

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

U. S. Equal Employment Opportunity Commission

(b) County of Residence of First Listed Plaintiff (EXCEPT IN U. S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number) Ronetta J. Francis, Senior Trial Attorney EEOC-Dallas District Office 207 South Houston St., 3rd Floor Dallas, TX 75202 (214) 655-3334

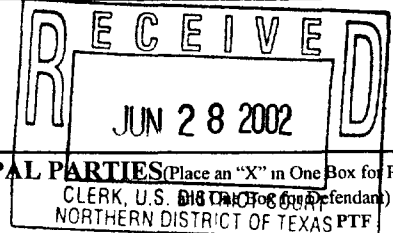
DEFENDANTS

BLED SOE DODGE, L.L.C. a/k/a AUTONATION DODGE

County of Residence of First Listed Defendant (IN U. S. PLAINTIFF CASES ONLY)

NOTE IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED

Attorneys (If Known)



II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- X 1 U S Government Plaintiff
3 Federal Question (U. S. Government Not a Party)
2 U S Government Defendant
4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff (For Diversity Cases Only))

- Citizen of This State PTF DEF 1 1
Citizen of Another State 2 2
Citizen or Subject of a Foreign Country 3 3
Incorporated or Principal Place of Business In This State 4 4
Incorporated and Principal Place of Business In Another State 5 5
Foreign Nation 6 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Table with columns: CONTRACT, REAL PROPERTY, TORTS, CIVIL RIGHTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, SOCIAL SECURITY, FEDERAL TAX SUITS, BANKRUPTCY, OTHER STATUTES. Includes various legal categories like Insurance, Real Estate, Personal Injury, etc.

V. ORIGIN (PLACE AN "X" IN ONE BOX ONLY)

- X 1 Original Proceeding
2 Removed from State Court
3 Remanded from Appellate Court
4 Reinstated or Reopened
5 Transferred from another district (specify)
6 Multidistrict Litigation
7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION (Cite the U S Civil Statute under which you are filing and write brief statement of cause Do not cite jurisdictional statutes unless diversity )

This is an action under Title VII of the Civil Rights Act of 1964 to correct unlawful employment practices and to make whole Charging Parties Anthony Barnett and Barron Jackson. The Commission alleges that the Defendant, Bledsoe Dodge, LLC, a/k/a AutoNation, Inc., subjected Mr. Barnett and Mr. Jackson to a hostile work environment and failed to promote Mr. Barnett and Mr. Jackson because of their race, African-American

VII. REQUESTED IN COMPLAINT: CHECK IF THIS IS A CLASS ACTION UNDER F R C P. 23 DEMAND \$ CHECK YES only if demanded in complaint JURY DEMAND: X Yes [ ] No

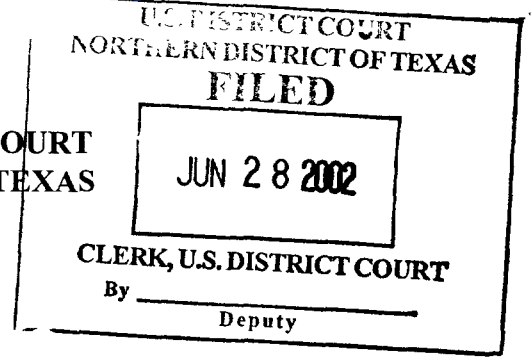
VIII. RELATED CASE(S) IF ANY (See instructions) JUDGE DOCKET NUMBER

DATE 6/28/02 SIGNATURE OF ATTORNEY OF RECORD Ronetta Francis

FOR OFFICE USE ONLY RECEIPT # AMOUNT APPLYING IFP JUDGE MAG JUDGE

ORIGINAL

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION



EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION,

Plaintiff,

v.

BLEDSON DODGE, LLC., a/k/a  
AUTONATION DODGE,

Defendant.

CIVIL ACTION NO.

