

**UNITED STATES DISTRICT COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION**

Paul Johnson
3316 New Hampshire Avenue, N.W.
Washington, D.C. 20010
202-986-4163

Plaintiff

v.

Civil Action No. _____

District of Columbia
Mayor Adrian M. Fenty
Serve: Tabitha Braxton
Office of the Secretary
1350 Pennsylvania Avenue, NW - Room 419
Washington, DC 20004
Telephone 202-727-6306

Serve: Office of the Attorney General
441 4th Street, NW - Suite 600 South
Washington, DC 20001
Telephone 202-727-3400

Board of Trustees,
University of The District of Columbia
Serve: David Watts
4200 Connecticut Avenue, NW
Washington, DC 20008
Telephone: 202-274-5604

COMPLAINT

1. The court has jurisdiction over this lawsuit under 28 U.S.C.A. §§ 1343(a), and because the action arises under 42 U.S.C. § 2000e, 42 U.S.C. 12101 et. seq. , 29 U.S.C. § 621 et. seq. 29 U.S.C. §§ 791 and 794 and DC ST § 2-1403.16.

2. Plaintiff has exhausted administrative remedies. On or about July 11, 2005 Plaintiff filed a charge of discrimination against defendant with the U.S. Equal Employment Opportunity Commission (Charge No. 100-2005-01500) and was granted a right to sue letter which was issued on March 14, 2007, which is within 90 days of filing this complaint.
3. Plaintiff is a male accountant in the Finance Office of the University of the District of Columbia.
4. Plaintiff has been working for the University of the District of Columbia for more than 17 years.
5. Plaintiff is blind in one eye, and has insulin dependent diabetes.
6. Plaintiff is the oldest accountant working in the Finance Office of the University of the District of Columbia.
7. Plaintiff's section reports to the Controller, LaShahn Gaines, who is female.
8. Plaintiff has consistently received "exceeds expectation" evaluations for his work at the Finance Office of the University of the District of Columbia.
9. Even though Plaintiff has been working as an accountant at the Finance Office of the University of the District of Columbia longer than any other accountant, he is the lowest paid accountant in the office.
10. In December of 2000 Plaintiff was asked to move from his position in the Cost Accounting area to his then newly created position as a Senior Accountant in the General Accounting area by the former Comptroller, Mr. Cannon.

11. Prior to transferring out of his prior position Plaintiff was earning \$44,000.
12. As an incentive to move into the new position Plaintiff was promised a salary increase to \$58,000
13. Plaintiff has never received the full promised pay increase.
14. The position Plaintiff vacated was immediately filled by a younger female, who was paid \$66,000. Although the new employee received a significantly higher salary, there was no change in the duties and responsibilities associated with the position.
15. On August 2, 2001 Plaintiff brought his concerns about his promised pay increase to Earl Keith Dukes, Supervisor in the General Accounting Office. Mr. Dukes directed Plaintiff to Mr. Earl Cabbell, who assured Plaintiff that he would be compensated at a rate commensurate with his experience and in line with his peers. To date Plaintiff has not been brought up to that promised level of pay.
16. On June 26, 2002, during a department-wide staff meeting close out assignments were given to all of the other accountants in the department. Plaintiff's area of responsibility was assigned to a consultant. When Plaintiff asked what his assignment would be he was told he was out of order.
17. On July 8, 2002 Plaintiff sent a memo titled "Official Complaint of Unfair Employment Practices and Hostile Work Environment" to Keith Dukes, Supervisor of General Accounting.
18. Plaintiff's duties were reduced, and some of the duties he retained are being done redundantly by a newly hired consultant who is making substantially more than Plaintiff.
19. Key software has been removed from Plaintiff's computer so that his ability to complete

departmental tasks is limited. When Plaintiff complained he was told to stay late and to use someone else's computer.

