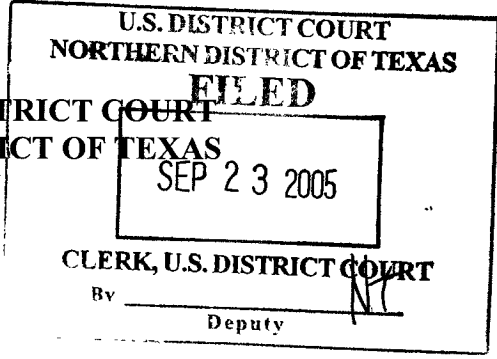


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ORIGINAL

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



EQUAL EMPLOYMENT OPPORTUNITY)
COMMISSION,)

Plaintiff,)

v.)

SIMRAN INVESTMENTS, INC.,)
d/b/a Only \$1.00 and Nothing Over \$1.00,)

Defendant.)

CIVIL ACTION NO.

COMPLAINT

3 - 0 5 C V - 1 8 8 2 M

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 Rosa Morales. The Commission alleges that Defendant Simran Investments, Inc., d/b/a Only \$1.00 and Nothing Over \$1.00 (hereafter "Defendant"), violated Title VII by subjecting Rosa Morales to a sexually hostile work environment based upon her sex, female, and by decreasing her wages and terminating her employment in retaliation for complaining of the harassment.

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 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 an 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, Rosa Morales filed a charge 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 January 2004, the Defendant has engaged in unlawful employment practices at one of its Dallas, Texas facilities in violation of Section 703(a) (1) of Title VII, 42 U.S.C. §2000e-2(a)(1), by subjecting Rosa Morales to a sexually hostile work environment based upon her sex, female, and in violation of Section (704)(a) of Title VII, 42

U.S.C. § 2000e-3(a), by decreasing her wages and terminating her employment in retaliation for complaining of sexual harassment.

8. The result of the foregoing practices has been to deprive Rosa Morales of equal employment opportunities because of her 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 Rosa Morales.

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 persons 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 Rosa Morales and eradicate the effects of its past and present unlawful unemployment practices.

C. Order the Defendant to make whole Rosa Morales 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 that will permit Ms. Morales to work free from discrimination.

D. Order the Defendant to make Rosa Morales whole 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 often enjoyment of life, in amounts to be determined at trial.

E. Order the Defendant to pay Rosa Morales 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.

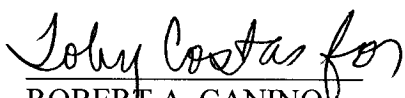
JURY TRIAL DEMAND

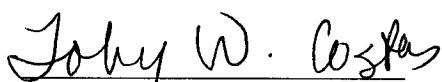
The Commission requests a jury trial on all questions of fact raised by its Complaint.

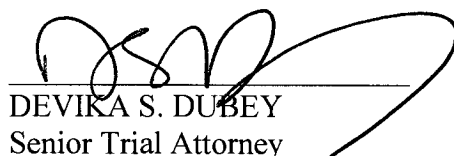
Respectfully submitted,

JAMES L. LEE
Deputy General Counsel

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M/BD

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS
EQUITY EMPLOYMENT OPPORTUNITY COMMISSION

DEFENDANTS
SIMRAN INVESTMENTS, INC. d/b/a
ONLY \$1.00 AND NOTHING OVER \$1 00

ORIGINAL

(b) County of Residence of First Listed Plaintiff (EXCEPT IN U S PLAINTIFF CASES)
County of Residence of First Listed Defendant (IN U S PLAINTIFF CASES ONLY)

(c) Attorney's (Firm Name, Address, and Telephone Number)
DEVIKA S. DUBEY, SENIOR TRIAL ATTORNEY
EEOC-Dallas District Office
207 South Houston, 3rd Floor
Dallas, Texas 75202 (214) 253-2764

RECEIVED
SEP 23 2005
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS

NOTE IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED

3-05CV-1882M

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- x 1 U S Government Plaintiff
2 U.S. Government Defendant
3 Federal Question (U S. Government Not a Party)
4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State
Citizen of Another State
Citizen or Subject of a Foreign Country
Incorporated or Principal Place of Business In This State
Incorporated and Principal Place of Business In Another State
Foreign Nation

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Table with 5 main columns: CONTRACT, REAL PROPERTY, TORTS, CIVIL RIGHTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, SOCIAL SECURITY, FEDERAL TAX SUITS, BANKRUPTCY, OTHER STATUTES. Includes various legal categories and checkboxes.

V. ORIGIN (PLACE AN "X" IN ONE BOX ONLY)

- X 1 Original Proceeding
2 Removed from State Court
3 Remanded from Appellate Court
4 Reinstated or Reopened
5 Transferred from another district (specify)
6 Multidistrict Litigation
7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION (Cite the U S Civil Statute under which you are filing and write brief statement of cause Do not cite jurisdictional statutes unless diversity.)

Defendant violated Title VII by subjecting Rosa Morales to a sexually hostile work environment based upon her sex, female, and by decreasing her wages and terminating her employment in retaliation for complaining of the harassment

VII. REQUESTED IN COMPLAINT: CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 DEMAND \$ CHECK YES only if demanded in complaint: JURY DEMAND: X Yes No

VIII. RELATED CASE(S) IF ANY (See instructions) JUDGE DOCKET NUMBER

DATE September 23, 2005 SIGNATURE OF ATTORNEY OF RECORD Soby W. Costas, EEOC Atty.

FOR OFFICE USE ONLY RECEIPT # AMOUN APPLYING IFP JUDGE MAG JUDGE