

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

LOUIS OWEN,
Plaintiff,
and
UNITED STATES OF AMERICA,
Plaintiff-Intervenor,

v.

L'ANSE AREA SCHOOLS, et al.,
Defendant.

File No. 2:00-cv-71
Hon. Gordon J. Quist
U.S. District Judge

C COMPLAINT IN INTERVENTION

Plaintiff-Intervenor, United States of America ("United States"), alleges:

1. This action is brought on behalf of the United States to enforce the provisions of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, et seq. ("Title VII").
2. This Court has jurisdiction over the action under 42 U.S.C. § 2000e-5(f) and 28 U.S.C. § 1345.
3. Defendant L'Anse Area Schools ("L'Anse") is a general powers school district, being a political subdivision of quasi-municipal character, and having the powers and authority granted to it by the State of Michigan. L'Anse's offices are located within the jurisdictional limits of the town of L'Anse, County of Baraga, Michigan.
4. Defendant L'Anse is a person within the meaning of 42 U.S.C. § 2000e(a) and an employer within the meaning of 42 U.S.C. § 2000e(b).
5. Defendant L'Anse has discriminated against Louis Owen, a Jewish teacher formerly employed by L'Anse, because of his religion and/or national origin (ethnicity), in violation of Section 703(a) of Title VII, among other ways, by:
 - a. subjecting Mr. Owen to religious and/or national origin (ethnicity) harassment while he was

employed with L'Anse which created an intimidating, hostile or offensive work environment and which adversely affected the terms, conditions and privileges of Mr. Owen's employment; and

b. failing or refusing to take appropriate action to remedy the effects of the discrimination against Mr. Owen.

6. The Equal Employment Opportunity Commission ("EEOC") received a timely charge of discrimination filed by Louis Owen (Charge No. 230990772), in which he alleged that Defendant L'Anse had subjected him to harassment based on his religion and/or national origin (ethnicity) during his employment that constituted a hostile work environment. Pursuant to Section 706 of Title VII, 42 U.S.C. § 2000e-f(5), the EEOC investigated the charge, found reasonable cause to believe that the allegations of discrimination were true, attempted unsuccessfully to achieve through conciliation a voluntary resolution of the matter, and subsequently referred the charge to the United States Department of Justice. Thereafter, the United States Department of Justice issued a notice of right-to-sue on Charge No. 230990772 to Louis Owen based on a request by his counsel. Having received such notice of right-to-sue, plaintiff alleges, inter alia, violations of Title VII in his Complaint.

7. The Assistant Attorney General for the Civil Rights Division of the United States Department of Justice, by delegation from the Attorney General of the United States, has certified under Section 706(f)(1) of Title VII, 42 U.S.C. § 2000e-5(f)(1), that the above-captioned case is of general public importance. See attachment hereto.

8. All conditions precedent to the filing of this Complaint in Intervention have been performed or have occurred.

WHEREFORE, plaintiff-intervenor United States prays that this Court grant the following relief:

(a) Enjoin L'Anse and its directors, officers, agents, employees, successors, and all persons in active concert or participation with L'Anse, as appropriate, from failing or refusing to:

(i) provide sufficient remedial relief to make whole Louis Owen for the loss he has suffered as a result of the discrimination as alleged in this Complaint in Intervention;

(ii) adopt clear, meaningful, and well-publicized policies prohibiting religious and national origin harassment against any L'Anse employee; and

(iii) take other appropriate nondiscriminatory measures to overcome the effects of the discrimination.

(b) Award compensatory damages to Louis Owen for mental and/or physical injuries incurred as a result of the discrimination against him as alleged in this Complaint in Intervention, pursuant to and within the statutory limitations of Section 102 of the Civil Rights Act of 1991, 42 U.S.C. § 1981a.

The United States prays for such additional relief as justice may require, together with its costs and disbursements in this action.

JURY DEMAND

The United States hereby demands a trial by jury of all issues so triable pursuant to Rule 38 of the Federal Rules of Civil Procedure and Section 102 of the Civil Rights Act of 1991, 42 U.S.C. § 1981a.

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