20. Plaintiff's computer developed a hardware problem and needed to be replaced. All of the other computers in the Department were replaced, even though they were not broken, before Plaintiff's was replaced.
21. On October 2, 2002 Plaintiff's then attorney Mose Lewis III wrote a letter to Earl Cabbell, Vice President of Finance and Administration at the University of the District of Columbia advising Mr. Cabbell of the unfair pay practices. Mr. Cabbell never replied to that letter.
22. On October 1, 2003, nearly three years after Plaintiff's transfer, Ms. Gaines signed a form 52 giving Plaintiff a Step Increase from ADM-510 7/1 to ADM-510 7/02 reactive to 9/1/00. The authorized salary increase was from \$45,667 to \$47,429. On information and belief this is substantially lower than is paid to Plaintiff's female counterparts.
23. On that same day another personal action Form 52 was signed authorizing a step increase from ADM-510 7/02 to 7/06 and a salary of \$54,477. This was an across the board salary increase to everyone in the Department.
24. On May 21, 2004 Plaintiff was informed by Ms. Gaines that on May 10, 2004 a desk audit was to be performed. On May 24, 2004 Plaintiff received forms that were to be completed prior to the desk audit. He completed and returned those forms before the June 1, 2004 deadline.
25. On September 9, 2004, based on feedback he had received from the desk audit, Plaintiff wrote to Keith Dukes stating "It has been suggested that I am being ignored and

discriminated against because of my age (63) and because of my gender and sexual orientation (heterosexual male) all of which, I am told, are protected classes under Title VII and the EEOC laws of the District of Columbia.... Moreover, I have been told that I am protected under the Americans with Disabilities Act, ...”

26. Plaintiff has still not been fully paid for the time he has worked in his current position and with his increased duties.
27. Ms. Gaines has failed to take the steps necessary to ensure that Plaintiff is granted the pay increase he was promised, and to ensure that Plaintiff is given equal pay for work requiring equal skills and equal responsibilities.
28. On information and belief Ms. Gaines has made negative comments to Plaintiff’s co-workers alleging among other things that Plaintiff sleeps at his desk and that he works slowly.
29. Ms. Gaines had degraded Plaintiff. She has excluded Plaintiff from close out assignments, has given awards and acknowledgments to other members of Plaintiff’s team but excluded Plaintiff, and on information and belief has asked colleagues to document Plaintiff’s alleged lack of timeliness, productivity, and whether or not he sleeps at his desk.

COUNT I - DISCRIMINATION IN PAY UNDER TITLE VII

30. Plaintiff incorporates paragraphs 1-29 as if restated verbatim herein.
31. Plaintiff brings this action under 42 U.S.C. § 2000e-2.
32. Plaintiff is an employee within the meaning of Title VII and belongs to a class protected under the Act, namely male. (42 U.S.C. § 2000e-2(a)(1)).

33. Defendant is an employer within the meaning of Title VII (42 U.S.C. § 2000e(b)).
34. Plaintiff is an accountant employed by the University of the District of Columbia.
35. The skills and efforts required to perform the duties of Plaintiff's position, and the responsibilities of his position, are equal to those required by similarly placed female employees who are receiving significantly higher pay.
36. Defendant intentionally discriminated against plaintiff because of his sex in violation of Title VII by paying Plaintiff less than similarly placed females performing work requiring the same level of skills, responsibilities and efforts.
37. Plaintiff suffered the following injuries as a direct and proximate result of defendant's conduct: (1) Plaintiff suffered loss of pay and (2) Plaintiff suffered emotional distress and mental anguish. .
38. Defendant's violation is willful and deliberate. This violation has not been corrected, even though Plaintiff brought it to his supervisor's attention.
39. Defendant's violation is a continuing violation.
40. Plaintiff is entitled to an award of attorney fees and costs under Title VII, 42 U.S.C. § 2000e-5.
41. For these reasons, Plaintiff asks for judgment against Defendant for (1) back pay, (2) lost retirement benefits, (3) liquidated damages of two times back pay, (4) \$300,000 in pain and suffering, (5) an award of attorney fees and costs, (6) punitive/liquidated damages and (7) all other relief the court deems appropriate.

