

IN THE UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF MARYLAND
 NORTHERN DIVISION

EQUAL EMPLOYMENT OPPORTUNITY)
 COMMISSION,)
 10 South Howard Street, 3rd Floor)
 Baltimore, Maryland 21201,)

Plaintiff,)

v.)

CIVIL ACTION NO. JFM-05CV2728

BOB WARD NEW HOMES AT HARFORD)
 COUNTY LLC)
 2700 Philadelphia Road)
 Edgewood, MD 21040-1120)

AMENDED COMPLAINT
JURY TRIAL DEMAND

L. W. J. INC. d/b/a BOB WARD NEW HOMES)
 AT HARFORD)
 2700 Philadelphia Road)
 Edgewood, MD 21040-1120)

BOB WARD COMPANIES, LLC)
 2700 Philadelphia Road)
 Edgewood, MD 21040-1120)

Defendants.)

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 race, and to provide appropriate relief to Warren Threweatt who was adversely affected by such practices. The Commission alleges that Warren Threweatt, was unlawfully terminated from his position with Defendants because of his race, Black. Moreover, Warren Threweatt was subjected to disparate terms and conditions of employment during his employment including when he was given a Disciplinary /Counseling Report dated November 26, 2003 and terminated on or about February

2, 2004 because of his race, Black.

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, 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 District of Maryland, Northern 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, Bob Ward New Homes at Harford County L.L.C.; L W. J. Inc. d/b/a Bob Ward New Homes at Harford; and, Bob Ward Companies, LLC ("Defendants"), have continuously been doing business in the State of Maryland, in the City of Edgewood , in Harford County, and have continuously had at least 15 employees.

5. At all relevant times, Defendants have continuously been employers 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, Warren Threatt filed a charge with the Commission alleging violations of Title VII by Defendants. All conditions precedent to the institution of this lawsuit have been fulfilled.

7. During Mr. Warren Threatt's employment with Defendants and on or about November 26, 2003, and February 2, 2004, Defendants, engaged in unlawful employment practices at its Harford, Maryland location, in violation of Section 703(a) of Title VII, 42 U.S.C. §2000e-2(a). These employment practices include issuing a Disciplinary /Counseling Report on or about November 26, 2003 and terminating Warren Threatt on or about February 2, 2004 because of his race, Black.

8. The effect of the practice(s) complained of in paragraph 7 above has been to deprive Warren Threatt of equal employment opportunities and otherwise adversely affect his status as an employee because of his race, Black.

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 Warren Threatt..

PRAYER FOR RELIEF

Wherefore, the Commission respectfully requests that this Court:

A. Grant a permanent injunction enjoining Defendants, its officers, successors, assigns, and all persons in active concert or participation with it, from engaging in discrimination on the basis

of race and any other employment practice which discriminates on the basis of race.

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

C. Order Defendant to make whole Warren Threweatt , 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, including but not limited to front pay and reinstatement.

D. Order Defendant to make whole Warren Threweatt, by providing compensation for past and future pecuniary losses resulting from the unlawful employment practices described in paragraph 7 above in amounts to be determined at trial.

E. Order Defendant to make whole Warren Threweatt 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 to pay Warren Threweatt punitive damages for its 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.

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/s/

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