3-02CV1373-G

COMPLAINT

(JURY DEMANDED)

NATURE OF THE ACTION

This is an action under Title VII of the Civil Rights Act of 1964 to correct unlawful employment practices and to make whole Charging Parties Anthony Barnett and Barron Jackson. The Commission alleges that the Defendant, Bledsoe Dodge, LLC, a/k/a Automation Dodge (hereafter "AutoNation"), subjected Mr. Barnett and Mr. Jackson to a hostile work environment and failed to promote Mr. Barnett and Mr. Jackson because of their race, African-American.

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 Sections 706(f)(1) and(3) of Title VII of the Civil Rights Act of 1964, as amended, ("Title VII"), 42 U.S.C. Sections 2000e-5(f)(1) and (3), 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

COMPLAINT

jurisdiction of the United States District Court for the Northern District of Texas.

**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(a) of Title VII, 42 U.S.C. Section 2000e-5(a).

4. At all relevant times, Defendant, AutoNation, has continuously been and is now doing business in the State of Texas, and has continuously had at least fifteen employees.

5. At all relevant times, Defendant 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. Sections 2000e-(b), (g) and (h).

**STATEMENT OF CLAIMS**

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

7. During the employment of Mr. Barnett and Mr. Jackson, Defendant subjected both of them to a barrage of unwelcome racial remarks and graffiti. Defendant failed to discipline employees who engaged in such behavior. Further, in or about July 1999, Defendant denied Mr. Barnett and Mr. Jackson a promotion to the position of Assistant Parts Manager because of their race, African-American, all in violation of Section 703(a)(1) of Title VII, 42 U.S.C. Section 2000e-2.

8. The effect of the practices complained of above has been to deprive Mr. Barnett and Mr. Jackson of equal employment opportunities and otherwise adversely affect their status as

employees.

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 reckless indifference to the federally protected rights of Mr. Barnett and Mr. Jackson.

**PRAYER FOR RELIEF**

Wherefore, the Commission respectfully requests that this Court:

A. Grant a permanent injunction enjoining the Defendant, AutoNation, its officers, successors, assigns, and all persons in active concert or participation with it, and from engaging in any employment practice which discriminates in violation of Title VII.

B. Order the Defendant to institute and carry out policies, practices, and programs which provide equal employment opportunities for Mr. Barnett and Mr. Jackson and which eradicate the effects of its past and present unlawful employment practices.

C. Order the Defendant to make whole Mr. Barnett and Mr. Jackson 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 unlawful employment practices, including but not limited to rightful place reinstatement of Mr. Barnett and Mr. Jackson.

D. Order the Defendant to make whole Mr. Barnett and Mr. Jackson by providing compensation for past and future non-pecuniary losses resulting from the unlawful practices complained of in paragraph 7 above, including but not limited to, emotional pain, suffering, inconvenience, loss of enjoyment of life and humiliation, in amounts to be determined at trial.

E. Order the Defendant to make whole Mr. Barnett and Mr. Jackson, by providing

compensation for past and future pecuniary losses resulting from the unlawful practices complained of in paragraph 7, above, in amounts to be determined at trial.

F. Order the Defendant to pay punitive damages for its malicious or 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.

H. Award the Commission its costs in this action.

**JURY TRIAL DEMAND**

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

Respectfully submitted,

NICHOLAS INZEO  
Acting General Counsel

*Toby W Costas*

---

TOBY W. COSTAS  
Acting Regional Attorney  
Texas State Bar No. 04855720

---

SUZANNE M. ANDERSON  
Supervisory Trial Attorney  
Texas Bar No. 14009470

*Ronetta Francis*

---

RONETTA J. FRANCIS  
Senior Trial Attorney  
Virginia Bar No. 39886

EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION  
Dallas District Office  
207 South Houston, 3rd Floor  
Dallas, Texas 75202  
(214) 655-3334  
(214) 655-3331 (FAX)