1 2 3	A. LUIS LUCERO, JR., REGIONAL ATTORNEY CLAIRE CORDON, SUPERVISORY TRIAL ATTO KATHRYN OLSON, SENIOR TRIAL ATTORNEY EQUAL EMPLOYMENT OPPORTUNITY COMM 909 FIRST AVENUE, SUITE 400	
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12	UNITED STATES DISTRICT COURT FOR THE DISTRICT OF IDAHO	
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14 15	EQUAL EMPLOYMENT OPPORTUNITY COMMISSION,	CW99-0610-S-RW
16	Plaintiff,	) CIVIL ACTION NO.
17	v.	) COMPLAINT
18	FIDELITY FINANCIAL SERVICES OF IDAHO,	) ) )
19	INC.  Defendant.	) JOKI TRIAL DEMIAND
20		<b>(</b> )
21	NATURE OF THE ACTION	
22	This is an action under Title VII of the Civil Rights Act of 1964 and Title I of the Civil	
23	Rights Act of 1991 to correct unlawful employment practices on the basis of sex and retaliation and	
24	to provide appropriate relief to Stacie Schiffer. The Equal Employment Opportunity Commission	
25	alleges that defendant subjected Ms. Schiffer to hostile work environment sexual harassment,	
26	retaliation and constructive discharge. Plaintiff seeks monetary and injunctive relief, including	

pecuniary and nonpecuniary compensatory damages and punitive damages.

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of the Civil Rights Act of 1964, as amended, 42 U.S.C. sections 2000e-5(f)(1) and (3) ("Title VII"), 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 District of Idaho.

## **PARTIES**

- 3. Plaintiff, the Equal Employment Opportunity Commission (the "Commission"), is the 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(f)(1) of Title VII, 42 U.S.C. §2000e-5(f)(1).
- 4. At all relevant times, defendant Fidelity Financial Services, Inc. ("Fidelity") has been a corporation continuously doing business in the State of Idaho and has continuously had at least 15 employees.
- 5. At all relevant times, defendant Fidelity 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. §§2000e-(b), (g) and (h).

## STATEMENT OF CLAIMS

- 6. More than thirty days prior to the institution of this lawsuit, Stacie Schiffer filed a charge with the Commission alleging violations of Title VII by defendant Fidelity. All conditions precedent to the institution of this lawsuit have been fulfilled.
- 7. Beginning on or before April 1998, defendant Fidelity engaged in unlawful employment practices at its Idaho facilities in violation of §§ 703(a) and 704(a) of Title VII, 42 U.S.C. §§ 2000e-2(a) and -3(a). Defendant Fidelity affected the terms and conditions of Ms. Schiffer's employment by subjecting her to ongoing harassment based on sex, retaliation and constructive discharge.
- 8. The effect of the practices complained of in paragraph 7 above has been to deprive Ms. Schiffer of equal employment opportunities and otherwise adversely affect her status as an employee because of her sex.

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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 Ms. Schiffer.

## PRAYER FOR RELIEF

Wherefore, the Commission respectfully requests that this Court:

- A. Grant a permanent injunction enjoining defendant, its officers, successors, agents, assigns, and all persons in active concert or participation with it, from engaging in any employment practices which discriminate on the bases of sex and retaliation.
- B. Order defendant to institute and carry out policies, practices, and programs which provide equal employment opportunities for all employees, and which eradicate the effects of its past and present unlawful employment practices.
- C. Order defendant to make whole Ms. Schiffer by providing appropriate back pay with prejudgment interest, in amounts to be determined at trial, and other affirmative relief necessary to eradicate the effects of its unlawful employment practices.
- D. Order defendant to make whole Ms. Schiffer by providing compensation for past and future pecuniary losses resulting from the unlawful employment practices described in paragraph 7 above, including past and future out-of-pocket expenses, in amounts to be determined at trial.
- E. Order defendant to make whole Ms. Schiffer by providing compensation for past and future nonpecuniary losses resulting from the unlawful practices complained of in paragraph 7 above, including without limitation emotional pain, suffering, and loss of enjoyment of life, in amounts to be determined at trial.
- F. Order defendant to pay Ms. Schiffer punitive damages for its malicious and 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 in the public interest.
  - H. Award the Commission its costs of this action.

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1	JURY TRIAL DEMAND	
2	The Commission requests a jury trial on all questions of fact raised by its complaint.	
3	-h	
4	DATED this 38 day of December, 1999.	
5	A. LUIS LUCERO, JR. C. GREGORY STEWART Regional Attorney General Counsel	
<ul><li>6</li><li>7</li></ul>	CLAIRE CORDON GWENDOLYN YOUNG REAMS Supervisory Trial Attorney Associate General Counsel	
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