

IN THE UNITED STATES DISTRICT COURT
FOR THE
EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Civil Action No.

LUMBERTON MUNICIPAL UTILITY DISTRICT

Defendant.

COMPLAINT AND DEMAND FOR JURY TRIAL

Plaintiff, the United States of America, alleges:

1. This action is brought on behalf of the United States to enforce the provisions of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. Section 2000e, *et seq.* ("Title VII").
2. This Court has jurisdiction over the action under 42 U.S.C. Section 2000e-5 (f) and 28 U.S.C. Section 1345.
3. Defendant Lumberton Municipal Utility District, Texas (hereinafter referred to as "LMUD") is a political subdivision of the State of Texas created pursuant to Texas law.
4. Defendant LMUD is a person within the meaning of 42 U.S.C. Section 2000e(a) and an employer within the meaning of 42 U.S.C. Section 2000e(b).
5. Defendant LMUD has discriminated against Michelle L. Brewer, a female formerly employed by the LMUD as a part-time accountant clerk, because of her sex in violation of Section 703(a) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. Section 2000e-2(a), among other ways, by:
 - a. subjecting Ms. Brewer to sexual harassment that adversely affected the

terms, conditions and privileges of Ms. Brewer's employment; and

b. failing or refusing to take appropriate action to remedy the effects of the discriminatory treatment of Ms. Brewer.

6. Defendant LMUD has discriminated against Jennifer Gay Soape, a female formerly employed by the LMUD as a bookkeeper, because of her sex in violation of Section 703(a) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. Section 2000e-2(a), among other ways, by:

a. subjecting Ms. Soape to sexual harassment that adversely affected the terms, conditions and privileges of Ms. Soape's employment; and

b. failing or refusing to take appropriate action to remedy the effects of the discriminatory treatment of Ms. Soape.

7. Defendant LMUD has discriminated against Patsy Lamb, a female currently employed by the LMUD as a purchasing/inventory clerk, because of her sex in violation of Section 703(a) of Title

VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. Section 2000e-2 (a), among other ways, by:

a. subjecting Ms. Lamb to sexual harassment that adversely affected the terms, conditions and privileges of Ms. Lamb's employment; and

b. failing or refusing to take appropriate action to remedy the effects of the discriminatory treatment of Ms. Lamb.

8. Defendant LMUD has discriminated against Judy Biscamp, a female formerly employed by the LMUD as a collection clerk, because of her sex in violation of Section 703(a) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. Section 2000e-2(a), among other ways, by:

a. subjecting Ms. Biscamp to sexual harassment that adversely affected the terms, conditions and privileges of Ms. Biscamp's employment; and

b. failing or refusing to take appropriate action to remedy the effects of the discriminatory treatment of Ms. Biscamp.

9. The Equal Employment Opportunity Commission received timely charges filed by Michelle L. Brewer (Charge Number 330-97-1610), Jennifer Gay Soape (Charge Number 330-97-2491), Patsy Lamb (Charge Number 330-97-2291) and Judy Biscamp (Charge Number 330-97-2097). Pursuant to Section 706 of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. Section 2000e-5, the EEOC investigated the charges filed by Ms. Brewer, Ms. Soape, Ms. Lamb and Ms. Biscamp, found reasonable cause to believe that the charging parties' allegations of sexual harassment were true, unsuccessfully attempted to achieve through conciliation a voluntary resolution of these matters, and subsequently referred the charges to the Department of Justice.

10. All conditions precedent to the filing of suit have been performed or have occurred.

WHEREFORE, plaintiff United States prays that this Court grant the following relief:

(a) Enjoin the Defendant LMUD and its directors, officers, agents, employees, successors, and all persons in active concert or participation with the Defendant from failing or refusing to:

(i) promptly and effectively investigate allegations of sexual harassment at the LMUD and take prompt and effective action to prevent and correct any acts that constitute allegations of sexual harassment at the LMUD; and

(ii) take other appropriate nondiscriminatory measures to overcome the effects of the discrimination.

(b) Award compensatory damages to Michelle L. Brewer, Jennifer Gay Soape, Patsy Lamb, and Judy Biscamp for mental and/or physical injuries incurred as a result of the discrimination against them alleged in this complaint as would fully compensate them for such injuries, pursuant to and within the statutory limitations of Section 102 of the Civil Rights Act of 1991, 42 U.S.C. Section 1981a.

The plaintiff prays for such additional relief as justice may require, together with its costs and disbursements in this action.

JURY DEMAND

The United States hereby demands a trial by jury of all issues so triable pursuant to Rule 38 of the Federal Rules of Civil Procedure and Section 102 of the Civil Rights Act of 1991, 42 U.S.C. Section 1981a.

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