

**EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,**

v.

Defendants.

JURY TRIAL DEMAND

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 Western District of Missouri, Southwestern Division.

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, and is expressly authorized to bring this action by Section 706(f)(1) and (3) of Title VII, 42 U.S.C. § 2000e-5(f)(1) and (3).

4. At all relevant times, Defendants have continuously been a doing business in the State of Missouri and the City of Joplin, functioning as a single employer and continuously employing at least 15 employees.

5. At all relevant times, Defendants have 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. §§ 2000e(b), (g) and (h).

STATEMENT OF CLAIMS

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

7. From approximately March through May 2005, Defendant Employers engaged in the following unlawful employment practices at their Joplin, Missouri facility and Arkansas headquarters, in violation of Section 703(a)(1) and 704(a) of Title VII, 42 U.S.C. § 2000e-2(a)(1) and 3:

(a) Defendants subjected Camie Neal to a sexually hostile work environment;

- (b) Defendants unlawfully terminated Camie Neal's employment on the basis of sex; and
- (c) Defendants retaliated against Camie Neal for complaining about employment discrimination.

8. The effect of the practices complained of in paragraph 7 above has been to deprive Camie Neal of equal employment opportunities and otherwise adversely affect her status as an employee because of her 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 Camie Neal.

PRAYER FOR RELIEF

Wherefore, the Commission respectfully requests that this Court:

A. Grant a permanent injunction enjoining Defendant Employers, their officers, successors, assigns, and all persons in active concert or participation with them, from engaging in sexual harassment, sex discrimination in terms and conditions of employment, sex discrimination in terminations, retaliation, and any other employment practice which discriminates on the basis of sex.

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

C. Order Defendant Employers to make whole Camie Neal, 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 reinstatement of Camie Neal.

D. Order Defendant Employers to make whole Camie Neal, by providing compensation for past and future pecuniary losses resulting from the unlawful employment practices described in paragraph 7 above, including job search and medical expenses, in amounts to be determined at trial.

E. Order Defendant Employers to make whole Camie Neal by providing compensation for past and future nonpecuniary losses resulting from the unlawful practices complained of in paragraph 7 above, including emotional pain, suffering, inconvenience, loss of enjoyment of life, and humiliation, in amounts to be determined at trial.

F. Order Defendant Employers to pay Camie Neal punitive damages for their malicious and 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 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 this complaint.

Respectfully submitted,

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