

The Honorable _____

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,

Plaintiff,
v.

HORSESHOE LAKE GOLF COURSE,
INC.

Defendants.

Civil Action No.

COMPLAINT

JURY TRIAL DEMAND

NATURE 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 and to provide appropriate relief to Amber Harper, Amanda Niles, Ashley Kunish, Lynetta Brooks, Amanda Bolz, Amber Privitt, Meghan Hike and Anna Day and similarly situated female employees who were adversely affected by such practices. The Equal Employment Opportunity Commission (the "Commission") alleges that defendant, Horseshoe Lake Golf Course, Inc. ("Horseshoe Lake"),

1 subjected Amber Harper, Amanda Niles, Ashley Kunish, Lynetta Brooks, Amanda Bolz, Amber
2 Privitt, Meghan Hike and Anna Day and similarly situated female employees to a sexually
3 hostile work environment. The Commission seeks monetary and injunctive relief, including
4 pecuniary and nonpecuniary compensatory damages and punitive damages, on behalf of Amber
5 Harper, Amanda Niles, Ashley Kunish, Lynetta Brooks, Amanda Bolz, Amber Privitt, Meghan
6 Hike and Anna Day and similarly situated female employees.
7

8 JURISDICTION AND VENUE

9 1. Jurisdiction of this Court is invoked pursuant to 28 U.S.C. §§451, 1331, 1337,
10 1343 and 1345. This action is authorized and instituted pursuant to Sections 706(f)(1) and (3) of
11 Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 2000e-5(f)(1) and (3) ("Title
12 VII"), and Section 102 of the Civil Rights Act of 1991, 42 U.S.C. §1981a.
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14 2. The employment practices alleged to be unlawful were committed within the
15 jurisdiction of the United States District Court for the Western District of Washington.

16 PARTIES

17 3. Plaintiff, the Equal Employment Opportunity Commission, is the agency of the
18 United States of America charged with the administration, interpretation and enforcement of
19 Title VII, and is expressly authorized to bring this action by Section 706(f)(1) of Title VII, 42
20 U.S.C. §2000e-5(f)(1).
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22 4. At all relevant times, defendant Horseshoe Lake Golf Course, Inc., has
23 continuously been a corporation doing business in the State of Washington and has continuously
24 had at least 15 employees.
25

1 5. At all relevant times, defendant Horseshoe Lake Golf Course, Inc., incorporated
2 in Washington, has continuously been an employer engaged in an industry affecting commerce
3 within the meaning of Sections 701(b), (g) and (h) of Title VII, 42 U.S.C. §§2000e-(b), (g) and
4 (h).

5
6 STATEMENT OF CLAIMS

7 6. More than thirty days prior to the institution of this lawsuit, Amber Harper,
8 Amanda Niles, Ashley Kunish, Lynetta Brooks, Amanda Bolz, Amber Privitt, Meghan Hike and
9 Anna Day filed a charge of discrimination with the Equal Employment Opportunity Commission
10 alleging violations of Title VII by defendant, Horseshoe Lake. All conditions precedent to the
11 institution of this lawsuit have been fulfilled.

12 7. Beginning approximately August 2004, defendant engaged in unlawful
13 employment practices at its Port Orchard, Washington golf course, in violation of §§ 703(a) of
14 Title VII, 42 U.S.C. §§ 2000e-2(a). Defendant affected the terms and conditions of Amber
15 Harper, Amanda Niles, Ashley Kunish, Lynetta Brooks, Amanda Bolz, Amber Privitt, Meghan
16 Hike and Anna Day and similarly situated female employees' employment by subjecting them to
17 ongoing sexual harassment including physical sexual contact and sexual comments because of
18 their sex.
19

20 8. The effect of the practices complained of in paragraph 7 above has been to
21 deprive Amber Harper, Amanda Niles, Ashley Kunish, Lynetta Brooks, Amanda Bolz, Amber
22 Privitt, Meghan Hike and Anna Day and similarly situated female employees of equal
23 employment opportunities and otherwise adversely affect their status as employees.
24

1 9. The unlawful employment practices complained of in paragraph 7 above were
2 intentional.

3 10. The unlawful employment practices complained of in paragraph 7 above were
4 done with malice or with reckless indifference to the federally protected rights of Amber Harper,
5 Amanda Niles, Ashley Kunish, Lynetta Brooks, Amanda Bolz, Amber Privitt, Meghan Hike and
6 Anna Day and similarly situated female employees.
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8 PRAYER FOR RELIEF

9 Wherefore, the Commission respectfully requests that this Court:

10 A. Grant a permanent injunction enjoining defendant, its officers, successors, agents,
11 assigns, and all persons in active concert or participation with it, from engaging in any
12 employment practices which discriminate on the bases of sex.

13 B. Order defendant to institute and carry out policies, practices, and programs which
14 provide equal employment opportunities for all employees, and which eradicate the effects of its
15 past and present unlawful employment practices.
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17 C. Order defendant to make whole Amber Harper, Amanda Niles, Ashley Kunish,
18 Lynetta Brooks, Amanda Bolz, Amber Privitt, Meghan Hike and Anna Day and similarly
19 situated female employees by providing appropriate back pay with prejudgment interest, in
20 amounts to be determined at trial, and other affirmative relief necessary to eradicate the effects of
21 its unlawful employment practices.
22

23 D. Order defendant to make whole Amber Harper, Amanda Niles, Ashley Kunish,
24 Lynetta Brooks, Amanda Bolz, Amber Privitt, Meghan Hike and Anna Day and similarly
25

1 situated female employees by providing compensation for past and future pecuniary losses
2 resulting from the unlawful employment practices described in paragraph 7 above, including past
3 and future out-of-pocket expenses, in amounts to be determined at trial.

4 E. Order each defendant to make whole Amber Harper, Amanda Niles, Ashley
5 Kunish, Lynetta Brooks, Amanda Bolz, Amber Privitt, Meghan Hike and Anna Day and
6 similarly situated female employees by providing compensation for past and future nonpecuniary
7 losses resulting from the unlawful practices complained of in paragraph 7 above, including
8 without limitation emotional pain, suffering, and loss of enjoyment of life, in amounts to be
9 determined at trial.
10

11 F. Order each defendant to pay Amber Harper, Amanda Niles, Ashley Kunish,
12 Lynetta Brooks, Amanda Bolz, Amber Privitt, Meghan Hike and Anna Day and similarly
13 situated female employees punitive damages for its malicious and reckless conduct described in
14 paragraph 7 above, in amounts to be determined at trial.
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16 G. Grant such further relief as the Court deems necessary and proper in the public
17 interest.

18 H. Award the Commission its costs of this action.

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JURY TRIAL DEMAND

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

Dated this 29th day of September, 2006.

WILLIAM R. TAMAYO

RONALD

COOPER

Regional Attorney

General

Counsel

San Francisco District Office

350 The Embarcadero, Suite 500

San Francisco, CA 94105-1260

GWENDOLYN Y. REAMS

Associate General Counsel

KATHRYN OLSON

Office

of General Counsel

Supervisory Trial Attorney

1801 "L" Street N.W.

Washington,

D.C. 20507

Teri Healy

Senior Trial Attorney

BY: /s/ William R. Tamayo

EQUAL EMPLOYMENT OPPORTUNITY

COMMISSION

Seattle Field Office

909 First Avenue, Suite 400

Seattle, Washington 98104

Telephone (206) 220-6916