COUNT II - VIOLATION OF THE AMERICANS WITH DISABILITIES ACT

42. Plaintiff incorporates paragraphs 1-41 as if restated verbatim herein.

43. Plaintiff is disabled, as defined by the Americans with Disabilities Act (ADA) because he is blind in one eye and he has insulin dependent diabetes.(42 U.S.C. § 12102) He is otherwise qualified to perform the essential functions of his job as an accountant.
44. Plaintiff is an employee within the meaning of the ADA. (42 U.S.C. § 12111(4))
45. Defendants are aware of Plaintiff's disability.
46. Defendant's have violated the ADA by intentionally discriminating against plaintiff because of his disability. Defendant's discriminatory acts include paying him less than similarly situated employees who are not disabled, and degrading and humiliating him in front of his peers.(42 U.S.C. § 12112)
47. Plaintiff suffered the following injuries as a direct and proximate result of defendant's conduct: (1) Plaintiff suffered a loss of pay, (2) Plaintiff suffered emotional distress and mental anguish due to his concerns about losing his job and not being able to support his family and in terms of not having the funds required to meet his family's needs.
48. Plaintiff is entitled to an award of attorney fees and costs under 42 U.S.C. § 12205.
49. Defendant's actions are intentional and willful.
50. Defendant's violations are continuing.
51. For these reasons, Plaintiff asks for judgment against defendant for (1) granting Plaintiff the full salary he is entitled to, (2) back pay, (3) lost retirement benefits, (4) \$300,000 in pain and suffering, (5) an award of attorney fees and costs, (6) punitive or liquidated damages and (7) other relief the court deems appropriate

COUNT III - DISCRIMINATION UNDER THE AGE DISCRIMINATION IN

EMPLOYMENT ACT

52. Plaintiff incorporates paragraphs 1-51 as if restated verbatim herein.
53. Plaintiff is 66 years old, and is the oldest accountant working in the Finance Office of the University of the District of Columbia.
54. Defendant is an Employer within the meaning of 29 U.S.C. § 630(b).
55. The skills and efforts required to perform the duties of Plaintiff's position, and the responsibilities of his position, are equal to those required by similarly placed younger employees who are receiving significantly higher pay.
56. That Plaintiff is fully qualified for his position is shown by his performance evaluations.
57. Plaintiff is being paid less than those similarly qualified and younger employees holding positions requiring similar skills, responsibilities and efforts.
58. Defendant's action is a violation of 29 U.S.C. § 623.
59. Defendant's violation is willful and deliberate. This violation has not been corrected, even though Plaintiff brought it to his supervisor's attention.
60. Defendant's violation is a continuing violation.
61. Plaintiff suffered the following injuries as a direct and proximate result of defendant's conduct: (1) Plaintiff suffered a loss of pay, (2) Plaintiff suffered emotional distress and mental anguish due to his concerns about losing his job and not being able to support his family and in terms of not having the funds required to meet his family's needs.
62. For these reasons, Plaintiff asks for judgment against defendant for (1) granting Plaintiff the full salary he is entitled to, (2) back pay, (3) lost retirement benefits, \$300,000 in pain and suffering, (4) an award of attorney fees and costs, (5) punitive or liquidated damages,

and (6) other relief the court deems appropriate. 29 U.S.C. § 626(b).

COUNT IV - DISCRIMINATION IN VIOLATION OF THE REHABILITATION ACT

63. Plaintiff incorporates paragraphs 1-62 as if restated verbatim herein.
64. This action is brought pursuant to the Rehabilitation Act of 1973 as amended, 29 U.S.C. §§ 791 and 794, and 28 U.S.C. §§ 1343(a)
65. Plaintiff has exhausted all administrative remedies. On or about July 11, 2005 Plaintiff filed a charge of discrimination against defendant with the U.S. Equal Employment Opportunity Commission (Charge No. 100-2005-01500) and was granted a right to sue letter which was issued on March 14, 2007, which is within 90 days of filing this complaint.
66. Plaintiff works as an accountant for the University of the District of Columbia, which under information and belief is partially funded by federal grants.
67. Plaintiff is disabled in that he has insulin dependent diabetes and he is blind in one eye. His disabilities limit several major life activities including, but not limited to eating.
68. On information and belief Defendants were aware of Plaintiff's disabilities.
69. Plaintiff is still able to perform all essential functions of his accounting position at the University of the District of Columbia.
70. That Plaintiff is fully qualified for his position is shown by his performance evaluations.
71. Plaintiff is being paid less than those similarly qualified and non-disabled employees holding positions requiring similar skills, responsibilities and efforts.
72. Defendant's violation is willful and deliberate. This violation has not been corrected, even though Plaintiff brought it to his supervisor's attention.

