

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND  
Northern Division

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EQUAL EMPLOYMENT OPPORTUNITY )  
COMMISSION, )  
City Crescent Building, 3<sup>rd</sup> Floor )  
10 South Howard Street )  
Baltimore, MD 21201 )  
Plaintiff, )

Civil Action No.

04 CV 3037

v.

NEW YORK FASHIONS  
210 W. Lexington Street  
Baltimore, Maryland 21201  
Defendant.

COMPLAINT  
JURY TRIAL DEMAND

NATURE OF THE ACTION

This is an action under Title VII of the Civil Rights Act of 1964 and Title I of the Civil Rights Act of 1991 to correct unlawful employment practices on the basis of sex and retaliation, and to provide appropriate relief to Alicia Douglas who was adversely affected by such practices. The Commission alleges that Defendant, New York Fashions, has committed sex discrimination and retaliation by subjecting Ms. Douglas to sexual harassment, pregnancy discrimination and by ultimately discharging her in retaliation for engaging in conduct protected by Title VII.

JURISDICTION AND VENUE

1 Jurisdiction of this Court is invoked pursuant to 28 U.S.C. Sections 451, 1331, 1337, 1343 and 1345. This action is authorized and instituted pursuant to Section 706(f)(1) and (3) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. Section 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 unlawful employment practices alleged below were committed within the jurisdiction of the United States District Court for the Maryland, Northern Division.

## PARTIES

3. Plaintiff, Equal Employment Opportunity Commission (the "Commission"), is an 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) and (3), 42 U.S.C., Section 2000e-5(f)(1) and (3).

4. At all relevant times, Defendant New York Fashions, Inc. (the "Employer") has continuously been a sole proprietorship and an inactive corporation doing business in Baltimore, Maryland, and has continuously had at least fifteen employees.

5. At all relevant times, Defendant Employer has continuously been an employer engaged in an industry affecting commerce within the meaning of Section 701(b), (g) and (h) of Title VII, 42 U.S.C. Sections 2000e(b), (g) and (h).

## STATEMENT OF CLAIMS

6. More than thirty days prior to the institution of this lawsuit, Alicia Douglas filed a charge with the Commission alleging violations of Title VII by Defendant Employer. All conditions precedent to the institution of this lawsuit have been fulfilled.

7. Since at least March 2003, Defendant Employer has engaged in unlawful employment practices at its Baltimore, Maryland facility in violation of Sections 703(a) and 704(a) of Title VII, 42 U.S.C. Sections 2000e-2 and 2000e-3. These practices include subjecting Alicia Douglas to pervasive, unwelcome and offensive harassment based on her sex, female by and through Leroy Reinhardt, Store Manager. Such harassment created a hostile work environment on the basis of sex and culminated in a tangible employment action. Defendant had actual and constructive notice of the unlawful harassment and failed to take reasonable corrective action or action reasonably

calculated to prevent harassment.

8. Furthermore, on or about July 5, 2003, Defendant terminated Ms. Douglas due to her pregnancy and in retaliation for her opposition to the discriminatory behavior.

9. The effect of the practices complained of in paragraph 7 above has been to deprive Alicia Douglas of equal employment opportunities and otherwise adversely affect her status as an employee because of her sex, pregnancy and in retaliation for his opposition to discrimination.

10. The unlawful employment practices complained of in paragraphs 7 and 8 above were intentional.

11. The unlawful employment practices complained of in paragraphs 7 and 8 above were done with malice or with reckless indifference to the federally protected rights of Alicia Douglas.

#### PRAYER FOR RELIEF

Wherefore, the Commission respectfully requests that this Court:

A. Grant a permanent injunction enjoining Defendant Employer, its officers, successors, assigns and all persons in active concert or participation with it, from engaging in any employment practices which discriminate on the basis of sex, including pregnancy.

B. Grant a permanent injunction enjoining Defendant Employer, its officers, successors, assigns and all persons in active concert or participation with it, from engaging in retaliatory conduct against persons who exercise opposition to discrimination based on sex or other conduct reasonably believed to be unlawful under Title VII.

C. Order Defendant Employer to institute and carry out policies, practices, and training programs which provide equal employment opportunities for women, and which eradicate the effects of its past and present unlawful employment practices.

D. Order Defendant Employer to make whole Alicia Douglas by providing appropriate back pay, with prejudgment interest, in amounts to be proved at trial, and other affirmative relief necessary to eradicate the effects of their unlawful employment practices, including but not limited to reinstatement of Alicia Douglas or front pay in lieu thereof.

E. Order Defendant Employer to make whole Alicia Douglas by providing compensation for past and future pecuniary losses resulting from the unlawful employment practices described in paragraphs 7 and 8 above, in amounts to be determined at trial.

F. Order Defendant Employer to make whole Alicia Douglas by providing compensation for non-pecuniary losses resulting from the unlawful practices complained of in paragraphs 7 and 8 above, including past and future emotional pain and suffering, degradation, humiliation, anxiety, inconvenience, and loss of enjoyment of life, in amounts to be determined at trial.

G. Order Defendant Employers to pay Alicia Douglas punitive damages for its malicious and reckless conduct described in paragraphs 7 and 8 above, in amounts to be determined at trial.

H. Grant such further relief as the Court deems necessary and proper.

I. Award the Commission its costs in this action.

#### JURY TRIAL DEMAND

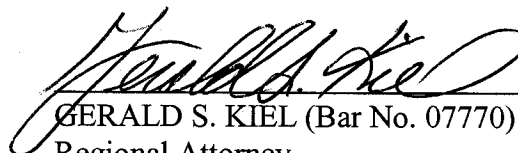
The Commission requests a jury trial on all questions of fact raised in the complaint.

Respectfully submitted,

EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION

ERIC S. DREIBAND  
General Counsel

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