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CV 02-5484 #1

ATTORNEYS FOR PLAINTIFF

For White d  
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AT SEATTLE  
CLERK U.S. DISTRICT COURT  
BY WESTERN DISTRICT OF WASHINGTON DEPUTY

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON

EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION,

Plaintiff,

v.

WILD TANGENT, INC.

Defendant.

CV 02-5484 FDB  
COMPLAINT  
JURY TRIAL DEMAND

NATURE OF THE ACTION

This is an action under Title VII of the Civil Rights Act of 1964 and Title I of the Civil Rights Act of 1991 to correct unlawful employment practices on the basis of retaliation and to provide appropriate relief to Lisa Corricello. The Equal Employment Opportunity Commission alleges that defendant Wild Tangent, Inc. ("Wild Tangent") subjected Ms. Corricello to retaliation after she complained of discrimination. Plaintiff seeks injunctive and monetary relief, including pecuniary and nonpecuniary compensatory damages and punitive damages, on behalf of Ms. Corricello.

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1 JURISDICTION AND VENUE

2 1. Jurisdiction of this Court is invoked pursuant to 28 U.S.C. §§451, 1331, 1337, 1343 and  
3 1345. This action is authorized and instituted pursuant to sections 706(f)(1) and (3) of Title VII of the  
4 Civil Rights Act of 1964, as amended, 42 U.S.C. sections 2000e-5(f)(1) and (3) ("Title VII"), and  
5 Section 102 of the Civil Rights Act of 1991, 42 U.S.C. §1981a.

6 2. The employment practices alleged to be unlawful were committed within the jurisdiction  
7 of the United States District Court for the District of Washington.

8 PARTIES

9 3. Plaintiff, the Equal Employment Opportunity Commission (the "Commission"), is the  
10 agency of the United States of America charged with the administration, interpretation and enforcement  
11 of Title VII, and is expressly authorized to bring this action by Section 706(f)(1) of  
12 Title VII, 42 U.S.C. §2000e-5(f)(1).

13 4. At all relevant times, defendant, Wild Tangent, Inc. has been a corporation continuously  
14 doing business in the State of Washington and has continuously had at least 15 employees.

15 5. At all relevant times, defendant Wild Tangent has continuously been an employer  
16 engaged in an industry affecting commerce within the meaning of Sections 701(b), (g) and (h) of Title  
17 VII, 42 U.S.C. §§2000e-(b), (g) and (h).

18 STATEMENT OF CLAIMS

19 6. More than thirty days prior to the institution of this lawsuit, Lisa Corricello filed charges  
20 with the Commission alleging violations of Title VII by defendant Wild Tangent. All conditions  
21 precedent to the institution of this lawsuit have been fulfilled.

22 7. Beginning on or before October 2000, defendant Wild Tangent engaged in unlawful  
23 employment practices in violation of §§ 704(a) of Title VII, 42 U.S.C. §§ 2000e-3(a). Defendant Wild  
24 Tangent affected the terms and conditions of employment of Ms. Corricello by subjecting her to  
25 retaliation for her complaints of discrimination.

26 8. The effect of the practices complained of in paragraph 7 above has been to deprive Ms.  
27 Corricello of equal employment opportunities and otherwise adversely affect her status as an employee

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1 because of retaliation.

2 9. The unlawful employment practices complained of in paragraph 7 above were intentional.

3 10. The unlawful employment practices complained of in paragraph 7 above were done with  
4 malice or with reckless indifference to the federally protected rights of Ms. Corricello.

5 **PRAYER FOR RELIEF**

6 Wherefore, the Commission respectfully requests that this Court:

7 A. Grant a permanent injunction enjoining defendant, its officers, successors, agents, assigns,  
8 and all persons in active concert or participation with it, from engaging in any  
9 employment practices which discriminate on the bases of retaliation.

10 B. Order defendant to institute and carry out policies, practices, and programs which provide  
11 equal employment opportunities for all employees, and which eradicate the effects of its past and present  
12 unlawful employment practices.

13 C. Order defendant to make whole Ms. Corricello by providing appropriate back pay with  
14 prejudgment interest, in amounts to be determined at trial, and other affirmative relief necessary to  
15 eradicate the effects of its unlawful employment practices.

16 D. Order defendant to make whole Ms. Corricello by providing compensation for past and  
17 future pecuniary losses resulting from the unlawful employment practices described in paragraph 7  
18 above, including past and future out-of-pocket expenses, in amounts to be determined at trial.

19 E. Order defendant to make whole Ms. Corricello by providing compensation for past and  
20 future nonpecuniary losses resulting from the unlawful practices complained of in paragraph 7 above,  
21 including without limitation emotional pain, suffering, and loss of enjoyment of life, in amounts to be  
22 determined at trial.

23 F. Order defendant to pay Ms. Corricello punitive damages for its malicious and reckless  
24 conduct described in paragraph 7 above, in amounts to be determined at trial.

25 G. Grant such further relief as the Court deems necessary and proper in the public interest.

26 H. Award the Commission its costs of this action.

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JURY TRIAL DEMAND

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

DATED this 11<sup>th</sup> day of September, 2002.

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Regional Attorney

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