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DAVID W. DANIEL, CLERK
US DISTRICT COURT, EDNC
BY RC DEP. CLERKIN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISIONEQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,

Plaintiff,

v.

L&L WINGS, INC.

Defendant.

CIVIL ACTION NO. 5:02-CV-856-
BQ:COMPLAINT
JURY TRIAL DEMANDNATURE 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 to provide appropriate relief to employees who were adversely affected by the practices. The Commission alleges that Defendant L&L Wings, Inc. discriminated against Eboni Frink, Carlis Hankins, Chavonne Hankins, and Allison Washington because of their sex, female.

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 Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §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 employment practices alleged to be unlawful were committed within the jurisdiction of the United States District Court for the Southern District of North Carolina.

PARTIES

3. Plaintiff, the Equal Employment Opportunity Commission (the "Commission"), is the agency of the United States of America charged with the administration, interpretation and enforcement of Title VII of the Civil Rights Act and is expressly authorized to bring this action by Sections 706(f)(1) and (3) of Title VII, 42 U.S.C. §2000e-5(f)(1).

4. At all relevant times, Defendant L&L Wings, Inc. has continuously been a South Carolina corporation doing business in the State of North Carolina and the City of Calabash and has continuously had at least fifteen employees.

5. At all relevant times, Defendant L&L Wings, Inc. has continuously been an employer engaged in an industry affecting commerce under Sections 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, Eboni Frink, Carlis Hankins, Chavonne Hankins, and Allison Washington filed a charge with the Commission alleging violations of Title VII of the Civil Rights Act by Defendant L&L Wings, Inc. All conditions precedent to the institution of this lawsuit have been fulfilled.

7. Since at least July 2001, Defendant L&L Wings, Inc. has engaged in unlawful employment practices at one or more of its stores located in Calabash, North Carolina, in violation of Section 703 (a) (1) of Title VII, 42 U.S.C. § 2000e-2 (a) (1), as set forth below.

a. Defendant subjected Eboni Frink, Carlis Hankins, Chavonne Hankins and Allison Washington to discrimination based on their sex by maintaining a sexually hostile

work environment. The sexual harassment included unwelcome sexual touching, comments, and advances by two supervisors.

8. The effect of the practices complained of in paragraph 7 above has been to deprive Eboni Frink, Carlis Hankins, Chavonne Hankins, and Allison Washington of equal employment opportunities and otherwise adversely affect their status as employees because of their sex, female.

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 Eboni Frink, Carlis Hankins, Chavonne Hankins, and Allison Washington.

PRAYER FOR RELIEF

Wherefore, the Commission respectfully requests that this Court:

A. Grant a permanent injunction enjoining Defendant L&L Wings, Inc., its officers, successors, assigns, and all persons in active concert or participation with it, from sexual harassment or any other employment practice that discriminates on the basis of sex.

B. Order Defendant L&L Wings, Inc. to institute and carry out policies, practices, and programs that provide equal employment opportunities for women and which eradicate the effects of its past and present unlawful employment practices.

C. Order L&L Wings, Inc. to make whole Eboni Frink, Carlis Hankins, Chavonne Hankins, and Allison Washington by providing appropriate backpay with prejudgment interest, in amounts to be determined at trial, and other affirmative relief necessary to eradicate the effects

of its unlawful employment practices, including but not limited to the reinstatement of the affected employees.

D. Order Defendant L&L Wings, Inc. to make whole Eboni Frink, Carlis Hankins, Chavonne Hankins, and Allison Washington by providing compensation for past and future pecuniary and non-pecuniary losses resulting from the unlawful practices complained of above, in amounts to be determined at trial.

E. Order Defendant L&L Wings, Inc. to pay Eboni Frink, Carlis Hankins, Chavonne Hankins, and Allison Washington punitive damages for its malicious and reckless conduct, as described above, in amounts 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 of this action.

JURY TRIAL DEMAND

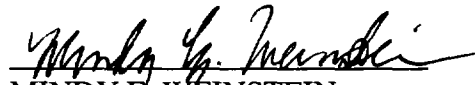
The Commission requests a jury trial on all questions of fact raised by its complaint.

DATED this 19 day of November 2002.

Respectfully submitted,

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