73. Defendant's violation is a continuing violation.
74. Plaintiff suffered the following injuries as a direct and proximate result of defendant's conduct: (1) Plaintiff suffered a loss of pay, (2) Plaintiff suffered emotional distress and mental anguish due to his concerns about losing his job and not being able to support his family and in terms of not having the funds required to meet his family's needs.
75. Wherefore, Plaintiff demands judgment against Defendants for the following: (A) Lost wages, (B) Lost retirement benefits, (C) \$300,000 in pain and suffering, (D) Attorney's fees and costs, (E) punitive/liquidated damages and (f) any other relief this Court deems appropriate.

COUNT V DISCRIMINATION IN VIOLATION DC HUMAN RIGHTS ACT

76. Plaintiff incorporates paragraphs 1-75 as if restated verbatim herein.
77. This action is brought pursuant to the D. C. Human Rights Statute, DC ST § 2-1403.16.
78. Plaintiff has exhausted all administrative remedies. On or about July 11, 2005 Plaintiff filed a charge of discrimination against defendant with the D. C. Office of Human Rights and U.S. Equal Employment Opportunity Commission (Charge No. 100-2005-01500) and was granted a right to sue letter which was issued on March 14, 2007, which is within 90 days of filing this complaint.
79. Plaintiff works as an accountant for the University of the District of Columbia, which under information and belief is partially funded by federal grants.
80. Plaintiff has been discriminated against as alleged above because of his age, disability and sex.

81. That Plaintiff is fully qualified for his position is shown by his performance evaluations.
82. Plaintiff is being paid less than those similarly qualified and non-disabled younger and female employees holding positions requiring similar skills, responsibilities and efforts.
83. Defendant's violation is willful and deliberate. This violation has not been corrected, even though Plaintiff brought it to his supervisor's attention.
84. Defendant's violation is a continuing violation.
85. Plaintiff suffered the following injuries as a direct and proximate result of defendant's conduct: (1) Plaintiff suffered a loss of pay, (2) Plaintiff suffered emotional distress and mental anguish due to his concerns about losing his job and not being able to support his family and in terms of not having the funds required to meet his family's needs.
86. Wherefore, Plaintiff demands judgment against Defendants for the following: (A) Lost wages, (B) Lost retirement benefits, (C) \$300,000 in pain and suffering, (D) Attorney's fees and costs, (E) punitive damages and (f) any other relief this Court deems appropriate.

Respectfully submitted:

Paul Johnson
Plaintiff

By: _____
Rebecca N. Strandberg
D.C. Bar No. 368528
Rebecca N. Strandberg & Associates, P.A.
8607 Second Avenue, Suite 405A

Silver Spring, MD 20910
Tel. 240-247-0675
Fax 301-565-9339
firm@strandberglaw.net

By: _____
Bernard M. Raiche
D.C. Bar No. 460070
Rebecca N. Strandberg & Associates, P.A.
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Tel. 240-247-0675
Fax 301-565-9339
firm@strandberglaw.net

REQUEST FOR JURY TRIAL

Plaintiff requests a jury trial for all matters related to this complaint.

Paul Johnson
Plaintiff

By: _____
Rebecca N. Strandberg
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JS-44
 (Rev. 1/05 DC)

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|--|---|
| I (a) PLAINTIFFS Paul Johnson 3316 New Hampshire Avenue, NW Washington, DC 20010 202-988-4163 | DEFENDANTS District of Columbia, Mayor Adrian M. Fenty, Serve: Tabitha Braxton, Office of the Secretary, 1350 Pennsylvania Avenue, NW, Room 419, Washington, DC 20004. Tel: 202-727-6306. Board of Trustees, University of the District of Columbia, Serve: David Watts, 4200 Connecticut Avenue, NW, Washington, DC 20008. Tel: 202-274-5804. |
| (b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF <u>11001</u> (EXCEPT IN U.S. PLAINTIFF CASES) | COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT (IN U.S. PLAINTIFF CASES ONLY) NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED |
| (c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER) Rebecca N. Strandberg DC Bar No. 368528 Bernard M. Raiche DC Bar No. 460070 Rebecca N. Strandberg & Associates, P.A. 18607 Second Avenue, Suite 405A Silver Spring, Maryland 20910 240-247-6705 | ATTORNEYS (IF KNOWN) Office of the Attorney General 441 4th Street, NW - Suite 600 South Washington, DC 20001 202-727-3400 |

