

ORIGINAL

U.S. DISTRICT COURT
 NORTHERN DISTRICT OF TEXAS
FILED
 JUN 24 1999
 NANCY DOHERTY, CLERK
 BY _____
 Deputy

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

EQUAL EMPLOYMENT OPPORTUNITY
 COMMISSION,

Plaintiff,

v.

PRICEWATERHOUSE COOPERS
 INVESTMENT ADVISORS, L.L.P.,
 formerly known as, COOPER & LYBRAND

Defendant.

CIVIL ACTION NO.
3 - 99 CV 1439 - 1

C O M P L A I N T

JURY TRIAL DEMAND

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 Charging Party Deborah Bode. The Equal Employment Opportunity Commission alleges that the Defendant Employer, Pricewaterhouse Coopers Investment Advisors, L.L.C., formerly known as Coopers & Lybrand (hereafter "Coopers") violated Title VII when it demoted and discharged Deborah Bode based on her sex, female, and because of her pregnancy.

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, ("Title VII"), 42 U.S.C. § 2000e-5(f)(1), (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 and are now being committed within the 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 Sections 706(f)(1) and (3) of Title VII, 42 U.S.C. § 2000e-5(f)(1) and (3).

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

5. At a 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. §§ 2000e(b), (g) and (h).

STATEMENT OF CLAIMS

6. More than thirty days prior to the institution of this lawsuit, Deborah Bode filed a charge of discrimination with the Commission alleging a violation of Title VII by the Defendant. All conditions precedent to the institution of this lawsuit have been fulfilled.

7. Since at least March 15, 1995, the Defendant has engaged in conduct in violation of Section 703(b) of Title VII, 42 U.S.C. § 2000e-2(b), and Section 701(k) of Title VII, 42 U.S.C. § 2000e(k), by demoting and discharging Deborah Bode because she was pregnant.

8. The effect of the practices complained of in paragraph 7 above has been to deprive Deborah Bode of equal employment opportunities 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 committed with malice or with reckless indifference to the federally protected rights of Deborah Bode.

PRAYER FOR RELIEF

Wherefore, the Commission respectfully requests that this Court:

A. Grant a permanent injunction enjoining Defendant Coopers, 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 and pregnancy.

B. Order the Defendant to institute and carry out policies, practices and programs that provide equal employment opportunities for all of its female employees and eradicate the effects of the Defendant's past and present unlawful practices.

C. Order the Defendant to make Deborah Bode whole by providing appropriate backpay with prejudgment interest, in amounts to be proved at trial, front pay and pecuniary damages, including out-of pocket expenses, and other affirmative relief necessary to eradicate the effects of the Defendant's unlawful employment practices, including but not limited to rightful place reinstatement of Deborah Bode.

D. Order the Defendant to make whole Deborah Bode by providing compensation for past and future non-pecuniary 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.

E. Order the Defendant to pay Deborah Bode punitive damages for its malicious conduct or reckless indifference described in paragraphs 7 and 10 above, in an amount to be determined at trial.

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

G. 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,

C. GREGORY STEWART
General Counsel

GWENDOLYN YOUNG REAMS
Associate General Counsel



JEFFREY C. BANNON
Regional Attorney
Connecticut State Bar
No.301166

ROBERT A. CANINO
Supervisory Trial Attorney
Oklahoma State Bar No. 011782



DEVIKA S. DUBEY
Senior Trial Attorney
Hawaii State Bar No. 5599

EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION
Dallas District Office
207 South Houston Street
3rd Floor
Dallas, Texas 75202
Tel No. (214) 655-3338
Fax No. (214) 655-3331