

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**MARY SCHULTZ**  
**MARY SCHULTZ LAW, P.S.**  
2111 E. Red Barn Lane  
Spangle, WA 99031  
Tel: (509) 245-3522/Fax: (509) 245-3308  
E-mail: [Mschultz@Mschultz.com](mailto:Mschultz@Mschultz.com)

**Attorney for Plaintiff**

**UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF WASHINGTON**

**KATHERINE J. BOLTON,**

**Plaintiff,**

**v.**

**LORETTA LYNCH, Attorney  
General of the United States,**

**Defendant.**

**NO. 2:15-CV-294-TOR**

**COMPLAINT FOR DAMAGES**

- **42 U.S.C. § 2000e, et seq.  
Title VII Discrimination**
- **29 U.S.C. § 201, et seq.  
Equal Pay Act Violation**

Plaintiff **Katherine J. Bolton** alleges as follows:

**I. INTRODUCTION.**

1.1. This is an action against the Attorney General of the United States for engaging in unlawful and intentional discrimination, including disparate treatment and disparate pay, in violation of Title VII, 42 U.S.C § 2000e-2(a)(1), and for engaging in violation of 42 U.S.C. § 2000e-3, prohibiting discrimination against a female employee for opposing discriminatory practices made unlawful

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON  
**OCT 21 2015**  
SEAN F. McAVOY, CLERK  
DEPUTY  
SPOKANE, WASHINGTON

*MARY*  
**SCHULTZ**  
*LAW, P.S.*

1 by 42 U.S.C. § 2000e-2.

2  
3 1.2. Katherine J. Bolton (“Jill” Bolton) was an Assistant United States  
4 Attorney (AUSA) at all material times herein, and, thereby, a government  
5 employee as defined by 42 U.S.C. 2000e-2(16). She is entitled to invoke all  
6 enforcement mechanisms of 42 U.S.C. 2000e, et seq., including those of 42  
7 U.S.C. 2000e-5, and 42 U.S.C. §1981a.

8  
9 1.3. This is also a claim for violation of the Equal Pay Act. 29 U.S.C.  
10 § 201 et seq., including 29 U.S.C. § 206(d), §215, and 218(c), allowing for the  
11 enforcement mechanisms of 29 U.S.C. § 216(b).

12  
13 **II. JURISDICTION.**

14  
15 2.1. This Court has jurisdiction of these claims pursuant to 28 U.S.C. §  
16 1331.

17  
18 2.2. As a Deputy Criminal Chief within the United States Attorney’s  
19 Office and an employee of the Department of Justice, Jill Bolton filed a  
20 complaint of discrimination with the United States Department of Justice  
21 Executive Office for United States Attorneys, Equal Employment Opportunity  
22 Office Cause No. USA-2014-00329(Dept. of Justice No. 187-8-290).

23  
24 2.3. Ms. Bolton represented herself pro se in that internal process.

25  
26 2.4. The Department of Justice rendered its final decision on that

1 complaint on September 23, 2015.

2 2.5. Jurisdiction is conferred on this Court by Title VII of the Civil  
3 Rights Act of 1964, 42 U.S.C. § 2000e-5(f)(1), and by the Equal Pay Act per 29  
4 U.S.C. § 216(b).  
5

6  
7 **III. PARTIES.**

8 3.1. Jill Bolton is a resident of the State of Washington, who, at all times  
9 material herein, resided in Spokane County, Washington.

10 3.2. At all material times herein, Jill Bolton was an employee of the  
11 United States Department of Justice working for the Eastern District of  
12 Washington United States Attorney's Office.  
13

14 3.3. Defendant Loretta Lynch (hereafter "Defendant") is the Attorney  
15 General of the United States, and the head of the United States Department of  
16 Justice.  
17

18 3.4. Michael Ormsby is, and has been, the United States Attorney for  
19 the Eastern District of Washington from 2009 to the present, at all material times  
20 herein.  
21

22 3.5. The Defendant is an executive agency of the United States  
23 government, and an employer within the meaning of 42 U.S.C. § 2000e(b);  
24 2000e-16(a); 5 U.S.C. §§ 101 and 105.  
25  
26

1 3.6. Jill Bolton was an employee for Title VII purposes within the  
2 meaning of 42 U.S.C. § 2000e (f) and 29 U.S.C. § 203(e)(2)(A)(ii).  
3

4 3.7. The Defendant is an employer within the meaning of the Equal Pay  
5 Act, 29 U.S.C. § 203(d).  
6

7 3.8. All facts, events, and transactions giving rise to this lawsuit  
8 occurred within the geographic environs of the Eastern District of Washington.  
9

10 3.9. Venue is proper in this Court, per 28 U.S.C. § 1391(b).  
11

#### 12 IV. FACTS.

##### 13 A. Jill Bolton's performance for the United State' Attorney's Office was 14 exceptional.

15 4.1. Jill Bolton commenced her employment with the United States  
16 Attorney's Office for the Eastern District of Washington in October 2002.

