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3	BARBARA J. STANDAL Supervisory Trial Attorney JOHN STANLEY	FILED IN THE	
4	Senior Trial Attorney EQUAL EMPLOYMENT OPPORTUNITY	U.S. DISTRICT COURT EASTERN DISTRICT OF WASHINGTON	
5	COMMISSION 909 First Avenue, Suite 400 Seattle, WA 98104 (206)220-6892	SEP 2 7 2000	
6	Seattle, WA 98104 (200)220-0892	JAMES R. DANEN CLERK SPOKANE, WASHINGTON	
7		S. STONE, WASHINGTON	
8	UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF WASHINGTON AT SPOKANE		
9	_		
11	EQUAL EMPLOYMENT OPPORTUNITY S -	00-0356-t-f 5 CIVIL ACTION NO.	
12	Plaintiff,	COMPLAINT	
13	v.))) JURY TRIAL DEMAND	
14	OCTON HOLDINGS INC., dba COMFORT INN VALLEY,		
15	Defendant.		
16 17			
18	NATURE OF THE ACTION		
19	This is an action under Title VII of the Civil Rights Act of 1964, as amended (including the		
20	1978 Pregnancy Discrimination Act amendments to Title VII), and Title I of the Civil Rights Act of		
21	1991 to correct unlawful employment practices on the basis of sex and to provide appropriate relief		
22	to Kerri Wallace and similarly situated female employees. The Equal Employment Opportunity		
23	Commission alleges that Octon Holdings Inc., doing business as Comfort Inn Valley, terminated Ms.		
24	Wallace and others similarly situated because of their sex and pregnancy. Plaintiff seeks monetary		
25	and injunctive relief, including pecuniary and nonpecuniary compensatory damages.		
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	·	EQUAL EMPLOYMENT OPPORTUNITY COMMISSION Seattle District Office Federal Office Building	
	* **. **. **. **. **. **. **. **. **. *	909 First Avenue, Suite 400 Seattle, Washington 98104-1061 Telephone (206) 220-6883	
	COMPLAINT - PAGE 1	Fax (206) 220-6911 TDD (206) 220-6982	

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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, 42 U.S.C. § 2000e-5(f)(1) and (3) ("Title VII"), and pursuant to 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 Eastern District of Washington.

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 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 Octon Holdings Inc. dba Comfort Inn Valley (the "employer"), has continuously been a corporation doing business in the state of Washington and the city of Spokane, and has continuously had at least 15 employees.
- 5. At all relevant times, defendant 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, Kerri Wallace filed a charge with the Commission alleging violations of Title VII by defendant. All conditions precedent to the institution of this lawsuit have been fulfilled.
- 7. From at least April 19, 2000, defendant has engaged in unlawful employment practices at its Spokane, Washington Comfort Inn Valley facility in violation of §§ 703(a) of Title VII, 42 U.S.C. §§ 2000e-2(a) and the 1978 Pregnancy Discrimination Act amendments to Title VII, 42 U.S.C. § 2000e-(k). Defendant terminated Ms. Wallace and others because of sex and pregnancy.
 - 8. The effect of the practices complained of in paragraph 7 above has been to deprive

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Kerri Wallace and similarly situated employees of equal employment opportunities and otherwise adversely affect their status as employees of Octon Holdings Inc. because of sex and pregnancy.

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

PRAYER FOR RELIEF

Wherefore, the Commission respectfully requests that this Court:

- A. Grant a permanent injunction enjoining defendant, its officers, successors, agents, assigns, and all persons in active concert or participation with it, from engaging in any other employment practice which discriminates on the bases of sex and pregnancy.
- B. Order defendant to institute and carry out policies, practices, and programs which provide equal employment opportunities for all employees, and which eradicate the effects of its past and present unlawful employment practices.
- C. Order defendant to make whole Kerri Wallace and similarly situated female employees by providing appropriate back pay with prejudgment interest, in amounts to be determined at trial, and other affirmative relief necessary to eradicate the effects of its unlawful employment practices.
- D. Order defendant to make whole Kerri Wallace and similarly situated female employees by providing compensation for past and future pecuniary losses resulting from the unlawful employment practices described in paragraph 7 above, including past and future out-of-pocket expenses, in amounts to be determined at trial.
- E. Order defendant to make whole Kerri Wallace and similarly situated female employees by providing compensation for past and future nonpecuniary losses resulting from the unlawful practices complained of in paragraph 7 above, including without limitation emotional pain, suffering, and loss of enjoyment of life, in amounts 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 of this action.

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1	JURY TRIAL DEMAND	
2	The Commission requests a jury trial on all questions of fact raised by its complaint.	
3	DATED this <u>36th</u> day of <u>Sex</u> i	<u>ember</u> , 2000.
4		
5		C. GREGORY STEWART General Counsel
6 7		GWENDOLYN YOUNG REAMS Associate General Counsel
8	JOHN F. STANLEY Senior Trial Attorney	
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