

PARTIES

4. Plaintiff, Equal Employment Opportunity Commission ("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)(3), 42 U.S.C. §2000e-5 (f)(1) and (3).

5. Defendant Famous Footwear has continuously been and is now doing business in the State of Texas and the City of Houston and has continuously had more than 15 employees. Famous Footwear may be served with process by serving its registered agent in Texas, CT Corporation System, 350 N. St. Paul Street, Dallas, Texas 75201.

6. At all relevant times, Defendant Famous Footwear has continuously been and is now 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. Section 2000e(b), (g) and (h).

STATEMENT OF CLAIMS

7. More than thirty days prior to the institution of this lawsuit, Princess Uzor filed a charge of discrimination with the Commission alleging violations of Title VII by Defendant Famous Footwear, her former employer. All conditions precedent to the institution of this lawsuit have been fulfilled.

8. Since at least 2006, Famous Footwear has engaged in unlawful employment practices at its store # 2312 located on State Highway 249 in Houston, Texas, in violation of Section 703(a)(1) of Title VII of the Civil Rights Act of 1964.

9. In February 2006, Charging Party, a Black female, went to Famous Footwear's store located on State Highway 249 and asked for an application for

employment from one of the store's managers. She was treated rudely and told that the store was not hiring. She was also told they did not have any applications available and therefore she could not be given an application to complete. Suspecting that the manager was not being honest, Charging Party contacted one of her friends, a white female, and asked her if she would be willing to go to the store and request a job application. The friend agreed, went to the store and was immediately provided with an original application. Upon learning that the white female was given an employment application, Charging Party immediately returned to the store and was denied an application on the same grounds that had been asserted earlier. Both of the store managers who refused to give Charging Party an employment application were white females. Despite her best efforts, Charging Party was barred from applying for a position by company managers who knew she was Black.

10. The effect of the practices complained of herein has been to deprive Ms. Uzor of equal employment opportunities and otherwise adversely affect her status as an employee by refusing to hire her because of her race.

11. The conduct described in the paragraphs above was intentional and was committed with malice or with willful disregard for the federally protected civil rights of Ms. Uzor.

PRAYER FOR RELIEF

WHEREFORE, the Commission respectfully requests that this Court:

12. Grant a permanent injunction enjoining Defendant, its officers, successors, assigns and all persons in active concert or participation with it, from engaging in an employment practice which discriminates on the basis of race;

13. Order Defendant to institute and carry out policies, practices and procedures

which provide equal employment opportunities for African-Americans and which eradicates the effects of its unlawful employment practices.

14. Order Defendant to make Ms. Uzor whole 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 the unlawful employment practices to which she was subjected.

15. Order reinstatement of Ms. Uzor into the same or a comparable position, or award her front pay in the amounts to be proved at trial, if reinstatement is impractical;

16. Award compensatory damages to Ms. Uzor in amounts to be proved at trial;

17. Award punitive damages to Ms. Uzor in amounts to be proved at trial;

18. Award pre-judgment and post-judgment interest on all amounts recovered as allowed by law;

19. Order all affirmative relief necessary to eradicate the effects of Defendant's unlawful employment practices;

20. Award the Commission its costs in this action; and

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

JURY TRIAL DEMAND

22. The Commission requests a jury trial on all questions of fact raised by its complaint.

Respectfully submitted,

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION

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