17 4.2. At all relevant times of employment, Jill Bolton met or exceeded  
18 the Defendant's legitimate performance expectations.  
19

20 4.3. At all relevant times of employment, Jill Bolton's record of trials,  
21 her conviction ratios, and her work in white collar criminal and fraud  
22 prosecution, health care fraud prosecution, and financial fraud prosecutions  
23 and investigations, was exceptional.  
24

25 4.4. From 2003 forward, Jill Bolton achieved overall outstanding  
26 performance ratings for each year of her performance.  
27

1 **B. Hierarchy.**

2 4.5. Assistant United States Attorney (“AUSA”) Ainuddin Ahmed  
3 was hired in the year 2002 at the same time as AUSA Bolton.  
4

5 4.6. AUSA Russell Smoot was hired in the year 2002 at or near the  
6 same time as AUSA Jill Bolton.  
7

8 4.7. Prior to 2012, AUSA Ahmed was promoted to one of two  
9 positions known as Deputy Criminal Chief, which gave him supervisory  
10 authority over a group of Assistant United States’ Attorneys as a “Team  
11 Leader.”  
12

13 4.8. Prior to the year 2012, AUSA Smoot was promoted to the second  
14 position of Deputy Criminal Chief as a Team Leader.  
15

16 4.9. In April 2012, AUSA Ahmed was promoted from his position of  
17 Deputy Criminal Chief/Team Leader to the position of Criminal Chief,  
18 heading the Criminal Division in the Eastern District of Washington United  
19 States Attorney’s Office.  
20

21 4.10. Mr. Ahmed would now supervise two Deputy Criminal Chiefs.  
22

23 4.11. Ahmed was now directly supervised by, and reported to, First  
24 Assistant United States Attorney Joseph Harrington.  
25

26 4.12. First AUSA Joseph Harrington reported to, and was directly  
27

1 supervised by, United States Attorney Michael Ormsby.

2  
3 4.13. In April 2012, AUSA Jill Bolton was promoted to Ahmed's  
4 previous position as Deputy Criminal Chief/Team Leader.

5  
6 4.14. Although there were other female attorneys in the Eastern District  
7 United States Attorney's Office in the civil and administrative areas, AUSA  
8 Bolton now became the highest-ranking female criminal attorney in the  
9 Spokane office.

10  
11 4.15. Jill Bolton became the first female AUSA in the Spokane office  
12 promoted to a position of direct supervision over male Criminal Division  
13 AUSAs in that office.

14  
15 4.16. Jill Bolton was now similarly situated to Deputy Criminal Chief  
16 Team Leader Russell Smoot.

17  
18 4.17. Both Jill Bolton and Russell Smoot now led teams of Criminal  
19 Division AUSAs.

20 **C. Disparate Treatment.**

21  
22 4.18. Once promoted into a supervisory position, Deputy Criminal  
23 Chief Jill Bolton became the target of a pattern and array of disparate treatment  
24 from male subordinates, within the Team she was to lead.

25  
26 4.19. This pattern of disparity of treatment was encouraged and ratified

1 by Jill Bolton's direct "upline" male superiors, including Criminal Chief  
2 Ahmed, her direct superior, First AUSA Harrington, Ahmed's direct superior,  
3 and United States Attorney Michael Ormsby.  
4

5 4.20. The pattern of disparate treatment accorded Jill Bolton was  
6 designed to undermine and undercut Jill Bolton's authority as a Deputy  
7 Criminal Chief and Team Leader.  
8

9 4.21. The pattern of disparate treatment accorded Jill Bolton was  
10 designed to reinforce that her position as a Team Leader over male  
11 subordinates was seen as a "token" position, and not one of true authority.  
12

