

1 Anna Y. Park, SBN 164242 (CA)
2 U.S. EQUAL EMPLOYMENT
3 OPPORTUNITY COMMISSION
255 East Temple Street, Fourth Floor
4 Los Angeles, CA 90012
Telephone: (213) 894-1077
5 Facsimile: (213) 894-1301
E-Mail: lado.legal@eeoc.gov

6 Attorneys for Plaintiff
7 U.S. EQUAL EMPLOYMENT
8 OPPORTUNITY COMMISSION

9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 U.S. EQUAL EMPLOYMENT
12 OPPORTUNITY COMMISSION,

13 Plaintiff,

14 vs.
15

16 GORDON GAMING CORPORATION
17 dba SAHARA HOTEL & CASINO,
18 STOCKBRIDGE/ SBE HOLDINGS, LLC
19 dba SAHARA HOTEL & CASINO, and
DOES 1-5, Inclusive,

20 Defendants
21

} Case No.:

} **COMPLAINT - CIVIL RIGHTS,**
} **EMPLOYMENT**
} **DISCRIMINATION AND**
} **RETALIATION**

} **JURY TRIAL DEMAND**
}

22 **NATURE OF THE ACTION**

23 This is an action under Title VII of the Civil Rights Act of 1964 and Title I
24 of the Civil Rights Act of 1991 to correct unlawful employment practices on the
25 basis of national origin (Egyptian) and to provide appropriate relief to Ezzat Elias
26 (“Charging Party”), who was adversely affected by such practices. Plaintiff, U.S.
27 Equal Employment Opportunity Commission (“EEOC” or “Plaintiff”), alleges that
28 Defendants Gordon Gaming Corporation dba Sahara Hotel & Casino,

1 Stockbridge/SBE Holdings, LLC dba Sahara Hotel & Casino, and Does 1-5
2 (“Defendants”) discriminated against Charging Party by subjecting him to
3 harassment based on his national origin. Plaintiff further alleges that Defendants
4 were aware of the discriminatory conduct by Charging Party’s coworkers and
5 supervisors but failed to take adequate steps to prevent it from continuing, resulting
6 in a hostile work environment. Plaintiff further alleges that Defendants subjected
7 Charging Party to retaliation for engaging in protected activities regarding the
8 hostile work environment. Such protected activities included and were not limited
9 to filing union grievances, filing a Charge of Discrimination, and participating in
10 Defendants’ internal complaint procedures. Plaintiff alleges that Defendants
11 subjected Charging Party to adverse employment actions including but not limited
12 to unwarranted, increased, and disproportionate discipline, and harassment.

13 **JURISDICTION AND VENUE**

14 1. Jurisdiction of this Court is invoked pursuant to 28 U.S.C. § 451, 1331,
15 1337, 1343 and 1345.

16 2. This action is authorized and instituted pursuant to § 706(f)(1) and (3) of
17 Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § § 2000e-5(f)(1)
18 and (3) (“Title VII”) and § 102 of the Civil Rights Act of 1991, 42 U.S.C. § 1981a.

19 3. The employment practices alleged to be unlawful were committed within
20 the jurisdiction of the United States District Court for the District of Nevada.

21 **PARTIES**

22 4. Plaintiff EEOC is the agency of the United States of America charged
23 with the administration, interpretation, and enforcement of Title VII; and is
24 expressly authorized to bring this action under Section 706(f)(1) and (3) of Title
25 VII, 42 U.S.C. § 2000e-5(f)(1) and (3).

26 5. At all relevant times alleged herein, Defendants were and have been
27 continuously doing business in the State of Nevada and in Clark County and each
28 have continuously employed at least fifteen (15) employees.

1 6. At all relevant times alleged herein, Defendants have continuously been
2 employers engaged in an industry affecting commerce within the meaning of
3 Section 701(b), (g) and (h) of Title VII, 42 U.S.C. §§ 2000e-1(b), (g) and (h).

4 7. Plaintiff is ignorant of the true names and capacities of Defendants sued
5 as DOES 1 - 5, inclusive. Therefore, Plaintiff sues Defendants DOES 1 - 5,
6 inclusive by such fictitious names. Plaintiff reserves the right to amend the
7 complaint to name the DOE defendants individually or corporately as they become
8 known. Plaintiff alleges that each of the defendants named as DOES was in some
9 manner responsible for the acts and omissions alleged in this Complaint and
10 Plaintiff will amend the Complaint to allege such responsibility when the identity
11 of the defendant is ascertained by Plaintiff.

