The IS 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 Civil Court of the Court

RECEIPT #	A	MOUN	APPLYING IFP				JUDGE		MAG JUD	GE	
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VIII. RELATED CASE(S) IF ANY JUDGE DOCKET NUMBER DOCKET NUMBER											
1964, as amended, by failin to lure or retain Ms. Ruffin and Mr. Everitt because of their race (Black). Defendants violated Section 703(a) of Title VII, 42USC Section 2000e-2 VII. REQUESTED IN CHECK IF THIS IS A CLASS ACTION DEMAND \$ CHECK YES only if demanded in complaint UNDER FR C P 23											
VI. CAUSE OF	ought pursi	Do not cite jurisdicti ant to Title VII of Civil Rig	onal statutes unless diversity hts Act of 1964 to correct ur	y) nlawful (employn	ment pr	ratices 24 Hour Pro	ofessional Jamitor	ial Services violat	ed Title VII of Civil Rights Act	
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V. ORIGIN	(PLAC	E AN "X" IN ONE B	OX ONLY)	•			Transf	erred from		Appeal to Dis	
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1 U.S. Government			n nment Not a Party)				PTF DEF PTF of This State				
II. BASIS OF JURISDICTION (Place an "X" in One Box Only) III. CITIZENSHIP OF PRINCIPAL PARTIES(Place an "X" in One Box for Pla (For Diversity Cases Only) and One Box for Defendant)											
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(c) Attorney's (Fi	rm Name	, Address, and Telephor	ne NumbeSEP 3 0	20 02		HA	ttorneys (If Kno		<u></u>		
(b) County of Residence of First Listed Plaintiff (EXCEPT IN U.S. PLAINTIFF CASES)						County of Residence of First Listed Defendant KAUFMAN (IN U.S PLAINTIFF CASES ONLY) NOTE IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED					
I. (a) PLAINTIFFS EQUAL EMPLOYMENT OPPORTUNITY COMMISSION						DEFENDANTS 24 HOUR PROFESSIONAL JANITORIAL SERVICES, L P					
use of the Clerk of C	Court for	the purpose of initiat	ing the civil docket sh	ieet.	(SEE I	INST	RUCTIONS	ON THE REV	ERSE OF TE	IE FORM.)	

Case 3:02-cv-02108 Documen

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IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS RK. 1

DALLAS DIVISION

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION,

CIVIL ACTION NO.

Plaintiff,

v.

24 HOUR PROFESSIONAL JANITORIAL SERVICES, L.P.

Defendant.

COMPLAINT

3 0 2 C V - 2 1 0 8 H

(JURY DEMANDED)

NATURE OF THE ACTION

This is an action under Title VII of the Civil Rights Act of 1964 to correct unlawful employment practices and to make whole Charging Parties, Felicia Ruffin and Anthony Everitt. The Commission alleges that the Defendant, 24 Hour Professional Janitorial Services, L.P. (hereafter "Professional Janitorial"), violated Title VII of the Civil Rights Act of 1964, as amended, by failing to hire or retain Ms. Ruffin and Mr. Everitt because of their race (Black).

JURISDICTION AND VENUE

- 1. Jurisdiction of this Court is invoked pursuant to 28 U.S.C. Sections 451, 1331, 1337, 1343, and 1345. This action is authorized and instituted pursuant to Sections 706(f)(1) and(3) of Title VII of the Civil Rights Act of 1964, as amended, ("Title VII"), 42 U.S.C. Sections 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 (the "Commission"), is an agency of the United States of America charged with the administration, interpretation and enforcement of Title VII and is expressly authorized to bring this action by Section 706(a) of Title VII, 42 U.S.C. Section 2000e-5(a).
- 4. At all relevant times, Defendant, Professional Janitorial, has continuously been and is now doing business in the State of Texas, 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 within the meaning of Sections 701(b), (g) and (h) of Title VII, 42 U.S.C. Sections 2000e-(b), (g) and (h).

STATEMENT OF CLAIMS

- 6. More than thirty days prior to the institution of this lawsuit, Ms. Ruffin and Mr. Everitt filed a charge with the Commission alleging violations of Title VII by the Defendant. All conditions precedent to the institution of this lawsuit have been fulfilled.
- 7. Beginning about March 2001, Defendant discriminated against Ms. Ruffin and Mr. Everitt in violation of Section 703(a) of Title VII, 42 U.S.C. Section 2000e-2. Specifically, Defendant failed to hire or retain Ms. Ruffin and Mr. Everitt because of their race (Black).
- 8. The effect of the practices complained of above has been to deprive Ms. Ruffin and Mr. Everitt 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 reckless indifference to the federally protected rights of Ms. Ruffin and Mr. Everitt.

PRAYER FOR RELIEF

Wherefore, the Commission respectfully requests that this Court:

- A. Grant a permanent injunction enjoining the Defendant, Professional Janitorial, its officers, successors, assigns, and all persons in active concert or participation with it, from engaging in any employment practice which discriminates in violation of Title VII and, specifically, from failing to hire or retain employees because of their race in violation of Title VII.
- B. Order the Defendant to institute and carry out policies, practices, and programs which provide equal employment opportunities for its employees, and which eradicate the effects of its past and present unlawful employment practices.
- C. Order the Defendant to make whole Ms. Ruffin and Mr. Everitt by providing appropriate back pay with prejudgment interest in amounts to be proved at trial, and other affirmative relief necessary to eradicate the effects of unlawful employment practices, including but not limited to hiring Ms. Ruffin and Mr. Everitt.
- D. Order the Defendant to make whole Ms. Ruffin and Mr. Everitt by providing compensation for past and future non-pecuniary losses resulting from the unlawful practices complained of 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.
- E. Order the Defendant to make whole Ms. Ruffin and Mr. Everitt, by providing compensation for past and future pecuniary losses resulting from the unlawful practices complained of in paragraphs 7, above, in amounts to be determined at trial.

- F. Order the Defendant to pay punitive damages for its malicious or reckless conduct described in paragraph 7, above, in amounts to be determined at trial.
 - G. Grant such further relief as the Court deems necessary and proper.
 - Award the Commission its costs in this action. H.

JURY TRIAL DEMAND

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

Respectfully submitted,

NICHOLAS M. INZEO

Acting Deputy General Counsel

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Supervisory Trial Attorney

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