13 4.22. Management/supervisory treatment of Jill Bolton was less  
14 favorable than the treatment accorded Mr. Ahmed when he was a Deputy  
15 Criminal Chief, and less favorable than the treatment accorded Deputy  
16 Criminal Chief Russell Smoot.  
17

18 4.23. The pattern of less favorable and disparate treatment was based  
19 upon Jill Bolton's gender.  
20

21 4.24. The pattern of less favorable treatment occurred as to the terms,  
22 conditions and privileges of Jill Bolton's employment, and included disparity  
23 of compensation.  
24

25 4.25. The pattern of less favorable treatment accorded Deputy Criminal  
26

1 Chief Jill Bolton denied her an equal opportunity to work as productively and  
2 benefit as productively from her work as those opportunities accorded  
3 similarly situated male employees.  
4

5 4.26. Management actions involving disparate treatment included, but  
6 were not limited to, the following examples:  
7

8 4.26.1. Exclusion of Jill Bolton from substantive management  
9 meetings;  
10

11 4.26.2. Paying Jill Bolton lesser bonuses than similarly situated  
12 male criminal attorneys;

13 4.26.3. Promoting rumors and discussion in the office that Jill  
14 Bolton's promotion was "tokenism," that is, that she was promoted to ensure  
15 only that the Office appeared balanced, and not on merit.  
16

17 4.26.4. Referencing Jill Bolton's promotion as one designed to  
18 bring a "unique point of view," as opposed to merit.  
19

20 4.26.5. Allowing subordinate male team AUSAs to circumvent  
21 Jill Bolton's supervision and management by appealing directly to upper  
22 management, e.g., to Ahmed and/or to Harrington, thereby debilitating Jill  
23 Bolton's authority and ability to supervise.  
24

25 4.26.6. Promoting team insubordination by circumvention of  
26



1 Jill Bolton's management authority.

2 4.26.7. Allowing transfers of insubordinate male team AUSAs  
3 to the "team" of male Deputy Criminal Chief Russell Smoot, debilitating the  
4 authority of Jill Bolton over subordinates.  
5

6 4.26.8. Failing to support Jill Bolton's efforts to rein in a male  
7 team subordinate's repetitive tardiness, with that team member often not  
8 arriving until 10:00 or 11:00 a.m. in the morning.  
9

10 4.26.9. Promoting an atmosphere where male team  
11 subordinates were encouraged to write critiquing "memos" and send  
12 disparaging emails to management about their supervisor, Jill Bolton.  
13

14 4.26.10. Directing subordinate AUSAs and support staff to  
15 document their interactions with Jill Bolton if she raised her voice, while not  
16 directing similar documentation of male AUSAs' similar behaviors.  
17

18 4.26.11. Failing to back up Jill Bolton's supervisory decisions  
19 regarding her subordinates' plea agreements, and allowing male AUSAs to  
20 circumvent Jill Bolton's supervision of such deals.  
21

22 4.26.12. Reprimanding Jill Bolton for behavior at a meeting  
23 while she was ill.  
24

25 4.26.13. Engaging in gamesmanship towards Jill Bolton, by,  
26

1 e.g., delaying press releases on her accomplishments, not disclosing to her  
2 commendations sent to the office concerning her performance, and excluding  
3 her from announcing the very hires which she had promoted.  
4

5 4.26.14. Vocalizing and promoting stereotypical notions about  
6 women's "proper" deportment, identified as sex stereotyping and a means to  
7 diminish authority as far back as 1989 in, e.g., *Price Waterhouse v. Hopkins*,  
8 490 U.S. 228, 256, 109 S. Ct. 1775, 1794, 104 L. Ed. 2d 268 (1989).  
9

10 4.26.15. Exculpating male AUSAs' aggressive, intense, or  
11 competitive behaviors as "passionate" or "Type A personalities," while  
12 defining AUSA Jill Bolton as e.g. "rude," "insensitive," "overly aggressive,"  
13 "lacking collegiality," "not right" as to temperament, not having the right  
14 "tone" with her male subordinates, "erratic" in behavior, "cannabilistic,"  
15 engaged in "yelling," being "absurd" and "offensive" (subordinates' terms),  
16 and lacking "capability."  
17  
18  
19

20 4.26.16. Referring to Jill Bolton, a Deputy Criminal Chief  
21 AUSA as "kid," and "complimenting" her performance with, e.g., "nice job  
22 kid."  
23

