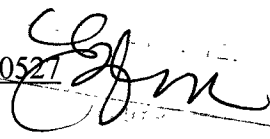


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

EQUAL EMPLOYMENT OPPORTUNITY)
COMMISSION,)
Plaintiff,)
vs.)
ICON BENEFIT ADMINISTRATORS)
INC. F/K/A TED L. PARKER &)
ASSOCIATES, INC.,)
Defendant,)
_____)
RICHARD R. VASQUEZ,)
Intervenor.)

CIVIL ACTION NO. EP02GA0521



COMPLAINT IN INTERVENTION

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COMPLAINT IN INTERVENTION

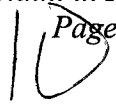
This is an action under Title VII of the Civil Rights Act of 1964, as amended, and Title I of the Civil Rights Act of 1991 to correct unlawful employment practices, specifically, the discharge on the basis of religion of, RICHARD R. VASQUEZ, hereinafter Intervenor-Plaintiff, and to provide appropriate relief to Intervenor-Plaintiff, who was adversely affected by such discharge.

JURISDICTION AND VENUE

1. Original jurisdiction is conferred on this Court by 28 U.S.C. § 1331, as this action involves a federal question under the laws of the United States. This action is also brought under 42 U.S.C. § 2000e-5(f)(1) & (3) and 42 U.S.C. § 1981a.
2. The employment practices alleged to be unlawful were committed within the jurisdiction of the El Paso Division of the United States District Court for the Western Division of Texas.

PARTIES

3. Intervenor-Plaintiff is an individual and resides in Lubbock County, Texas.



4. Plaintiff, EQUAL EMPLOYMENT OPPORTUNITY COMMISSION, hereinafter the Commission, is the agency of the United States of America charged with the administration, interpretation and enforcement of Title VII.

5. At all relevant times, Defendant, ICON BENEFIT ADMINSTRATORS, INC. F/K/A TED L. PARKER & ASSOCIATES, INC., hereinafter ICON, has continuously been a Texas corporation doing business in the State of Texas and the City of Lubbock, and has continuously had at least fifteen (15) employees.

6. At all relevant times, ICON, has continuously been an employer engaged in an industry affecting commerce within the meaning of 42 U.S.C. §§ 2000e(b), (g), & (h).

STATEMENT OF CLAIMS

7. Since at least October 1998, ICON has engaged in unlawful employment practices at its Lubbock, Texas facilities, in violation of 42 U.S.C. § 2000e-2 and 42 U.S.C. § 2000e-3(a). Specifically, in October 1998, ICON discharged Intervenor-Plaintiff because of his religious beliefs, and/or in retaliation for his protests against what he reasonably believed to be religious discrimination.

8. The effect of ICON's unlawful employment practices has been to deprive Intervenor-Plaintiff of equal employment opportunities and otherwise adversely affect his status as an employee, because of his religious beliefs and/or because of his having engaged in activity protected by Title VII.

9. ICON's unlawful employment practices were intentional.

10. ICON's unlawful employment practices were done with malice or reckless indifference to the federally protected rights of Intervenor-Plaintiff.

DAMAGES

11. As a direct and proximate result of ICON's unlawful employment practices, Intervenor-Plaintiff has suffered damages and, as provided by 42 U.S.C. §§ 1981a, is entitled to recover for those damages. Intervenor-Plaintiff has suffered damages as follows:

- a. Emotional pain and mental anguish sustained in the past;
- b. Emotional pain and mental anguish that, in reasonable probability, Plaintiff will sustain in the future;
- c. Loss of wages sustained in the past; and
- d. Loss of wage earning capacity that, in reasonable probability, Plaintiff will sustain in the future.

PRAYER FOR RELIEF

12. WHEREFORE, PREMISES CONSIDERED, Intervenor-Plaintiff respectfully requests that this Court:

- a. Compensatory damages as provided by 42 U.S.C. § 1981a;
- b. Punitive damages as provided by 42 U.S.C. § 1981a;
- c. Reasonable attorney's fees as provided by 42 U.S.C § 2000e-5(k);
- d. Pre-judgment and post-judgment interest;
- e. Costs of court; and
- f. Such other, further and different relief to which Intervenor-Plaintiff may show himself justly entitled.

Respectfully Submitted,

The Law Offices of Kevin Glasheen
1007 13th Street
Lubbock, Texas 79408
Telephone: (806) 741-0284
Facsimile: (806) 763-2146



Kevin Glasheen
State Bar No. 08001510

ATTORNEY FOR INTERVENOR-PLAINTIFF