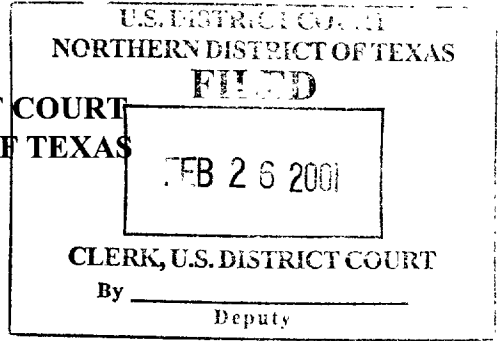


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 CTS NO. 00
 ORIGINAL

**IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF TEXAS
 DALLAS DIVISION**



EQUAL EMPLOYMENT OPPORTUNITY)
COMMISSION,)
)
Plaintiff,)
)
v.)
)
PARADISE TAN, INC.,)
)
Defendant.)

CIVIL ACTION NO.

3-01CV0382-G

COMPLAINT

JURY TRIAL DEMAND

NATURE OF THE ACTION

This 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 on the basis of sex and to provide relief to Jamie Chatwell, Kimberly Hall, Tara Heflick, Jade Kuhn, Tia Teague, and other similarly situated individuals. The Commission alleges that Defendant, Employer Paradise Tan, Inc. (hereafter "Defendant"), violated Title VII by subjecting Jamie Chatwell, Kimberly Hall, Tara Heflick, Jade Kuhn, Tia Teague, and other similarly situated individuals to a sexually hostile work environment based upon their sex , female, and by constructively discharging Kimberly Hall, Tara Heflick, Jade Kuhn, Tia Teague from their employment.

JURISDICTION AND VENUE

1. Jurisdiction of this Court is invoked pursuant to 28 U.S.C. §451, 1331, 1337, 1343, 1345. This action is authorized and instituted pursuant to Section 706(1)(f) and (3) of the Civil Rights Act of 1964, as amended, ("Title VII"), 42 U.S.C §2000e-5(f) (1) and (3), and

Section 102 of the Civil Rights Act of 1991, 42 U.S.C. § 1981A..

2. The employment practices alleged to be unlawful were and are now being committed within the jurisdiction of the United States District Court for the Northern District of Texas.

PARTIES

3. Plaintiff, Equal Employment Opportunity Commission ("Commission"), is an agency of the United States of America charged with the administration, interpretation and enforcement of Title VII of the Civil Rights Act of 1964, as amended and is expressly authorized to bring this action by Sections 706(f)(1) and (3) of Title VII, 42 U.S.C. §2000e-5(f)(1) and (3).

4. At all relevant times, Defendant has continuously been and is now doing business in the state of Texas and the cities of Arlington, North Richland Hills, Bedford, Euless, and Watauga and has continuously had at least fifteen employees.

5. At all relevant times, Defendant has continuously been an employer engaged in an industry affecting commerce under 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, Jamie Chatwell, Kimberly Hall, Tara Heflick, Jade Kuhn, Tia Teague filed charges with the Commission alleging violations of Title VII of the Civil Rights Act of 1964, as amended, by the Defendant. All conditions precedent to the institution of this lawsuit have been fulfilled.

7. Since at least December 1998, the Defendant has engaged in unlawful

employment practices at its Arlington, North Richland Hills, Bedford, Euless and Watauga locations in Texas, in violation of Section 703(a) (1) of Title VII, 42 U.S.C. §2000e-2(a)(1) by subjecting Jamie Chatwell, Kimberly Hall, Tara Heflick, Jade Kuhn, Tia Teague and other similarly situated individuals to a sexually hostile work environment, discriminating against them because of their sex, and by constructively discharging Kimberly Hall, Tara Heflick, Jade Kuhn, Tia Teague from their employment.

8. The result of the foregoing practices has been to deprive Jamie Chatwell, Kimberly Hall, Tara Heflick, Jade Kuhn, Tia Teague and other similarly situated individuals of equal employment opportunities 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 Jamie Chatwell, Kimberly Hall, Tara Heflick, Jade Kuhn, Tia Teague and other similarly situated individuals.

PRAYER FOR RELIEF

Wherefore, the Commission respectfully requests that this Court:

A. Grant a permanent injunction enjoining the Defendant, its officers, successors, assigns, and all person in active concert or participation with it, from engaging in any employment practice which discriminates on the basis of sex, or which facilitates, condones or encourages employees to create a sexually hostile environment.

B. Order the Defendant to institute and carry out policies, practices, and programs

which provide equal employment opportunities for Jamie Chatwell, Kimberly Hall, Tara Heflick, Jade Kuhn, Tia Teague and other similarly situated individuals. and eradicate the effects of its past and present unlawful unemployment practices.

C. Order the Defendant to make whole Jamie Chatwell, Kimberly Hall, Tara Heflick, Jade Kuhn, Tia Teague and other similarly situated individuals by providing appropriate back pay with prejudgment interest in amounts to be determined at trial, front pay and pecuniary damages, including out-of-pocket expenses, and other affirmative relief necessary to eradicate the effects of the Defendant's unlawful employment practices, including but not limited to rightful place reinstatement under terms and conditions which will permit Jamie Chatwell, Kimberly Hall, Tara Heflick, Jade Kuhn, Tia Teague and other similarly situated individuals to work free from discrimination.

D. Order the Defendant to make whole Jamie Chatwell, Kimberly Hall, Tara Heflick, Jade Kuhn, Tia Teague and other similarly situated individuals by providing compensation for past and future non-pecuniary losses resulting from the unlawful employment practices described in paragraph 7 above, including but not limited to, emotional pain, suffering, inconvenience, mental anguish, and loss of enjoyment of life, in amounts to be determined at trial.

E. Order the Defendant to pay Jamie Chatwell, Kimberly Hall, Tara Heflick, Jade Kuhn, Tia Teague and other similarly situated individuals punitive damages for its malicious conduct or reckless indifference described in paragraphs 7 and 10 above, in an amount to be determined at trial.

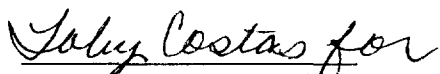
- F. Grant such further relief as the Court deems necessary and proper in the public interest.
- G. Award the Commission its costs in this action.

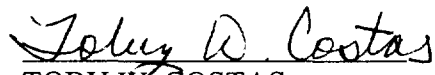
JURY TRIAL DEMAND


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

Respectfully submitted,

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