

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

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

ORIGINAL [Signature]

DEFENDANTS

JEFFERSON DENTAL CLINICS, P.A.

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

304 CV 1892-N

County of Residence of First Listed Defendant (IN U.S. PLAINTIFF CASES ONLY)

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

(c) Attorney's (Firm Name, Address, and Telephone Number) RONETTA J. FRANCIS, SENIOR TRIAL ATTORNEY EEOC-Dallas District Office 207 South Houston, 3rd Floor Dallas, Texas 75202 (214) 253-2756

Attorneys (If Known)

AUG 30 2004 CLERK, U.S. DISTRICT COURT NORTHERN DISTRICT OF TEXAS

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

- X 1 U.S. Government Plaintiff
3 Federal Question (U.S. Government Not a Party)
2 U.S. Government Defendant
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 PTF DEF 1 1
Citizen of Another State 2 2
Citizen or Subject of a Foreign Country 3 3
Incorporated or Principal Place of Business In This State PTF DEF 4 4
Incorporated and Principal Place of Business In Another State 5 5
Foreign Nation 6 6

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 sub-categories like Personal Injury, Real Property, Labor, etc.

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 Do not cite jurisdictional statutes unless diversity.)

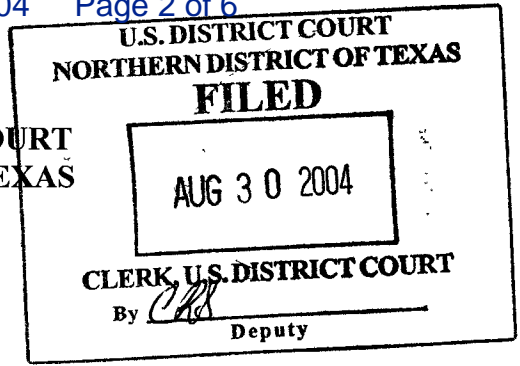
This cause of action is brought pursuant to Title VII of Civil Rights Act of 1964, amended, and Title I of Civil Rights Act of 1991 to correct unlawful employment practices on the basis of sex and to provide appropriate relief to Carol Cantu, Linda Houshoulder, Heather Sooter and Esmeralda Jimenez, who subject to a sexually hostile work environment based upon their sex, female, by terminating.

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 8/30/04 SIGNATURE OF ATTORNEY OF RECORD [Signature]

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



ORIGINAL
[Handwritten mark]

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

**EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,**)
)
)
Plaintiff,)
)
)
v.)
)
)
JEFFERSON DENTAL CLINICS, P.A.,)
)
)
Defendant.)

**CIVIL ACTION NO.
304 CV 1892- N
COMPLAINT
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 Carol Cantu, Linda Housholder, Heather Sooter and Esmeralda Jimenez. The Commission alleges that Defendant, Jefferson Dental Clinics, P.A., (hereafter "Defendant"), violated Title VII by subjecting Carol Cantu, Linda Housholder, Heather Sooter and Esmeralda Jimenez to a sexually hostile work environment based upon their sex , female, by terminating Carol Cantu, Linda Housholder, and Heather Sooter from their employment in retaliation for their opposition to the unlawful sexual harassment, and by constructively discharging Esmeralda Jimenez.

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

COMPLAINT

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 (“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 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).

STATEMENT OF CLAIMS

6. More than thirty days prior to the institution of this lawsuit, Carol Cantu, Linda Housholder, Heather Sooter and Esmeralda Jimenez 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 2002, the Defendant has engaged in unlawful employment practices at its corporate office, located in Dallas, Texas, in violation of Section 703(a) (1) and

704(a) of Title VII, 42 U.S.C. §§ 2000e-2(a)(1) and 2000e-3(a) by subjecting Carol Cantu, Linda Housholder, Heather Sooter and Esmeralda Jimenez to a sexually hostile work environment, discriminating against them because of their sex, by terminating Carol Cantu, Linda Householder and Heather Sooter in retaliation for their opposition to the unlawful sexual harassment, and by constructively discharging Esmeralda Jimenez.

8. The result of the foregoing practices has been to deprive Carol Cantu, Linda Housholder, Heather Sooter and Esmeralda Jimenez of equal employment opportunities because of their 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 Carol Cantu, Linda Housholder, Heather Sooter and Esmeralda Jimenez.

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 person 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. 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 in violation of Title VII and, specifically, from

subjecting its employees to retaliatory treatment in violation of Title VII.

C. Order the Defendant to institute and carry out policies, practices, and programs which provide equal employment opportunities for Carol Cantu, Linda Housholder, Heather Sooter and Esmeralda Jimenez and eradicate the effects of its past and present unlawful unemployment practices.

D. Order the Defendant to make whole Carol Cantu, Linda Housholder, Heather Sooter and Esmeralda Jimenez 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 of Carol Cantu, Linda Housholder, Heather Sooter and Esmeralda Jimenez under such terms and conditions that will allow them to work free from sexual harassment, discrimination and retaliation.

E. Order the Defendant to make whole Carol Cantu, Linda Housholder, Heather Sooter and Esmeralda Jimenez 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, emotional pain, suffering, inconvenience, mental anguish, and loss of enjoyment of life, in amounts to be determined at trial.

F. Order the Defendant to pay Carol Cantu, Linda Housholder, Heather Sooter and Esmeralda Jimenez punitive damages for its malicious conduct or reckless indifference described in paragraphs 7 and 10 above, in an amount to be determined at trial.

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

H. Award the Commission its costs in this action.

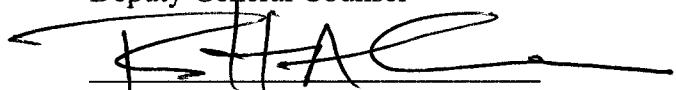
JURY TRIAL DEMAND

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

Respectfully submitted,

ERIC S. DREIBAND
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GWENDOLYN Y. REAMS
Deputy General Counsel



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EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION

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