24 4.26.17. Criticizing Jill Bolton's memorandum of instruction to  
25 a subordinate male AUSA as "factually accurate" but lacking the right "tone"  
26

1 and therefore justifying the subordinate's removal from her supervision, while  
2 a male Criminal Chief made statements to male subordinates such as "I will  
3 f- - -ing kill you" if the subordinate did not follow his instruction, without  
4 removing that subordinate from his supervision;  
5

6  
7 4.26.18. Allowing an environment whereby a male AUSA  
8 subordinate felt free to refer to Jill Bolton to her own legal secretary by stating,  
9 e.g., "I hate that f----ing bitch."  
10

11 4.26.19. Engaging in multiple forms of behavior designed to  
12 reduce Jill Bolton's authority as a Deputy Criminal Chief, and doing so in a  
13 fashion not used with former Deputy Criminal Chief Ahmed, or with similarly  
14 situated Team Leader, Deputy Criminal Chief Smoot.  
15

16 4.26.20. Engaging in disparate discipline and retaliation as  
17 detailed below.  
18

19 **D. Equal Pay Act Violations.**

20 4.27. Similarly situated male AUSAs were routinely provided higher  
21 year-end bonuses than was Jill Bolton, despite these male employees  
22 performing substantially equal work under similar working conditions.  
23

24 4.27.1. AUSA Ahmed started as an Assistant United States  
25 Attorney in 2002, in the same year as Jill Bolton, but with less experience at  
26

1 an AD-25 level, compared to Jill Bolton's AD-27 level, and had originally  
2 earned approximately \$11,000 less than Jill Bolton because of the experience  
3 discrepancy.  
4

5 4.27.2. Upon Mr. Ormsby becoming the United States Attorney  
6 for the Eastern District of Washington in 2009, Mr. Ormsby raised Ahmed's  
7 salary by \$20,950 between 2009 and 2011, while raising Jill Bolton's salary  
8 just \$10,159.  
9

10 4.28. Jill Bolton's bonuses remained substantially less than other male  
11 attorneys who had started the same year as her in 2002, including male AUSAs  
12 Ahmed and Smoot.  
13

14 4.29. Jill Bolton's bonuses were less than those bonuses given male  
15 AUSAs who had started two years *later* than did AUSA Jill Bolton in 2004,  
16 including those of male AUSAs Durkin and Kimball.  
17

18 4.30. These disparities were not based on seniority or merit, but on  
19 gender.  
20

21 **E. Disparate Discipline and Retaliation.**  
22

23 4.31 Based on concerns within the Eastern District United States  
24 Attorneys' Office as to gender-based pay discrepancies, in May 2011, AUSA  
25 Jill Bolton initiated an effort to inquire into discrepancies.  
26

1           4.32 Even though bonuses were paid to male and female AUSAs, and  
2 thus some form of comparative merit was ostensibly at issue, Jill Bolton was  
3 denied access to comparative bonus and salary information by management.  
4

5           4.33. Instead of open disclosure of comparisons, Mr. Ormsby directed  
6 Jill Bolton to file a “Freedom of Information Act” (FOIA) request as would be  
7 required of any member of the general public.  
8

9           4.34. In June 2011, Jill Bolton filed such a request, but that FOIA  
10 request was not responded to within the 20 days allotted by 5 U.S.C. § 552,  
11 but was instead not responded to for three years, that is, not until May 16, 2014.  
12

13           4.35. In the May 2014 FOIA response, the Department of Justice  
14 provided Jill Bolton with stale information, producing information only  
15 through 2011—the date of her now three-year old request.  
16

17           4.36. In May 2014, the stale information produced also redacted names  
18 to prevent comparisons, and failed to disclose the information needed to assess  
19 comparisons.  
20

21           4.37. The question of unequal pay based on gender was a known issue  
22 circulating within the Eastern District United States Attorney’s Office.  
23

24           4.38. Jill Bolton was known to be initiating a more serious inquiry into  
25 possible pay discrepancies within the office.  
26

1           4.39. In July 2014, while acting as a Deputy Criminal Chief, Jill Bolton  
2 was provided two pieces of information by other U.S. Attorney's Office  
3 employees regarding comparative pay.  
4

5           4.40. One document provided her was a 2012 memorandum showing  
6 certain payments made to one Department of Justice employee. A second  
7 document consisted of a disk with information of comparative pay.  
8

