

Division.

PARTIES

3. Plaintiff, 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, Defendant, Satchel's, has continuously been doing business in the State of Texas and the City of College Station and has continuously had at least fifteen employees.

5. At all relevant times, Defendant, Satchel's, has continuously been an employer engaged in an industry affecting commerce within the meaning of Section 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, James Peterson 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. On or about April 2002, Defendant, Satchel's, engaged in unlawful employment practices at its College Station, Texas facility, in violation of Section 703(a)(1) of Title VII, 42 U.S.C. §2000e-2(a)(1). The practices include discriminating against James Peterson on the basis of his race, Black, by creating a hostile work environment by allowing the Company President and General Manager to make derogatory slurs and comments about Blacks.

8. The effect of the practices complained of in paragraph seven above has been to deprive James Peterson of equal employment opportunities and to otherwise adversely affect his status as employee, because of his race.

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

10. The unlawful employment practices complained of in paragraph seven above were done with malice or with reckless indifference to the federally protected rights of James Peterson.

PRAYER FOR RELIEF

Wherefore, the Commission respectfully requests that this Court:

A. Grant a permanent injunction enjoining the Defendant, Satchel's, its officers, successors, assigns, and all persons in active concert or participation with it, from engaging in conduct which creates and/or permits a hostile work environment on the basis of race or which discriminates on the basis of race and any other employment practice which discriminates on the basis of race;

B. Order Defendant, Satchel's, 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, Satchel's, to make whole James Peterson for the hostile work environment caused by Defendant's discriminatory practices by providing compensation for past and future pecuniary losses resulting from the unlawful employment practices described in paragraph seven above, including, but not limited to, in an amount to be determined at trial;

D. Order Defendant, Satchel's, to make whole James Peterson for being subjected to the hostile work environment caused by Defendant's discriminatory practices by providing compensation for past and future non-pecuniary losses resulting from the unlawful employment practices complained of in paragraph seven above, including, but not limited to, emotional pain,

inconvenience, humiliation, suffering, stress, and loss of enjoyment of life, in an amount to be determined at trial;

E. Order Defendant, Satchel's, to pay James Peterson punitive damages for its malicious and reckless conduct described in paragraph seven above, in an amount to be determined at trial;

F. Grant such further relief as the Court deems necessary and proper in the public interest; and

G. Award the Commission its costs in this action.

JURY TRIAL DEMAND

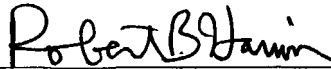
The Commission requests a jury trial on all questions of fact raised by its complaint.

Respectfully submitted,


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