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7 **IN THE UNITED STATES DISTRICT COURT**

8 **DISTRICT OF ARIZONA**

9 **EQUAL EMPLOYMENT**
10 **OPPORTUNITY COMMISSION,**

11 Plaintiffs,

12 Vs.

13 **HEALTHHELP, INC.,** a foreign
14 corporation

15 Defendant.

16 **JANIS HAGY, CAROLYN JOHNSON**
17 **and ARLENE WARREN,**

18 Intervenors

Case No.: CIV 031204 PHXRGs

COMPLAINT AND
DEMAND FOR JURY TRIAL

19 Intervenors for their Complaint against Defendant HealthHelp, Inc. allege:

20 1. This is an action seeking damages and equitable relief for unlawful employment
21 practices on the basis of retaliation and in violation of Title VII of the Civil Rights of 1964
22 and title I of the Civil Rights Act of 1991.

23 2. This Court has jurisdiction of this action pursuant to 28 U.S.C. §§451, 1331,
24 1337, 1343 and 1345.

25 3. Venue is proper in the District of Arizona pursuant to 28 U.S.C. §1391(b) as all
26 acts occurred in this District.
27

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AUG 29 2003
CLERK U.S. DISTRICT COURT
DISTRICT OF ARIZONA
BY _____

(9)

1 4. The amounts in controversy exceed the minimum jurisdictional limits of this
2 Court.

3 5. At all material times hereto, Intervenor were residents of the State of Arizona.

4 6. At all material times hereto, Defendant HealthHelp, Inc. was a foreign
5 corporation with continuous and systematic business contacts within the State of Arizona and
6 has continuously had at least fifteen employees.

7 7. At all material times hereto, Defendant HealthHelp, Inc. has continuously been
8 an employer in an industry affecting commerce within the meaning of Section 701(b), (g) and
9 (h) of Title VII, 42 U.S.C. §§2000e(b), (g) and (h).

10 8. At all times material hereto, Intervenor were employed by Defendant
11 HealthHelp, Inc.

12 9. During the time period of approximately May 2001, Intervenor were informed
13 by Defendant HealthHelp, Inc. that they were not to hire "Blacks or Jews" for a client in
14 Oregon.

15 10. Intervenor informed Defendant HealthHelp, Inc.'s human resources
16 department of the facts set forth in paragraph 8 and further informed the human resources
17 department that they would not participate in such a discriminatory practice that violates
18 federal law.

19 11. Subsequent to Intervenor complaining of the acts set forth in paragraph 8 and
20 after informing the human resources department that they would not participate in such a
21 discriminatory practice that violates federal law, Defendant HealthHelp, Inc. retaliated against
22 Intervenor and said retaliation culminated in Intervenor being terminated in June, 2001.

23 12. The acts of Defendant HealthHelp, Inc. as set forth in the preceding paragraphs
24 constitute a violation of Title VII of the Civil Rights of 1964 and title I of the Civil Rights Act
25 of 1991.

1 13. The acts of Defendant HealthHelp, Inc. as set forth in the preceding paragraphs
2 were intentional and committed with malice and reckless indifference to the federally
3 protected rights of Intervenor.

4
5 **WHEREFORE**, Intervenor respectfully request this Court to:

6 A. Issue a judgment declaring that the conduct of Defendant HealthHelp, Inc., as
7 set forth herein, violated Intervenor's rights pursuant to Title VII of the Civil Rights of 1964
8 and title I of the Civil Rights Act of 1991.

9 B. Issue preliminary and permanent injunctions against Defendant HealthHelp, Inc.
10 prohibiting it from committing similar unlawful acts in the future.

11 C. Issue a judgment awarding Intervenor compensatory damages against
12 Defendant HealthHelp, Inc. in an amount to be determined at trial.

13 D. Issue a judgment awarding Intervenor punitive damages against Defendant
14 HealthHelp, Inc. in an amount to be determined at trial.

15 E. Issue a judgment awarding Intervenor their reasonable costs and attorneys fees
16 pursuant to 42 U.S.C. §1988 and any other applicable law.

17 F. Issue a judgment awarding Intervenor all other relief that is just and
18 appropriate under the circumstances.

19 G. Intervenor demand a trial by jury.
20

21 DATED this 28th day of August, 2003.
22

23 RAKE & CATANESE, P.C.

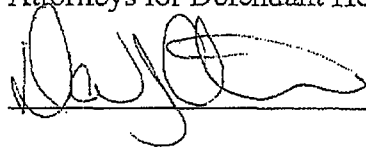
24
25 By 

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1 **COPY** of the foregoing mailed
2 this 28th day of August, 2003 to:

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