9           4.41. Neither form of information was considered classified, secret, law  
10 enforcement sensitive, or top secret.  
11

12           4.42. Jill Bolton's possession of this information became known to  
13 upper management, and Mr. Ormsby initiated aggressive discipline against Jill  
14 Bolton in a manner and means unprecedented in the Eastern District United  
15 States Attorney's office.  
16

17           4.42.1. This information was provided internally to Jill Bolton  
18 by an agency employee to another agency employee, not to the public, and that  
19 agency employee (Jill Bolton) was an employee of the agency that maintained  
20 the record and sought its use only in the performance of her duties as a Deputy  
21 Criminal Chief, with a top secret security clearance. 5 U.S.C. § 552a(b)(1).  
22

23           4.42.2. Nonetheless, Mr. Ormsby called a meeting of the  
24 collected "all Eastern District of Washington office," and informed all  
25  
26

1 employees that there had been a “security breach,” which now placed all  
2 employees’ personal and financial safety in jeopardy;  
3

4 4.42.3. Mr. Ormsby warned all personnel to “monitor their  
5 bank accounts.”  
6

7 4.42.4. On July 31, 2014, Mr. Ormsby placed Jill Bolton on  
8 administrative leave and removed her from her supervisory responsibilities.  
9

10 4.42.5. Mr. Ormsby initiated an investigation through the  
11 Executive Office for United States Attorneys involving Department of Justice  
12 Internal processes.  
13

14 4.42.6. By September 22, 2014, Mr. Ormsby had claimed to the  
15 Office of the Inspector General and the Executive Office for the United States  
16 Attorney that a “data breach” had been intentionally engaged in by Jill Bolton  
17 and an employee who had provided her the information.  
18

19 4.42.7. By October 17, 2014, Mr. Ormsby ensured that Jill  
20 Bolton’s security clearance as an AUSA was suspended by the Department of  
21 Justice’s Security and Emergency Management Office effective October 10,  
22 2014.  
23

24 4.42.8. On October 17, 2014, Mr. Ormsby proposed that Jill  
25 Bolton be indefinitely suspended from her position as an Assistant United  
26

1 States Attorney without pay.

2 4.42.9. This treatment was retaliatory, and disparate.

3  
4 4.42.10. In contrast, First AUSA Harrington and Mr. Ormsby  
5 offered the male employee who downloaded the information and delivered it  
6 to Jill Bolton on a disc immunity from criminal prosecution for his cooperation  
7 against Jill Bolton.  
8

9 4.42.11. In contrast, the security clearance of the male employee  
10 who downloaded and supplied Jill Bolton with the information was not  
11 suspended.  
12

13 4.42.12. In contrast, the male employee providing the  
14 information to Jill Bolton remains employed by the federal government with  
15 his security clearance intact, all without interruption.  
16

17 4.42.13. In contrast, Mr. Ormsby made two “proposals” to the  
18 Office of the Inspector General regarding Jill Bolton.  
19

20 4.42.14. Mr. Ormsby charged Jill Bolton with “failure to  
21 maintain” her security clearance, because he himself had suspended her from  
22 that access.  
23

24 4.42.15. Mr. Ormsby charged Jill Bolton with reasonable cause  
25 to believe that she, as a Deputy Criminal Chief of the United States’ Attorneys’  
26



1 Office, had committed a crime for which a term of imprisonment may be  
2 imposed.  
3

4 4.42.16. Mr. Ormsby cited four specifications, each a different  
5 federal crime, which he asserted he had reasonable cause to believe Jill Bolton  
6 had committed.  
7

8 4.42.17. Mr. Ormsby's charges omitted substantial information  
9 in his possession that was exculpatory regarding his charges.  
10

11 4.42.18. Upon the requisite referral to another U.S. Attorney's  
12 office for review, Mr. Ormsby's criminal allegations were promptly declined  
13 for prosecution and dismissed.  
14

15 4.43. Such a level of discipline, and attempted discipline, is  
16 unprecedented for even a substantiated claim of "data breach," and was  
17 substantially disparate from that discipline handed out to male employees and  
18 male AUSAs who committed "data security breaches."  
19

20 4.43.1. In addition to the treatment of the male employee  
21 downloading and delivering this information to Jill Bolton, in another instance  
22 during Mr. Ormsby's tenure, a male Deputy Criminal Chief AUSA, requested  
23 that the U.S. Attorney's Office Information Technology (IT) specialist  
24 download data from the office computer systems network to his personal iPad.  
25  
26  
27

