

U.S. DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
**FILED**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION**

**JUN 27 2001**

CLERK, U.S. DISTRICT COURT

By           OS          

CIVIL ACTION NO.

**2-01 CV-0245J**  
COMPLAINT

**JURY TRIAL DEMANDED**

**EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION,**

**Plaintiff,**

v.

**RON CLARK FORD, INC. ,**

**Defendant.**

**NATURE OF THE ACTION**

This is an action under Title VII of the Civil Rights Act of 1964, as amended, and Title I of the Civil Rights Act of 1991 to correct unlawful employment practices on the basis of sex and to provide appropriate relief to William M. Blount, Joe M. Charles, John D. Crawford and aggrieved individuals Richard Epps, Dusty Harrison and Ulises Herrera, and other similarly situated individuals, who were subjected to a sexually hostile work environment, sex-based discrimination, retaliation, and/or constructive discharge.

**JURISDICTION AND VENUE**

1. Jurisdiction of this Court is invoked pursuant to 28 U.S.C. §§ 451, 1331, 1337, 1343, and 1345. This action is authorized and instituted pursuant to Section 706(f)(1) and (3) of the Civil Rights Act of 1964, as amended, ("Title VII"), 42 U.S.C § 2000e-5(f)(1) and (3), and Section 102 of the Civil Rights Act of 1991, 42 U.S.C. Sec. 1981a.

2. The employment practices alleged to be unlawful were and are now being committed

within the jurisdiction of the United States District Court for the Northern District of Texas, Amarillo 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 of the Civil Rights Act of 1964, as amended and is expressly authorized to bring this action by Section 706(a) of Title VII, 42 U.S.C. § 2000e-5(a).

4. At all relevant times, Defendant, Ron Clark Ford, Inc. 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 Ron Clark Ford, Inc. has continuously been an employer engaged in an industry affecting commerce under Section 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, William M. Blount, John D. Crawford and Joe M. Charles filed charges with the Commission alleging violations of Title VII of the Civil Rights Act of 1964, as amended, by the Defendant Ron Clark Ford, Inc. All conditions precedent to the institution of this lawsuit have been fulfilled.

7. During the employment of William M. Blount, John D. Crawford, Joe M. Charles and the aggrieved individuals, the Defendant has engaged in unlawful employment practices in violation of Section 703(a)(1) of Title VII, 42 U.S.C. § 2000e-2(a)(1) and Section 704(a) of Title VII, 42 U.S.C. § 2000e-3(a) by subjecting William M. Blount, John D. Crawford, Joe M. Charles and the aggrieved individuals to a sexually hostile work environment, discriminating against them on

account of their sex, retaliating against them, and/or constructively discharging them. Specifically, Ron Clark Ford, Inc. subjected these aggrieved individuals to a sexually hostile work atmosphere in they were constantly and repeatedly subjected to sexually explicit remarks, sexually aggressive advances and a work atmosphere which was permeated with lewd and sexually offensive behavior. This conduct was so severe as to cause William M. Blount, John D. Crawford, Joe M. Charles and the aggrieved individuals great humiliation and emotional distress, resulting in a material alteration of the terms and conditions of their employment. This conduct also resulted in the retaliation and/or constructive discharge of two or more of the aggrieved individuals.

8. The result of the foregoing practices has been to deprive William M. Blount, John D. Crawford, Joe M. Charles and the aggrieved individuals of equal employment opportunities because of their sex.

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 William M. Blount, John D. Crawford, Joe M. Charles and the aggrieved individuals.

**PRAYER FOR RELIEF**

Wherefore, the Commission respectfully requests that this Court:

A. Grant a permanent injunction enjoining the Defendant Ron Clark Ford, Inc., its officers, successors, assigns, and all persons in active concert or participation with it, from engaging in any employment practice which discriminates on the basis of sex, or which facilitates, condones or encourages sexual harassment.

B. Order the Defendant to institute and carry out policies, practices, and programs which provide equal employment opportunities and a non-hostile work environment for all employees, including males, and which eradicate the effects of its past and present unlawful employment practices.

C. Order the Defendant to make whole William M. Blount, John D. Crawford, Joe M. Charles and the aggrieved individuals by providing appropriate back pay with prejudgment interest in amounts to be determined at trial, front pay, pecuniary losses, compensatory damages including out-of-pocket expenses, and other affirmative relief necessary to eradicate the effects of its unlawful employment practices, including but not limited to rightful place reinstatement under terms and conditions which will permit Mr. Blount, Mr. Crawford, Mr. Charles and the aggrieved individuals to work notwithstanding the severe psychological injury which they have suffered.

D. Order the Defendant to make William M. Blount, John D. Crawford, Joe M. Charles and the aggrieved individuals whole by providing compensation for past and future pecuniary losses resulting from the unlawful employment practices described in paragraph 7 above, including but not limited to out of pocket medical expenses and job hunting expenses.

E. Order the Defendant to make William M. Blount, John D. Crawford, Joe M. Charles and the aggrieved individuals whole by providing compensation for past and future nonpecuniary losses resulting from the unlawful employment practices described in paragraph 7 above, including but not limited to, pain and suffering, humiliation, embarrassment, emotional distress, anxiety, and loss of enjoyment of life, in amounts to be determined at trial.

F. Order the Defendant to pay William M. Blount, John D. Crawford, Joe M. Charles and the aggrieved individuals punitive or exemplary damages for its intentional, malicious conduct

or reckless indifference described and referenced in paragraph 7 above, in an amount to be determined at trial.

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

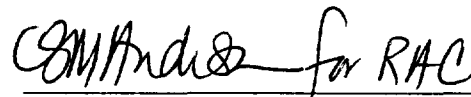
H. Award the Commission its costs in this action.

**JURY TRIAL DEMAND**

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

Respectfully submitted,

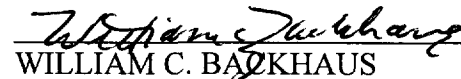
GWENDOLYN YOUNG REAMS  
Associate General Counsel



---

ROBERT A. CANINO  
Regional Attorney  
Oklahoma Bar No. 011782

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



---

WILLIAM C. BACKHAUS  
Trial Attorney  
Texas Bar No. 01493850

EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION

Dallas District Office  
207 South Houston, 3rd Floor  
Dallas, Texas 75202  
(214) 655-3328  
(214) 655-3331 FAX