful employment practices complained of above were done with malice or with reckless indifference to the federally protected rights of Kimberly Long and Cynthia Wilson, making an award of exemplary damages appropriate.

13. As a result of Defendant's unlawful acts your Plaintiffs have suffered loss of enjoyment of life, and emotional distress, for which they seek compensatory and punitive damages.

State Cause of Action

14. Plaintiffs incorporate by reference paragraphs 1 through 13 above.

15. Defendants acts violate Chapter 21 of the Texas Labor Code.

Jury Trial Demand

Plaintiffs request a jury trial on all issues to triable.

Request for Relief

ACCORDINGLY, Plaintiffs respectfully request that this Court advance this case on the docket and grant them the following relief:

- a. Grant Plaintiffs a permanent injunction, enjoining Defendants, their agents, employees, successors, and attorneys from continuing to discriminate against them;
- b. Grant Plaintiffs a declaratory judgment, declaring Defendants' past practices herein complained of to be in violation of 42 U.S.C. § 2000e *et seq.*; and 42 U.S.C. 1981 and 1981(a);
- c. Order the Defendants to make Plaintiffs whole by awarding backpay, front pay, retroactive seniority, compensatory damages, and any other necessary equitable and legal relief to compensate them;
- d. Grant Plaintiffs immediate reinstatement, or alternatively, if reinstatement is deemed infeasible front pay;

- e. Order the Defendants to make Plaintiffs whole by granting Plaintiff actual damages;
- f. Order the Defendants to pay to Plaintiff punitive damages for Defendants' malicious or recklessly indifferent conduct toward Plaintiffs;
- g. Grant Plaintiffs attorney fees; and
- h. Grant such other general relief to which Plaintiffs shows themselves justly entitled.

Respectfully submitted,

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By: /s/ Karen R. Washington
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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the above and foregoing document was mailed to counsel for all parties on this the 22nd day of November, 2006.

/s/ Karen R. Washington
Karen R. Washington