1                   4.43.2. In another instance, that same male AUSA, by then  
2 Criminal Chief, left his DOJ issued iPad (a computer that provided access to  
3 the Department of Justice computer systems) in his unattended vehicle in an  
4 area of Spokane vulnerable to vehicle thefts near local bars until early morning,  
5 and his government-owned computer (iPad), his personal firearm, and his  
6 Department of Justice credentials, were all stolen from his unattended vehicle.  
7

8  
9                   4.43.3. In neither instance of this male AUSA's downloading  
10 data to his personal iPad, or losing data altogether to an unknown (criminal)  
11 member of the general public, did Mr.Ormsby announce the situation as a  
12 security breach, nor impose administrative leave, nor relieve the male attorney  
13 of supervisory responsibilities, nor suspend him without pay, nor suspend his  
14 security clearance, nor report him to the Office of the Inspector General, nor  
15 report him to the Executive Office for the United States Attorneys, now accuse  
16 him as having committed four federal crimes.  
17  
18  
19

20                   4.44. Mr. Ormsby's actions constituted disparate discipline, and  
21 retaliation.  
22

23                   4.45. Mr. Ormsby's disparate retaliatory actions were gender based,  
24 and they were direct retaliation for Jill Bolton's continued initiation and  
25 instigation of an effort to obtain information related to unequal and  
26

1 discriminatory pay and bonus information, when such information is neither  
2 secret, top secret, nor protected confidential information.  
3

4 4.46. Jill Bolton attempted to respond pro se to Mr. Ormsby's proposal  
5 through the Executive Office of the United States Attorney, but the charges  
6 were sustained on November 21, 2014, in language nearly identical to that of  
7 Mr. Ormsby's proposal itself.  
8

9 4.47. That office imposed a penalty of indefinite suspension without  
10 pay until Jill Bolton's eligibility for access to classified information was  
11 restored, and until the OIG investigation was concluded.  
12

13 4.48. The OIG investigation has still not been completed as of October  
14 2015.  
15

16 4.49. Jill Bolton has been unable to work as a lawyer while this  
17 investigation is pending, as such would constitute a "conflict" with her  
18 continued position as a U.S. Attorney, and she has thus been deprived of her  
19 ability to work as a lawyer.  
20

21 4.50. On October 15, 2015, Jill Bolton was forced to resign from her  
22 position as an Assistant United States Attorney due to her inability to support  
23 herself or maintain her legal skills while in such an indefinite unpaid status.  
24  
25  
26  
27

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**V. LEGAL CAUSES OF ACTION.**

Based on the above incorporated herein:

**COUNT 1 – TITLE VII DISPARATE TREATMENT:**

5.1. While employed by the Defendant, Plaintiff Jill Bolton was subjected to less favorable, disparate treatment in the terms, conditions, and privileges of her employment on the basis of her gender, including disparate treatment, disparate discipline, and disparate pay and bonuses, all in violation of 42 U.S.C. § 2000e-2(a)(1).

5.2. The Defendant’s conduct was willful, deliberate, and in reckless disregard for the Plaintiff’s rights as protected by Title VII of the Civil Rights Act of 1964 (as amended), 42 U.S.C. § 2000e et seq.

5.3. Plaintiff has suffered damages as a result of the Defendant’s unlawful conduct.

**COUNT 2 – TITLE VII RETALIATION:**

5.4. Jill Bolton engaged in statutorily protected conduct and/or expression when she reported concerns about her and other female Assistant United States Attorneys’ disparate treatment on the basis of gender. Jill Bolton reasonably believed that discrimination and/or disparity was occurring in the workplace in violation of Title VII.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

5.5. Jill Bolton suffered adverse employment action, including retaliation, being placed on administrative leave, and ultimately losing her job as an Assistant United States Attorney, in retaliation for reporting and opposing discrimination, in violation of 42 U.S.C. 2000e-3(a).

5.6. Similarly situated male employees who participated in statutorily protected activity were treated more favorably than Jill Bolton, and were not the targets of retaliation.

5.7. Similarly situated male employees who did *not* participate in statutorily protected activity were treated more favorably than Jill Bolton, and were not the targets of retaliation.

