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**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

10 EQUAL EMPLOYMENT  
11 OPPORTUNITY COMMISSION,

12 Plaintiff,

13 v.

14 CANYON LAKE PROPERTY  
15 OWNER'S ASSOCIATION d/b/a  
16 COUNTRY CLUB  
17 RESTAURANT; DOES 1-6  
18 Inclusive,

19 Defendant.

CASE NO.: EDCV 03-1118 RT(SGLK)

**COMPLAINT- CIVIL RIGHTS  
EMPLOYMENT  
DISCRIMINATION**  
(42 U.S.C. §§ 2000e, *et seq.*)

**JURY TRIAL DEMAND**

**NATURE OF THE ACTION**

21 This is an action under Title VII of the Civil Rights Act of 1964, as  
22 amended, and Title I of the Civil Rights Act of 1991 to correct unlawful  
23 employment practices on the basis of sex, female, and retaliation. Plaintiff United  
24 States Equal Employment Opportunity Commission ("Commission") alleges that  
25 Defendant Canyon Lake Property Owner's Association and Does 1-6  
26 ("Defendant") subjected Charging Party Dora Lemus ("Lemus") and at least  
27 another similarly situated individual to sex discrimination. The Commission  
28 further alleges that Defendant retaliated against Lemus in violation of Section

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1 704(a) of Title VII for complaining about the sex discrimination and/or engaging  
2 in other protected activities.

### 3 JURISDICTION AND VENUE

4 1. Jurisdiction of this Court is invoked pursuant to 28 U.S.C. §§ 451,  
5 1331, 1337, 1343 and 1345.

6 2. This action is authorized and instituted pursuant to Section 706(f)(1)  
7 and (3) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §  
8 2000e-5(f)(1) and (3) ("Title VII") and Section 102 of Title I of the Civil Rights  
9 Act of 1991, 42 U.S.C. § 1981a.

10 3. The employment practices alleged to be unlawful were committed  
11 within the jurisdiction of the United States District Court for the Central District  
12 of California.

### 13 PARTIES

14 4. Plaintiff, Equal Employment Opportunity Commission, is the federal  
15 agency charged with the administration, interpretation and enforcement of Title  
16 VII, and is expressly authorized to bring this action by Section 706(f)(1) and (3) of  
17 Title VII, 42 U.S.C. § 2000e-5(f)(1) and (3).

18 5. At all relevant times, Defendant was and is a California corporation  
19 continuously doing business within the jurisdiction of the United States District  
20 Court for the Central District of California. At all relevant times, Defendant has  
21 continuously employed fifteen (15) or more persons.

22 6. At all relevant times, Defendant has continuously engaged in an  
23 industry affecting commerce within the meaning of Sections 701(b), (g) and (h) of  
24 Title VII, 42 U.S.C. §§ 2000e(b), (g) and (h).

### 25 STATEMENT OF CLAIMS

26 7. More than thirty days prior to the institution of this lawsuit, Lemus  
27 filed a charge with the Commission alleging violations of Title VII by Defendant.  
28 The Commission investigated and issued a Letter of Determination finding that

1 Lemus and at least another similarly situated individual were subjected to a hostile  
2 work environment on the basis of sex, female. The Commission also found that  
3 Lemus was subjected to a retaliatory discharge in violation of Title VII for  
4 complaining about sex discrimination and/or engaging in other protected  
5 activities. All conditions precedent to the institution of this lawsuit have been  
6 fulfilled.

7 8. Since at least July 2002, Defendant has engaged in unlawful  
8 employment practices at its Riverside County location, in violation of Section  
9 703(a) of Title VII, 42 U.S.C. §2000e-2(a)(1) by subjecting Lemus and at least  
10 another similarly situated individual to a hostile work environment on the basis of  
11 their sex, female. The sexual harassment that Lemus and the other similarly  
12 situated individual were subjected to, includes but is not limited to, unwelcome  
13 derogatory comments and unwanted touching on the basis of sex, female.

14 9. Since at least September 2002, Defendant has engaged in unlawful  
15 employment practices at its Riverside County location, in violation of Section  
16 704(a) of Title VII, 42 U.S.C. §2000e-3(a) by discharging Lemus in retaliation for  
17 having complained about, and otherwise opposed the sexual harassment.

18 10. The effect of the practice(s) complained of in paragraphs 8 and 9  
19 above has been to deprive Lemus and at least another similarly situated individual  
20 of equal employment opportunities and otherwise adversely affect their status as  
21 employees, because of their sex, female and/or because of having engaged in  
22 activity protected under Title VII.

23 11. The unlawful employment practices complained of in paragraphs 8  
24 and 9 above were intentional.

25 12. The unlawful employment practices complained of in paragraphs 8  
26 and 9 above were done with malice or with reckless indifference to the  
27 federally protected rights of Lemus and at least another similarly situated  
28 individual.



1 inconvenience, loss of enjoyment of life, and humiliation, in amounts to be  
2 determined at trial;

3 F. Order Defendants to pay Lemus and at least one other similarly  
4 situated individual punitive damages for its malicious and reckless conduct  
5 described in paragraphs 8 and 9 above, in amounts to be determined at trial;

6 G. Grant such further relief as the Court deems necessary and proper in  
7 the public interest; and

8 H. Award the Commission its costs of this action.

9 JURY TRIAL DEMAND

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

12 Dated: September 29, 2003

Respectfully Submitted,

13 ERIC S. DREIBAND,  
General Counsel

14 JAMES LEE,  
Deputy General Counsel

15 GWENDOLYN YOUNG REAMS,  
Associate General Counsel

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