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2 EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
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5 Attorneys for Plaintiff  
6 Equal Employment Opportunity Commission

7  
8 **UNITED STATES DISTRICT COURT**  
9 **EASTERN DISTRICT OF CALIFORNIA**

10 **EQUAL EMPLOYMENT OPPORTUNITY** )  
11 **COMMISSION,** )

12 Plaintiff, )

13 v. )

14 )  
15 **MERCED COUNTY COMMUNITY** )  
16 **ACTION AGENCY** )

17 Defendant. )  
18

Civil Action No.

**COMPLAINT**

Civil Rights - Employment Discrimination

JURY TRIAL DEMAND

19 **NATURE OF THE ACTION**

20 This is an action under Title VII of the Civil Rights Act of 1964 and Title I of the Civil  
21 Rights Act of 1991 to correct unlawful employment practices on the basis of race and retaliation  
22 and to provide appropriate relief to Mr. Charles Price aggrieved by Defendant's unlawful  
23 practices. Plaintiff alleges that Defendant, Merced County Community Action Agency  
24 unlawfully subjected Mr. Price to race and retaliation discrimination, denying him a promotion  
25 on account of his race, African American, and discharging him in retaliation for complaining of  
26 the promotion denial.

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- 1           A.     Grant a permanent injunction enjoining Defendant, its officers, successors,  
2 assigns, and all persons in active concert or participation with it, from engaging in race  
3 discrimination and/or retaliation against its employees.
- 4           B.     Order Defendant to institute and carry out policies, practices, and programs which  
5 provide equal employment opportunities for African Americans and those persons who complain  
6 about race discrimination, and which eradicate the effects of its past and present unlawful  
7 employment practices.
- 8           C.     Order Defendant to make whole Charging Party by providing compensation for  
9 past and future pecuniary losses resulting from the unlawful employment practices complained of  
10 above, including but not limited to, lost wages and benefits, medical expenses or other out of  
11 pocket expenses in amounts to be determined at trial.
- 12          D.     Order Defendant to make whole Charging Party by providing compensation for  
13 past and future non-pecuniary losses resulting from the unlawful practices complained of above,  
14 including but not limited to pain and suffering, emotional distress, indignity, loss of enjoyment of  
15 life, loss of self-esteem and humiliation, in amounts to be determined at trial.
- 16          F.     Order Defendant to pay Charging Party punitive damages for its malicious and  
17 reckless conduct complained of above, in amounts to be determined at trial.
- 18          G.     Grant such further relief as the Court deems necessary and proper in the public  
19 interest.
- 20          H.     Award the Commission its costs of this action.
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**JURY TRIAL DEMAND**

Pursuant to the provisions of Federal Rule of Civil Procedure 38(b), Plaintiff hereby demands a jury trial.

**James L. Lee**  
Deputy General Counsel  
**Gwendolyn Young Reams**  
Associate General Counsel

**Equal Employment Opportunity Commission**  
1801 L Street, N.W.  
Washington, DC 20507

EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION  
Office of the General Counsel  
Washington, DC 20507

Dated: 9/23/05

  
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WILLIAM R. TAMAYO  
Regional Attorney

Dated: 9/23/05

  
\_\_\_\_\_  
JONATHAN T. PECK  
Supervisory Trial Attorney

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