

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

EQUAL EMPLOYMENT OPPORTUNITY )	
COMMISSION, )	
)	CIVIL ACTION NO.
<b>Plaintiff,</b> )	
)	<b>3:05-CV-1063-B</b>
v. )	
)	<u>AMENDED COMPLAINT</u>
_____ )	
<b>DALLAS AFRICAN AMERICAN RESOURCE )</b>	<b>ECF</b>
<b>CENTER, FORMERLY D/B/A )</b>	
<b>RENAISSANCE III ORGANIZATION,</b> )	
)	
<b>Defendant.</b> )	<b>JURY TRIAL DEMAND</b>
)	
_____ )	

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 race and to provide relief to Serita Agnew, Carolyn Jefferson, Hront Reed, Kenny Scott, Ursula Traylor, and similarly-situated individuals. The Commission alleges that Defendant Dallas African American Resource Center, formerly d/b/a Renaissance III Organization (hereafter “Defendant”), violated Title VII by subjecting Serita Agnew, Carolyn Jefferson, Hront Reed, Kenny Scott, Ursula Traylor and similarly-situated individuals to a racially hostile work environment.

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 of (the “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 City of Dallas, and has continuously had at least fifteen employees.

5. At all relevant times, Defendant has continuously been an employer engaged in industry affecting commerce under Sections 701(b), (g) and (h) of Title VII, 42 U.S.C. §2000e-(b), (g) and (h).

### **STATEMENTS OF CLAIMS**

6. More than thirty days prior to the institution of this lawsuit, Serita Agnew, Carolyn Jefferson, Hront Reed, Kenny Scott, and Ursula Traylor 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 March 1998, the Defendant has engaged in unlawful employment practices at its Dallas, Texas, facility in violation of Section 703(a) (1) of Title

VII, 42 U.S.C. §2000e-2(a)(1) by subjecting Serita Agnew, Carolyn Jefferson, Hront Reed, Kenny Scott, Ursula Traylor, and similarly-situated individuals to a racially hostile work environment.

8. The result of the foregoing practices has been to deprive Serita Agnew, Carolyn Jefferson, Hront Reed, Kenny Scott, Ursula Traylor, and similarly-situated individuals of equal employment opportunities because of their race, Black.

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 Serita Agnew, Carolyn Jefferson, Hront Reed, Kenny Scott, Ursula Traylor, and similarly-situated individuals.

**PRAYER FOR RELIEF**

Wherefore, the Commission respectfully requests that this Court:

A. Grant a permanent injunction enjoining the Defendant, its officers, members of its Board of Directors, successors, assigns, and all persons in active concert or participation with them, from engaging in any employment practice which discriminates on the basis of race, or which facilitates, condones or encourages employees to create a racially hostile environment.

B. Order the Defendant to institute and carry out policies, practices, and programs which provide equal employment opportunities for Serita Agnew, Carolyn Jefferson, Hront Reed, Kenny Scott, Ursula Traylor, and similarly-situated individuals and eradicate the effects of its past and present unlawful unemployment practices.

C. Order the Defendant to make whole Serita Agnew, Carolyn Jefferson, Hront Reed, Kenny Scott, Ursula Traylor, and 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, pain and suffering, humiliation, embarrassment, emotional distress, anxiety, and loss of enjoyment of life, in amounts to be determined at trial.

D. Order the Defendant to pay Serita Agnew, Carolyn Jefferson, Hront Reed, Kenny Scott, Ursula Traylor, and similarly-situated individuals punitive damages for its malicious conduct or reckless indifference described in paragraphs 7 and 10 above, in amounts to be determined at trial.

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,

JAMES L. LEE  
Deputy General Counsel

GWENDOLYN YOUNG REAMS  
Associate General Counsel

s/Robert A. Canino  
ROBERT A. CANINO  
Regional Attorney  
Oklahoma State Bar No. 011782

s/Toby W. Costas  
TOBY W. COSTAS  
Supervisory Trial Attorney  
Texas State Bar No. 04855720

s/Devika S. Dubey  
DEVIKA S. DUBEY  
Senior Trial Attorney  
Texas State Bar No. 24044860

EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION  
Dallas District Office  
207 Houston Street, 3<sup>rd</sup> Floor  
Dallas, Texas 75202  
(214) 253-2764 (telephone)  
(214) 253-2749 (facsimile)