

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

JULIE A. GASKINS)

Plaintiff,)

vs.)

Case No. 1:08-01576(JR)

WILLIAMS & CONNOLLY LLP)

Defendant.)

I. FIRST AMENDED COMPLAINT

Plaintiff, Julie A. Gaskins for her First Amended Complaint states as follows:

II. THE PARTIES

1. The Plaintiff is an African-American. She is a resident of Baltimore, MD. The Plaintiff was formerly employed by the defendant as a Firm Secretary.
2. The Defendant, Williams & Connolly, is a corporation with its sole headquarters in Washington, D.C. The Defendant is law firm. The acts set forth in this Complaint were permitted, authorized, tolerated, ratified, ordered and/or done by Williams & Connolly officers, agents, employees and/or representatives while actively engaged in William & Connolly's business.

III. EEOC COMPLIANCE

3. The Plaintiff has exhausted all of the administrative remedies available to her by filing timely charge of discrimination, charge no. 570-2006-00453.

4. The Plaintiff also filed an additional charge of retaliation with the EEOC, charge no. 531-2008-00123.

5. The EEOC subsequently issued a Notice of Right to Sue for charge no. 570-2006-00453 on April 4, 2008 and for charge no. 531-2008-00123 on June 19, 2008.

IV. JURISDICTION AND VENUE

6. This Court has jurisdiction under 28 U.S.C. § 1331 and 42 U.S.C. § 2000e-5(f)(3).

7. The employment practices alleged to be unlawful were committed within the District of Columbia. Venue is therefore proper under 28 U.S.C. § 1391 and 42 U.S.C. § 2000e-5(f)(3).

8. The Plaintiff has fulfilled all conditions precedent to the institution of this action under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, *et seq.* The Plaintiff timely filed her charge of race discrimination on November 10, 2006 and the charge of retaliation on July 19, 2007 well within the 300 days of the occurrence of the last discriminatory act. She filed her complaint in federal court within 90 days of receipt of the Notice of Right to Sue from the EEOC. (See Exhibit 1, EEOC Charge and Notices of Right to Sue, attached hereto and incorporated herein.

STATEMENT OF CLAIM

9. The Plaintiff worked in legal field for more than 12 years. She was hired as Floating Legal Secretary by Williams & Connolly on April 16, 2005. This is the alleged procedure for all incoming secretaries.

10. For nearly two years, the Plaintiff performed at high levels. (See Exhibit 2, 2005 and 2006 Evaluations, attached hereto and incorporated herein).

11 In February 2006, Ms. Gaskins questioned the pay disparity as it related to African-American secretaries.

12. Ms. Gaskins approached her then immediate supervisors, Ana Reyes and Catherine Duval and they indicated that they would talk to management.

13. After management investigated, Ms. Duval called Ms. Gaskins into her office and said that no pay disparity existed. Ms. Duval went on to question Ms. Gaskins and asked, "even if the pay disparity existed, what are you going to about it?" Ms. Duval went on to state that, "even if you decide to take this 'outside' the office, that you will not get beyond a motion to dismiss."

14. Ms. Gaskins left her office feeling like she was being told that she had no other options and that she should just keep her mouth shut.

15. In May, 2006, while performing her regular duties for Ms. Duval, Ms. Gaskins discovered an email exchange between Ms. Duval and Ms. Reyes. This email implied that Ms. Reyes was going "make" Ms. Gaskins quit after an alleged mix up.

16. Ms. Gaskins feeling threatened took a copy of the email to former Human Resource Manager, Erin von Felden, and was told to go back to her desk.

17. Several hours later Ms. von Felden called Ms. Gaskins to her office and stated that she shared the email with Ms. Scott and that Ms. Scott was, "pissed."

18. Ms. von Felden told Ms. Gaskins to go home for the remainder of the day and that she would back in the floater pool and no longer be assigned to the Reyes/Duval pairing.

19. Several days later Ms. Gaskins receives a call from Ms. Scott. Ms. Scott stated that Ms. Gaskins had to meet with Ms. Reyes and Ms. Duval to discuss this incident. Ms. Gaskins told Ms. Scott repeatedly that she did not feel comfortable in doing so and Ms. Scott

told Ms. Gaskins that she had no choice. Ms. Scott went on to state that “no one” from Human Resources would attend the meeting.

20. In this meeting, Ms. Reyes and Ms. Duval told Ms. Gaskins that if she did not continue to work for them that she would be “ruined” and that she would not be able to get a job anywhere.

21. Ms. Gaskins immediately sent an email to Ms. Scott to ask if she could meet with her to discuss what happened in the meeting. Ms. Gaskins met with Ms. Scott and Ms. Scott said and did nothing about the threats made to Ms. Gaskins leaving Ms. Gaskins to believe that this type of behavior is sanctioned by the firm.

22. Ms. Gaskins applied for several positions within the firm during this time frame, and even with an outstanding performance evaluation, she was denied the opportunity for advancement.

