

4. Venue is proper in this Court pursuant to 28 U.S.C. § 1391 in that at all relevant times Chikuri was a resident of this district, St. Vincent conducts business in this district, and the activities giving rise to Chikuri's claims took place in this district.

PARTIES

5. Chikuri is an American citizen who resides in Fishers, Indiana, Hamilton County.

6. During all times relevant to this Complaint, St. Vincent was a Domestic not-for-profit corporation located at 8450 North Payne Road, Suite 300, Indianapolis, IN 46268. Its registered agent is James C. Van Dyke, 8450 North Payne Road, Suite 300, Indianapolis, IN 46268.

COMMON FACTS

7. Chikuri worked for St. Vincent from approximately January of 2004 until February 12 of 2008.

8. St. Vincent is a facility that provides services to mentally and physically disabled clients.

9. Chikuri provided direct care to the individuals who resided at St. Vincent. For example, she took them to doctor's appointments and on errands such as grocery shopping. She also performed house-hold chores and assisted individuals with their personal needs.

10. On several occasions during her tenure at St. Vincent, Chikuri was directed to take a resident to his church. He belonged to the Church of the Nazarene.

11. Each time she was directed to take the resident to his church, Chikuri complained to her immediate supervisor, Cheryl Hazelwood, that she was uncomfortable with the beliefs and practices of the Church of the Nazarene. Chikuri requested that she be accommodated and that she no longer be ordered to take the resident to his church.

12. Cheryl Hazelwood ignored Chikuri's requests except to tell Chikuri that she must do what was asked of her.

13. On February 10, 2008 Cheryl Hazelwood asked Chikuri once again to take the resident to the Church of the Nazarene. Chikuri refused and asked that someone else perform the task.

14. Cheryl Hazelwood took the resident to church.

15. Two days later, Chikuri was terminated from her position at St. Vincent for refusing to take the resident to church.

**CLAIM I
VIOLATION OF TITLE VII
FAILURE TO ACCOMMODATE**

16. Plaintiff incorporates by reference paragraphs 1 through 15 above as though fully set forth herein.

17. Chikuri does not currently practice a particular religion but at the time she was asked to take the resident of St. Vincent to the Church of the Nazarene she was exploring becoming a Muslim.

18. Chikuri informed her immediate supervisor that she was uncomfortable attending the Church of the Nazarene and requested that she no longer be asked to take the resident to church.

19. After refusing to take the resident to the Church of the Nazarene, Chikuri was terminated from her position at St. Vincent.

20. St. Vincent acted maliciously and/or with reckless indifference to Chikuri's rights under Title VII when it failed to provide her a religious accommodation.

21. As a result of St. Vincent's actions, Chikuri has suffered damages, including but limited to lost wages and benefits, lost future wages and benefits, and compensatory damages, and will continue to suffer same in the future.

**CLAIM II
VIOLATION OF TITLE VII
RETALIATION**

22. Plaintiff incorporates by reference paragraphs 1 through 15 above as though fully set forth herein.

23. Pursuant to 42 U.S.C. § 2000e-3(a) of Title VII it is an unlawful employment practice for an employer-

- a. to discriminate against any of his employees or applicants for employment ... because he has opposed any practice made unlawful by this subchapter, or because he has made a charge ... under this subchapter.

24. St Vincent intentionally retaliated against Chikuri when she asked for a reasonable accommodation.

25. St. Vincent acted maliciously and/or with reckless indifference to Chikuri's rights under Title VII.

26. As a result of St. Vincent's actions, Chikuri has suffered damages, including but not limited to lost wages and benefits, lost future wages and benefits, and other compensatory damages, and will continue to suffer same in the future.

Wherefore, Plaintiff respectfully prays this Court order St. Vincent to:

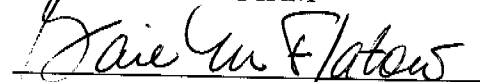
- a. Pay Plaintiff's lost wages including front and back pay where applicable;
- b. Pay to Plaintiff compensatory damages;
- c. Pay to Plaintiff punitive damages;
- d. Pay to Plaintiff pre- and post-judgment interest;
- e. Pay Plaintiff's costs and attorney's fees incurred in litigating this action;

f. Pay to Plaintiff any and all other damages and/or relief this Court finds just.

DEMAND FOR JURY TRIAL

The Plaintiff respectfully requests a trial by jury of all claims so triable in this matter.

Respectfully Submitted,
FLATOW LAW FIRM



Gail M. Flatow

Attorney for Plaintiff

One North Pennsylvania St., Ste. 730

Indianapolis, Indiana 46204

317.704.0077 (telephone)

317.663.3161 (facsimile)

gail@flatowlaw.com