

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF MARYLAND  
NORTHERN DIVISION

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EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION,  
Baltimore District Office  
10 S. Howard Street, 3<sup>rd</sup> Fl.  
Baltimore, Maryland 21201

Plaintiff,

v.

SPECIAL COUNSEL, INC.,  
2 North Charles Street, Suite 960  
Baltimore, Maryland 21201

Defendant.

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Civil Action No.

COMPLAINT

JURY TRIAL DEMAND

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NATURE OF THE ACTION

This is an action under the Age Discrimination in Employment Act to correct unlawful employment practices on the basis of retaliation and to provide appropriate relief to Linda Griffin. The Commission alleges that on May 3, 2002, Defendant discharged Ms. Griffin in retaliation for her opposition to employment practices made unlawful under the Age Discrimination in Employment Act.

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 7(b) of the Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. § 626(b) (the "ADEA"),

which incorporates by reference Sections 16(c) and 17 of the Fair Labor Standards Act of 1938 (the “FLSA”), as amended, 29 U.S.C. §§ 216(c) and 217.

2. Defendant Special Counsel, Inc. is a Maryland corporation which maintains an office in the City of Baltimore, Maryland and does business in the State of Maryland.

### 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 the ADEA and is expressly authorized to bring this action by Section 7(b) of the ADEA, 29 U.S.C. § 626(b), as amended by Section 2 of Reorganization Plan No. 1 of 1978, 92 Stat. 3781, and by Public Law 98-532 (1984), 98 Stat. 2705.

4. At all relevant times, Defendant Special Counsel, Inc., a Maryland corporation, has continuously been doing business in the State of Maryland and the City of Baltimore, and has continuously had at least 20 employees.

5. At all relevant times, Defendant Special Counsel, Inc. has continuously been an employer engaged in an industry affecting commerce within the meaning of Sections 11(b), (g) and (h) of the ADEA, 29 U.S.C. §§ 630(b), (g) and (h).

### CONCILIATION

6. Prior to institution of this lawsuit, the Commission's representatives attempted to eliminate the unlawful employment practices alleged below and to effect voluntary compliance with the ADEA through informal methods of conciliation, conference and persuasion within the meaning of Section 7(b) of the ADEA, 29 U.S.C. § 626(b).

### STATEMENT OF CLAIMS

7. On or about May 3, 2002, Defendant Special Counsel, Inc. engaged in unlawful employment practices, in violation of Section 4(d) of the ADEA, 29 U.S.C. § 623(d). The practices include discharging Linda Griffin from her position as Executive Director for opposing employment practices made unlawful by the ADEA.

8. The effect of the practices complained of in paragraph 7 above has been to deprive Linda Griffin of equal employment opportunities and otherwise adversely affect her status as an employee because of her opposition to employment practices made unlawful under the ADEA.

9. The unlawful employment practices complained of in paragraph 7 above were and are willful within the meaning of Section 7(b) of the ADEA, 29 U.S.C. § 626(b).

### PRAYER FOR RELIEF

Wherefore, the Commission respectfully requests that this Court:

A. Grant a permanent injunction enjoining Defendant Special Counsel, Inc., its officers, successors, assigns and all persons in active concert or participation with it, from retaliating against individuals for participating in protected activity;

B. Order Defendant Special Counsel, Inc. to institute and carry out policies, practices, and programs which provide equal employment opportunities for individuals regardless of whether they have engaged in protected activity, and which eradicate the effects of its past and present unlawful employment practices;

C. Grant a judgment requiring Defendant Special Counsel, Inc. to pay appropriate back wages in an amount to be determined at trial, an equal sum as liquidated damages, and

prejudgment interest to individuals whose wages are being unlawfully withheld as a result of the acts complained of above, including but not limited to Linda Griffin.

D. Order Defendant Special Counsel, Inc. to make whole all individuals adversely affected by the unlawful practices described above, by providing the affirmative relief necessary to eradicate the effects of its unlawful practices, including but not limited to reinstatement of Linda Griffin and/or provide front pay where appropriate.

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

F. 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.

Respectfully submitted,

ERIC S. DREIBAND  
General Counsel

JAMES L. LEE  
Deputy General Counsel

GWENDOLYN YOUNG REAMS  
Associate General Counsel

/s/

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GERALD S. KIEL  
Regional Attorney

/s/

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DEBRA M. LAWRENCE  
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