12 8. All of the acts and failures to act alleged herein were duly performed by
13 and attributable to each defendant, acting as a successor, alter ego, joint employer,
14 integrated enterprise, agent, employee, or under the direction and control of the
15 others, except as specifically alleged otherwise. Said acts and failures to act were
16 within the scope of such agency and/or employment, and each defendant
17 participated in, approved and/or ratified the unlawful acts and omissions by other
18 defendants as stated in this Complaint. Whenever and wherever reference is made
19 in this Complaint to any act by a defendant or defendants, such allegations and
20 reference shall also be deemed to mean the acts and failures to act of each
21 defendant acting individually, jointly, and/or severally.

22 9. It is further alleged on information and belief that the unnamed
23 defendants in the Complaint are alter egos, joint employers, and/or integrated
24 enterprises of the named Defendants.

25 **STATEMENT OF CLAIMS**

26 10. More than thirty days prior to the institution of this lawsuit, Charging
27 Party filed a charge with the EEOC alleging violations of Title VII by Defendants.
28 The EEOC issued a Letter of Determination finding that Charging Party was

1 subjected to unlawful employment discrimination based upon his national origin,
2 Egyptian and retaliation, in violation of Title VII. Prior to instituting this lawsuit,
3 the EEOC investigated and attempted to eliminate the unlawful employment
4 practices herein alleged and to effect voluntary compliance with Title VII through
5 informal methods of conciliation, conference, and persuasion within the meaning
6 of Section 706(b) of Title VII, 42 U.S.C. § 2000e-5(b). All conditions precedent
7 to the institution of this lawsuit have been fulfilled.

8 11. Since at least January 2005, Defendants have engaged in unlawful
9 employment practices creating a hostile work environment at the Sahara Hotel and
10 Casino located Las Vegas, Nevada in violation of Sections 703(a) and 704(a) of
11 Title VII, 42 U.S.C. §§ 2000e-2(a) and 2000e-3(a) by subjecting Charging Party to
12 employment discrimination based on his national origin, Egyptian. Charging
13 Party, who worked as a steady kitchen runner, was subjected to repeated
14 harassment based on his national origin by supervisors and co-workers. The
15 harassment included offensive comments, slurs, and epithets, such as being called
16 “Bin Laden,” “Taliban,” and “f ____ Egyptian; and being told to “go back to
17 Egypt.” Charging Party also was targeted with graffiti, which he was forced to
18 wash off. Despite Charging Party’s repeated complaints of harassment,
19 Defendants failed to take effective measures to stop the harassment. Instead,
20 Defendants retaliated against him, which included disciplinary write-ups and
21 suspension.

22 12. The effect of the practices complained of above has been to deprive
23 Charging Party of equal employment opportunities and otherwise adversely affect
24 his employment status, under Sections 702(a) and 703(a) of Title VII, 42 U.S.C. §§
25 2000e-2(a) and 2000e-3(a), because of his national origin, Egyptian and because he
26 engaged in protected activities.

27 13. The unlawful employment practices complained of above were
28 intentional.

1 E. Order each Defendant to make whole Charging Party by providing
2 compensation for past and future nonpecuniary losses resulting from the unlawful
3 practices complained of above, including, but not limited to emotional pain,
4 suffering, inconvenience, loss of enjoyment of life, and humiliation, in amounts to
5 be determined at trial.

6 F. Order each Defendant to pay Charging Party punitive damages for its
7 malicious and reckless conduct based on the facts above, in amounts to be
8 determined at trial.

9 G. Grant such further relief as the Court deems just and proper in the public
10 interest.

11 H. Award the Commission its costs of this action.

12
13 **JURY TRIAL DEMAND**

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

16 JAMES LEE,
17 Deputy General Counsel

18 GWENDOLYN YOUNG REAMS,
19 Associate General Counsel

20 U.S. EQUAL EMPLOYMENT
21 OPPORTUNITY COMMISSION
22 131 M Street, NE
23 Washington, DC 20507

24 Dated: July 22, 2009

25 BY: 

26 ANNA Y. PARK,
27 Regional Attorney
28 U.S. EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION
255 East Temple St., 4th Floor
Los Angeles, CA 90012