| II. BASIS OF JURISDICTION (PLACE AN X IN ONE BOX ONLY) <table style="width:100%; border: none;"> <tr> <td><input type="radio"/> 1 U.S. Government Plaintiff</td> <td><input checked="" type="radio"/> 3 Federal Question (U.S. Government Not a Party)</td> </tr> <tr> <td><input type="radio"/> 2 U.S. Government Defendant</td> <td><input type="radio"/> 4 Diversity (Indicate Citizenship of Parties in item III)</td> </tr> </table> | <input type="radio"/> 1 U.S. Government Plaintiff | <input checked="" type="radio"/> 3 Federal Question (U.S. Government Not a Party) | <input type="radio"/> 2 U.S. Government Defendant | <input type="radio"/> 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) FOR DIVERSITY CASES ONLY! <table style="width:100%; border: none;"> <thead> <tr> <th></th> <th>PTF</th> <th>DFT</th> <th></th> <th>PTF</th> <th>DFT</th> </tr> </thead> <tbody> <tr> <td>Citizen of this State</td> <td><input type="radio"/> 1</td> <td><input type="radio"/> 1</td> <td>Incorporated or Principal Place of Business in This State</td> <td><input type="radio"/> 4</td> <td><input type="radio"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td><input type="radio"/> 2</td> <td><input type="radio"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td><input type="radio"/> 5</td> <td><input type="radio"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td><input type="radio"/> 3</td> <td><input type="radio"/> 3</td> <td>Foreign Nation</td> <td><input type="radio"/> 6</td> <td><input type="radio"/> 6</td> </tr> </tbody> </table> | | PTF | DFT | | PTF | DFT | Citizen of this State | <input type="radio"/> 1 | <input type="radio"/> 1 | Incorporated or Principal Place of Business in This State | <input type="radio"/> 4 | <input type="radio"/> 4 | Citizen of Another State | <input type="radio"/> 2 | <input type="radio"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="radio"/> 5 | <input type="radio"/> 5 | Citizen or Subject of a Foreign Country | <input type="radio"/> 3 | <input type="radio"/> 3 | Foreign Nation | <input type="radio"/> 6 | <input type="radio"/> 6 |
|---|---|---|---|---|---|--|-----|-----|--|-----|-----|-----------------------|-------------------------|-------------------------|---|-------------------------|-------------------------|--------------------------|-------------------------|-------------------------|---|-------------------------|-------------------------|---|-------------------------|-------------------------|----------------|-------------------------|-------------------------|
| <input type="radio"/> 1 U.S. Government Plaintiff | <input checked="" type="radio"/> 3 Federal Question (U.S. Government Not a Party) | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="radio"/> 2 U.S. Government Defendant | <input type="radio"/> 4 Diversity (Indicate Citizenship of Parties in item III) | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | PTF | DFT | | PTF | DFT | | | | | | | | | | | | | | | | | | | | | | | | |
| Citizen of this State | <input type="radio"/> 1 | <input type="radio"/> 1 | Incorporated or Principal Place of Business in This State | <input type="radio"/> 4 | <input type="radio"/> 4 | | | | | | | | | | | | | | | | | | | | | | | | |
| Citizen of Another State | <input type="radio"/> 2 | <input type="radio"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="radio"/> 5 | <input type="radio"/> 5 | | | | | | | | | | | | | | | | | | | | | | | | |
| Citizen or Subject of a Foreign Country | <input type="radio"/> 3 | <input type="radio"/> 3 | Foreign Nation | <input type="radio"/> 6 | <input type="radio"/> 6 | | | | | | | | | | | | | | | | | | | | | | | | |

IV. CASE ASSIGNMENT AND NATURE OF SUIT

(Place a X in one category, A-N, that best represents your cause of action and one in a corresponding Nature of Suit)

