

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION,  
SUSAN SHEEHAN, SHAWNA MEAD  
ROSE CARROLL, AND BARBARA  
MROZIK,

Plaintiffs,

v.

DAVID LERNER ASSOCIATES, INC.,

Defendant.

CIVIL ACTION NO. 3:05CV292(RNC)

OCTOBER 28, 2005

**COMPLAINT OF INTERVENOR**

Plaintiff-Intervenor Barbara Mrozik alleges the following for her complaint against David Lerner Associates, Inc. (DLA):

**NATURE OF THE ACTION**

1. This is an action seeking damages and equitable relief to redress unlawful employment practices on the basis of sex, and to provide appropriate relief to the plaintiff, who was affected by such practices. As alleged further below, DLA subjected the plaintiff to repeated sexual harassment and unlawful retaliation in violation of Title VII of the Civil Rights Act of 1964. In addition, DLA constructively discharged plaintiff when it failed to remedy the hostile work environment.

**PARTIES**

2. Plaintiff Barbara Mrozik resides at 7 Lakeview Avenue, Seymour, Connecticut 06483.

3. At all relevant times, defendant David Lerner Associates, Inc. ("DLA"), has been a New York corporation doing business in the State of Connecticut, Fairfield County at 1540 Post Road, Darien, Connecticut, where plaintiffs were employed, and has continuously employed 15 or more persons.

**JURISDICTION**

4. This court has jurisdiction over this action under 28 U.S.C. § 1331.

5. Plaintiff Mrozik filed a charge of discrimination with the United States Equal Employment Opportunity Commission on April 15, 2004. On August 20, 2004, the EEOC issued a Determination finding that the plaintiff, and other co-workers similarly situated, had been subject to ongoing incidents of sexual harassment, retaliation and/or constructive discharge.

6. Venue is proper in this district pursuant to 28 U.S.C. § 1391 in that DLA regularly conducts business in Connecticut.

**ALLEGATIONS**

7. Since August 2001 or earlier, DLA engaged in unlawful employment practices at

its office in Darien, Connecticut against plaintiff in violation of Title VII, 42 U.S.C. § 2000e-2(a)(1).

8. Defendant DLA's conduct had the purpose or effect of substantially interfering with plaintiff's work performance and creating an intimidating, hostile or offensive work environment. Specifically, plaintiff's supervisor engaged in: unwelcome touching, solicitation for sex, offensive sexual gestures, questions of a sexual nature, inappropriate comments about her appearance, and pressure to wear sexually provocative clothing. He also displayed a knife to her and her co-workers in an effort to intimidate them into producing larger revenue figures. While playing with the knife for approximately 20 minutes, he stated that he would start "chopping their fingers off" if they did not start producing better numbers.

9. Plaintiff complained about this conduct.

10. Plaintiff's supervisor threatened her with retaliation for complaining about the harassment. At all times relevant to this action, plaintiff's supervisor was an agent or employee of the defendant.

11. Defendant failed to take steps reasonably calculated to prevent or eradicate the continuing behavior and hostile work environment, despite plaintiff's complaints.

12. Defendant's unlawful practices as described above were intentional and were done with malice or reckless indifference to plaintiff's protected rights.

13. As a result of defendant's conduct, plaintiff was forced to resign her employment

involuntarily.

14. The effect of the practices complained of above has been to deprive plaintiff of equal employment opportunity, inflict emotional pain and suffering upon her, cause her to suffer financial losses and otherwise adversely affect her.

**COUNT I**

***Sexual Harassment in Violation of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e-2(a)(1)***

15. Plaintiff incorporates paragraphs 1 through 14 by reference.

16. By its actions, the defendant has violated protections afforded to the plaintiff under Title VII prohibiting sexual harassment of employees and the existence of a sexually hostile environment.

17. The plaintiff has suffered damages as a result of the defendant's illegal conduct, including lost wages and benefits, future lost wages and benefits, and emotional distress.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff respectfully requests this Court to enter:

- (a) A money judgment representing compensatory damages, including lost wages, bonuses and all other sums of money, with interest on said amounts;

- (b) An Order directing Defendant to reinstate Plaintiff or, in the alternative, front pay for seven (7) years;
- (c) A money judgment representing punitive damages;
- (d) A money judgment representing interest on this Court's award from the date of Plaintiff's termination until the date of payment on a compound basis;
- (e) A money judgment to recoup any tax loss suffered by Plaintiff as a result of receiving a lump sum award;
- (f) Compensatory damages for the personal injury suffered by Plaintiff;
- (g) That the Court retain jurisdiction over this action until Defendant has fully complied with the Orders of this Court and that the Court require Defendant to file such reports as may be necessary to supervise such compliance;
- (h) The costs of suit, including an award of reasonable attorneys' fees; and
- (i) Such other and further relief as the Court may deem to be just and proper.

JURY DEMAND

Plaintiff herein demands trial by jury of all issues in this action.

Respectfully submitted,  
BARBARA MROZIK

By:

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**CERTIFICATION**

I hereby certify that a true copy of the forgoing was sent via first class mail, postage prepaid on October 28, 2005 to:

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