23. The Chief Administrative Officer, Jennifer Scott, and the Human Resource Manager, Karen Gregory, met with the Plaintiff on December 7, 2006 at approximately 4:30 p.m. At this meeting Ms. Scott falsely accused the Plaintiff of not completing an assignment. Ms. Scott went on to also falsely accuse the Plaintiff of “ignoring” Luba Shur, an attorney that the Plaintiff worked for at that time.

24. Ms. Scott also told the Plaintiff in this meeting that she would be sitting on the 9th Floor as the “9th Floor Firm Secretary” as confirmed in an email dated December 8, 2006. (See Exhibit 3, Email exchange between Jennifer Scott and Julie Gaskins on December 8, 2006, attached hereto and incorporated herein.)

25. In February 2007, after months of consistent retaliation and being force to work in a hostile work environment, the Plaintiff was forced to resign.

26. The Defendant falsely proffers to the EEOC in the Respondent Statement filed January 18, 2007 that the Plaintiff was "offered" the 9th Floor Administrator (Work Flow Coordinator) Position. This statement is less than disingenuous and the email dated December 8, 2006 from Jennifer Scott confirms this fact. (See Exhibit 4, Defendant Williams & Connolly's Position Statement dated, January 18, 2007, attached hereto and incorporated herein.)

27. The Defendant also states in this same position statement that, "the largest increase given to any secretary in 2006 or 2007 was 5.5%." The Plaintiff received a 4.5% increase even after receiving an outstanding performance evaluation. This was another form of retaliation used against Ms. Gaskins for questioning the pay disparity for African-American secretaries within the firm and opposing any type of discrimination.

28. After Ms. Gaskins was constructively discharged on February 2007, Ms. Gaskins also requested that her parking deduction be returned to her immediately. It took the firm nearly 3 months to return Ms. Gaskins money.

29. Ms. Gaskins also asked Ms. Schuler if she could have potential employers contact her to confirm her employment and also to avoid further problems. Ms. Schuler reluctantly agreed.

30. Ms. Gaskins also discovered that the firm was requiring "certain" people to sign release forms before they would discuss anything relating to her employment. This is diametrically opposed to the firm policy. On several occasions people contacted the firm and were given wrong dates and told to sign additional "releases." Thus, making it very difficult for the Plaintiff to obtain gainful employment.

**V. COUNT I
DISCRIMINATION ON THE BASIS OF RACE
IN VIOLATION OF 42 U.S.C. § 1981 AND TITLE VII**

31. The Plaintiff restates and incorporates by reference Paragraphs 1-21 above as part of this Count of the Complaint.

32. Williams & Connolly has discriminated against the Plaintiff with regard to discipline, performance evaluation, and termination because of race, in violation of the Civil Rights Act of 1866, 42 U.S.C. § 1981, as amended, and in violation of the Civil Rights Act of 1964, 42 U.S.C. § 2000 *et seq.*, as amended.

33. Williams & Connolly's conduct, as described above, was intentional, deliberate, reckless, willful and conducted with disregard of the rights of the Plaintiff.

34. The Plaintiff has experienced extreme harm, including loss of compensation, wages, back and front pay, and other employment benefits and, as such, is entitled to all legal and equitable remedies, available under Title VII, as amended, and section 1981, as amended, including compensatory and punitive damages.

**VI. COUNT II
RETALIATION IN VIOLATION OF § 1981 AND TITLE VII**

35. The Plaintiff restates and incorporates by reference Paragraphs 1-34 above as part of this Count of the Complaint.

36. Williams & Connolly has retaliated against the Plaintiff with regard to discipline, performance evaluation and termination, in violation of 42 U.S.C. § 2000e-3 and 42 U.S.C. § 1981, as amended.

37. Williams & Connolly's conduct, as described above, was intentional, deliberate, reckless, willful and conducted with disregard of the rights of the Plaintiff.

38. By reason of Williams & Connolly's discriminatory employment practices, the Plaintiff has experienced extreme harm, including loss of compensation, wages, back and front pay, emotion distress, anxiety, and other employment benefits and, as such, is entitled to all legal and equitable remedies available, under Title VII as amended and under § 1981, as amended, including compensatory and punitive damages.

WHEREFORE, Plaintiff respectfully requests the following relief:

- a. Compensatory damages, including back pay and compensation for past and future monetary and non-monetary losses;
- b. Front-pay in lieu of reinstatement;
- c. Liquidated and/or punitive damages; and
- d. Any additional relief the Court deems just, including declaratory and injunctive relief.

Respectfully submitted,

/s/

Julie A. Gaskins, pro se
6J Spindrift Circle
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443-280-3124

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on January 12, 2008, a copy of Plaintiff's Motion for Leave to Amend Complaint and Amended Complaint was sent electronically and mailed first class mail, postage pre-paid to:

Barbara B. Brown
Carson H. Sullivan
Paul, Hastings, Janofsky & Walker, LLP
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