| | | | |
|---|---|---|--|
| <input type="radio"/> A. Antitrust <input type="checkbox"/> 410 Antitrust | <input type="radio"/> B. Personal Injury/Malpractice <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Medical Malpractice <input type="checkbox"/> 365 Product Liability <input type="checkbox"/> 368 Asbestos Product Liability | <input type="radio"/> C. Administrative Agency Review <input type="checkbox"/> 151 Medicare Act Social Security: <input type="checkbox"/> 861 HIA ((1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g) Other Statutes <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 890 Other Statutory Actions (If Administrative Agency is Involved) | <input type="radio"/> D. Temporary Restraining Order/Preliminary Injunction Any nature of suit from any category may be selected for this category of case assignment. *(If Antitrust, then A governs)* |
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|---|---|---|--|
| <input type="radio"/> E. General Civil (Other) OR <input type="radio"/> F. Pro Se General Civil | | | |
| Real Property <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent, Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property Personal Property <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability | Bankruptcy <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 Prisoner Petitions <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition Property Rights <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark Federal Tax Suits <input type="checkbox"/> 870 Taxes (US plaintiff or defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609 | Forfeiture/Penalty <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 RR & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other Other Statutes <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 430 Banks & Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation | <input type="checkbox"/> 470 Racketeer Influenced & Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Satellite TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 900 Appeal of fee determination under equal access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes <input type="checkbox"/> 890 Other Statutory Actions (if not administrative agency review or Privacy Act) |

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|--|---|---|---|
| <input type="radio"/> G. Habeas Corpus/ 2255 <input type="checkbox"/> 530 Habeas Corpus-General <input type="checkbox"/> 510 Motion/Vacate Sentence | <input type="radio"/> H. Employment Discrimination <input checked="" type="checkbox"/> 442 Civil Rights-Employment (criteria: race, gender/sex, national origin, discrimination, disability age, religion, retaliation) *(If pro se, select this deck)* | <input type="radio"/> I. FOIA/PRIVACY ACT <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 890 Other Statutory Actions (if Privacy Act) *(If pro se, select this deck)* | <input type="radio"/> J. Student Loan <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (excluding veterans) |
| <input type="radio"/> K. Labor/ERISA (non-employment) <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Labor Railway Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act | <input type="radio"/> L. Other Civil Rights (non-employment) <input type="checkbox"/> 441 Voting (if not Voting Rights Act) <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 445 American w/Disabilities-Employment <input type="checkbox"/> 446 Americans w/Disabilities-Other | <input type="radio"/> M. Contract <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholder's Suits <input type="checkbox"/> 190 Other Contracts <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise | <input type="radio"/> N. Three-Judge Court <input type="checkbox"/> 441 Civil Rights-Voting (if Voting Rights Act) |

V. ORIGIN

1 Original Proceeding
 2 Removed from State Court
 3 Remanded from Appellate Court
 4 Reinstated or Reopened
 5 Transferred from another district (specify)
 6 Multi district Litigation
 7 Appeal to District Judge from Mag. Judge

VI. CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE.)
 42 U.S.C. 2000e, 42 U.S.C. 12101 et. seq., 29 U.S.C. 621 et. seq., 29 U.S.C. 791 and 794 and DC ST2-1403.16 Discrimination in Pay

VII. REQUESTED IN COMPLAINT CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 **DEMAND \$** _____ **JURY DEMAND:** YES NO

VIII. RELATED CASE(S) IF ANY (See instruction) YES NO If yes, please complete related case form.

DATE June 11, 2007 **SIGNATURE OF ATTORNEY OF RECORD** _____

INSTRUCTIONS FOR COMPLETING CIVIL COVER SHEET JS-44
 Authority for Civil Cover Sheet

The JS-44 civil cover sheet and the information contained herein neither replaces nor supplements the filings 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. Consequently a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. Listed below are tips for completing the civil cover sheet. These tips coincide with the Roman Numerals on the Cover Sheet.

- I. COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF/DEFENDANT (b) County of residence: Use 11001 to indicate plaintiff is resident of Washington, D.C.; 88888 if plaintiff is resident of the United States but not of Washington, D.C., and 99999 if plaintiff is outside the United States.
- III. CITIZENSHIP OF PRINCIPAL PARTIES: This section is completed only if diversity of citizenship was selected as the Basis of Jurisdiction under Section II.
- IV. CASE ASSIGNMENT AND NATURE OF SUIT: The assignment of a judge to your case will depend on the category you select that best represents the primary cause of action found in your complaint. You may select only one category. You must also select one corresponding nature of suit found under the category of case.
- VI. CAUSE OF ACTION: Cite the US Civil Statute under which you are filing and write a brief statement of the primary cause.
- VIII. RELATED CASES, IF ANY: If you indicated that there is a related case, you must complete a related case form, which may be obtained from the Clerk's Office.

Because of the need for accurate and complete information, you should ensure the accuracy of the information provided prior to signing the form.