

1 Bryce Fitzpatrick, Michael Wilson, and Albert Miller, and a class of male employees, to
2 sexual harassment that altered the terms and conditions of their employment and created
3 a hostile work environment. The sexual harassment that Defendant allowed to occur
4 included:

5 (a) repeated sexual assaults by groups of male employees, who, on each
6 occasion, would grab one of the individuals named above or one of the class
7 members, and take turns grinding their genitals into the victim's genitals in a
8 sexual manner, simulating sex, while making verbal remarks of a sexual nature;

9 (b) co-workers bumping into victims from behind in a sexual manner on
10 multiple occasions; and

11 (c) co-workers grabbing the genitals of one or more of the victims on
12 multiple occasions.

13 8. Defendant knew or should have known that Bryce Fitzpatrick, Michael
14 Wilson, Albert Miller, and a class of male employees were being subjected to unlawful
15 sexual harassment by co-workers.

16 9. Defendant failed to act reasonably to prevent or correct the sexual
17 harassment by the co-workers.

18 10. In approximately October 2006, Defendant engaged in unlawful
19 employment practices at its Chandler, Arizona facility, in violation of Section 703(a) of
20 Title VII, 42 U.S.C. § 2000e-2(a) by constructively discharging Bryce Fitzpatrick by
21 allowing the sexual harassment set forth in paragraph 7 above to continue.

22 11. The effect of the practices complained of in paragraphs 7-10 above has
23 been to deprive Bryce Fitzpatrick, Michael Wilson, Albert Miller, and a class of male
24 employees of Defendant of equal employment opportunities and to otherwise adversely
25 affect their status as employees because of their sex, male.

26 12. The unlawful employment practices complained of in paragraphs 7-10
27 above were intentional.

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1 F. Order Defendant to pay punitive damages to Bryce Fitzpatrick, Michael
2 Wilson, Albert Miller, and the class of male employees, for its malicious and/or reckless
3 conduct described in paragraphs 7-10 above, in amounts to be determined at trial.

4 G. Grant such further relief as the Court deems necessary and proper in the
5 public interest.

6 H. Award the Commission its costs in this action.

7 **JURY TRIAL DEMANDED**

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

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11 RESPECTFULLY SUBMITTED this 30th day of June, 2008.

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