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JAMES M. JELLISON, ESQ. #012763
Attorney for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Vanessa Santiago,

Plaintiff,

v.

Valley of the Sun Jewish Community Center,
Inc., aka Jewish Community Center, Inc.,

Defendant.

Case No.:

COMPLAINT

(Jury Trial Demanded)

Plaintiff, by and through counsel, alleges as follows against Defendant:

JURISDICTION AND VENUE

1. Plaintiff alleges employment discrimination based on race and/or national origin and retaliation in violation of Title VII of the Civil Rights Act as amended and, accordingly, this Court has jurisdiction pursuant to 28 U.S.C. §1331. The unlawful employment practices described herein were committed within the State of Arizona, on Defendant's premises located in Maricopa County. Accordingly, venue in this Court is proper pursuant to 28 U.S.C. § 1391(b).

THE PARTIES

2. Plaintiff is a single woman residing in Maricopa County, State of Arizona. Plaintiff is Hispanic and her national origin is Puerto Rican.

1 11. During November 2006, Plaintiff complained to Defendant regarding
2 discrimination in regard to prohibitions on her ability to speak Spanish while the use of
3 several other non-English languages was being allowed by Defendant.
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5 12. Also during November 2006, employee Matt Izyk was promoted to the
6 position of Floor Coordinator. Mr. Izyk is a non-Hispanic male who had not made any
7 previous discrimination complaints to Defendant.
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9 13. Although Plaintiff was qualified for the Floor Coordinator position,
10 Defendant did not post the position or otherwise afford Plaintiff the opportunity to apply.
11 Upon information and belief, Defendant concealed this opportunity from Plaintiff in
12 retaliation for her earlier complaints.
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14 14. Plaintiff also complained that Mr. Izyk engaged in discriminatory and
15 hostile conduct toward Plaintiff which included, but is not necessarily limited to, making
16 jokes about persons of Puerto Rican heritage, asking Plaintiff to produce her “green
17 card,” and telling Plaintiff that the only reason persons of Puerto Rican heritage come to
18 the mainland is to get food stamps and beer.
19

20 15. Plaintiff complained to Defendant about the discriminatory and hostile
21 conditions created by Mr. Izyk and was told by Defendant to stop complaining. Upon
22 information and belief, Defendant took no action as to Mr. Izyk in response to Plaintiff’s
23 complaints and concerns.
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25 16. During December 2006, Defendant refused to allow Plaintiff to work
26 available hours and, instead, provided the work to persons who had not made previous
discrimination complaints in retaliation for her earlier complaints.

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WHEREFORE, Plaintiff requests that the Court enter Judgment against Defendant as follows:

1. Special damages to be proven at trial;
2. General damages and compensatory damages to be proven at trial, including an award of all back pay, front pay, and the value of lost benefits;
3. Punitive or exemplary damages;
4. Attorney's fees;
5. Costs of suit;
6. Prejudgment and post-judgment interest; and
7. For such other relief as this Court deems just and proper.

DATED this 14th day of August, 2009.

JELLISON LAW OFFICES, PLLC

By s/James M. Jellison
James M. Jellison
Attorney for Plaintiff