

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF LA

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LORETTA G. WHYTE
CLERK



UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

U.S. EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION

CIVIL ACTION NO. 01-0419

v.

DIVISION "N" JUDGE CLEMENT

PRODUCTION MANAGEMENT
INDUSTRIES, L.L.C. and
PRODUCTION MANAGEMENT
INDUSTRIES, INC

MAG. (3) MAGISTRATE AFRICK

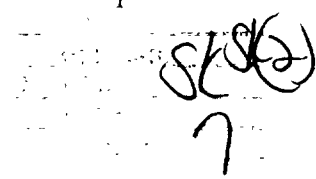
JURY TRIAL REQUESTED

COMPLAINT OF INTERVENTION

Intervenor, KRIS McGREW, by and through undersigned counsel, brings this action
alleging the following:

1.

Jurisdiction over this action is conferred on this Court by 28 U.S.C. §§ 451, 1331, 1337,
1343 and 1345. This action is brought pursuant to §706(f)(1) and (3) of Title VII of the Civil
Rights Act of 1964, as amended, 42 U.S.C. §2000e and §102 of the Civil Rights Act of 1991, 42
U.S.C. §1981a.



2.

KRIS McGREW filed a timely charge with the EEOC alleging unlawful employment practices, consisting of sexual harassment, hostile work environment and wrongful retaliatory discharge. EEOC filed suit on behalf of McGREW on February 16, 2001. This Court has jurisdiction to hear McGREW's complaint since she has exhausted the administrative procedures mandated by 42 U.S.C. §§2000e-5(e)(2) and (3).

3.

The unlawful employment practices about which McGREW complains were committed within the Eastern District of Louisiana. Venue is proper in this Court under 28 U.S.C. §1391 and 42 U.S.C. §2000e(f)(3).

4.

Plaintiff, EEOC, is the agency for the United States of America charged with the administration, interpretation, and enforcement of Title VII and is expressly authorized to bring this claim under 42 U.S.C. §2000e-5(f)(1) and (3).

5.

Defendants are PRODUCTION MANAGEMENT INDUSTRIES, L.L.C., a Louisiana limited liability company, doing business within the jurisdiction of this Honorable Court and PRODUCTION MANAGEMENT INDUSTRIES, INC., a Louisiana corporation authorized to do and doing business within the jurisdiction of this Honorable Court.

6.

Upon information and belief, PRODUCTION MANAGEMENT INDUSTRIES, L.L.C.

("PMI") is the successor entity of PRODUCTION MANAGEMENT INDUSTRIES, INC. ("PMII"), and is jointly and severally liable for all actions which are complained of herein. PMI and PMII will be collectively referred to as Defendant.

7.

Intervenor, KRIS McGREW, is an adult female who resides in the parish of Jefferson, Louisiana. McGREW is a former employee of the defendant.

8.

At least as early as April of 1999, Defendant engaged in unlawful employment practices at its facility in Harvey, Louisiana, violating §703 and 704 of Title VII, 42 U.S.C. §§2000e-2 and 2000e-3.

9.

McGREW filed a charge with the EEOC alleging violations of Title VII by defendant.

10.

EEOC filed this lawsuit against Defendants on February 16, 2001, more than thirty days after the filing of McGREW'S charge.

11.

McGREW was employed by Defendant from July 15, 1998 through June of 1999 as a shipping/ receiving clerk.

12.

McGREW, a female employee, was subjected to sexual harassment and a hostile working environment throughout her employment with Defendant, as illustrated by, but not limited to the

following:

- (A) McGREW'S co-workers made numerous and repeated unwanted and offensive sexually charged and sexually explicit remarks to, or knowingly in the presence and earshot of McGREW;
- (B) McGREW'S co-workers left harassing notes, messages and other materials at her work station;
- (C) McGREW'S supervisors were aware, or should have been aware, of the sexual harassment, yet failed to take any remedial measures in response;
- (D) McGREW'S co-workers placed two unpackaged condoms containing some type of sticky residue on and around her work station and two unpackaged condoms in her sweater pocket.

13.

After reporting the discovery of the two condoms on June 14, 1999 and two condoms on June 21, 1999, Defendant discharged McGREW on June 24, 1999.

14.

McGREW was subjected to sexual harassment by Defendant so as to materially alter the terms and conditions of her employment, and/or to impede her ability to perform her job.

Defendant knew or should have known of the illegal actions of the individuals who harassed McGREW. Defendant did not take reasonable steps to prevent the illegal harassment of McGREW.

15.

Defendant discharged McGREW in retaliation for complaining of sexual harassment.

16.

Upon information and belief, Defendant's unlawful practices and violations complained of herein were intentional, willful, malicious and/or recklessly indifferent to McGREW'S federally protected rights subjecting Defendant to punitive damages.

17.

The aforementioned conduct has caused McGREW to suffer personal damages, which include but are not limited to:

- (A) past lost wages and benefits;
- (B) future lost wages and benefits;
- (C) past medical bills;
- (D) future medical bills;
- (E) past psychological pain and suffering;
- (F) future psychological pain and suffering;
- (G) mental anguish; and
- (H) loss of ability to enjoy living life.

18.

McGREW hereby requests a trial by jury.

WHEREFORE, premises considered, KRIS McGREW, prays that a copy of the above and foregoing *Complaint of Intervention* be served upon the Defendants, PRODUCTION

MANAGEMENT INDUSTRIES, L.L.C. and PRODUCTION MANAGEMENT INDUSTRIES, INC., that Defendants be required to appear and answer same; that, after due proceedings are had and all legal delays, there be judgment herein in favor of KRIS McGREW and against Defendants, for compensatory and punitive damages, together with legal interest from the date of demand, for all costs of these proceedings, attorney's fees, for expert witness fees, and for all other orders and decrees necessary for full, general and equitable relief.

RESPECTFULLY SUBMITTED:

STRAUSS & KING



BERNEY L. STRAUSS (#12527)

RHETT E. KING (#23811)

A. SPENCER GULDEN (#23110)

**1001 HOWARD AVENUE, 39TH FLOOR
NEW ORLEANS, LA 70113**

ATTORNEYS FOR KRIS McGREW

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT ON THIS 21st DAY OF Mar, 2001 A COPY OF THIS PLEADING HAS BEEN SERVED UPON EACH OTHER PARTY TO THIS ACTION BY DEPOSITING SAME IN THE UNITED STATES MAIL, PROPERLY ADDRESSED TO HIS, HER, OR ITS COUNSEL OF RECORD, FIRST CLASS POSTAGE PREPAID.