5.8. The Defendant's actions were willful, intentional, and done with reckless disregard of Plaintiff's rights.

5.9. Jill Bolton has suffered damage a result of the Defendant's intentional actions.

**COUNT 3 – VIOLATION OF THE EQUAL PAY ACT.**

5.10. Defendant discriminated against Jill Bolton in violation of the Equal Pay Act, per 29 U.S.C. § 206(d)(1).

5.11. Jill Bolton was paid wages at a rate less than the rate at which the Defendant paid similarly situated male employees for equal work on jobs, the

1 performance of which required equal skill, effort, and responsibility, with such  
2 work being performed under similar working conditions, and such differing  
3 rates were not made pursuant to any (i) seniority system; (ii) merit system; (iii)  
4 system which measures earnings by quantity or quality of production; or (iv)  
5 differential based on any other factor other than sex, all in violation of 29  
6 U.S.C § 206(d)(1).  
7

8  
9 5.12. Defendant violated 29 U.S.C. § 215(a)(3) in that Defendant  
10 discharged and/or discriminated against Jill Bolton because she attempted to  
11 institute, instituted, or caused to be instituted, a proceeding under or related to  
12 29 U.S.C. § 201, et seq., because Jill Bolton (or an individual acting at her  
13 request) provided, or caused to be provided, to her employer information  
14 relating to acts or omissions Jill Bolton reasonably believed to be a violation  
15 of 29 U.S.C. § 201, et seq., or assisted or participated in such a proceeding.  
16  
17

18 5.13. Defendant's actions were intentional, willful, and done in  
19 reckless disregard of Plaintiff's rights as protected by the Equal Pay Act.  
20

21 **VI. RELIEF REQUESTED.**  
22

23 6.1. Plaintiff Jill Bolton respectfully requests that this Court find for her  
24 on her claims, and ORDER as follows :

25 6.1.1. Judgment for all lost wages, unpaid bonuses, and  
26

1 benefits, including back pay with interest, and front pay in lieu of reinstatement,  
2 the latter without the statutory cap, per 42 U.S.C. § 2000e-5(e)(B), and 42 U.S.C.  
3 § 1981(a); Pollard v. E.I. du Pont de Nemours & Co., 532 U.S. 843, 121 S.Ct.  
4 1946, 150 L.Ed.2d 62 (2001).

5  
6 6.1.2. Judgment for damage to reputation, loss of standing, loss  
7 of opportunity, emotional distress, mental anguish, pain and suffering,  
8 inconvenience, humiliation, and loss of enjoyment of life, per the same.

9  
10 6.1.3. Judgment for all compensatory, liquidated, and punitive  
11 damages as allowed by law, per the same.

12  
13 6.1.4. Judgment for pre- and post-judgment interest.

14  
15 6.1.5. Judgment for all costs and reasonable attorney fees  
16 incurred in litigating this action under Title VII, per 42 U.S.C. § 2000e-5(k).

17  
18 6.1.6. Judgment for all unpaid bonuses, plus an additional equal  
19 amount as liquidated damages, per 29 U.S.C. § 216(b).

20  
21 6.1.7. Judgment for a civil penalty of \$1,100.00 for each  
22 violation of the Equal Pay Act, per 29 U.S.C. § 216(e)(2).

23  
24 6.1.8. Judgment for attorney fees and costs under the Equal Pay  
25 Act, per 29 U.S.C. § 216(b).

26  
27 6.1.9. Judgment for all other damages and/or relief deemed

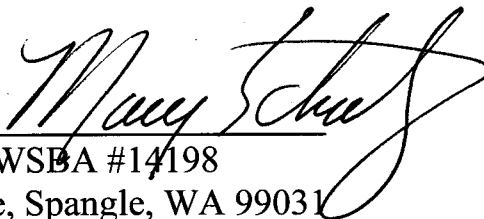
1 appropriate, or allowed as a matter of law, and found as just by this Court.  
2

3 **VII. JURY DEMAND.**

4 7.1 Plaintiff Jill Bolton demands a jury of twelve in the above entitled  
5 matter.  
6

7 **DATED** this 21<sup>st</sup> day of **October, 2015.**

8  
9 **MARY SCHULTZ**  
10 /s/Mary Schultz



11 Attorney for Plaintiff, WSBA #14198  
12 2111 E. Red Barn Lane, Spangle, WA 99031  
13 Tel: (509) 245-3522/Fax: (509) 245-3308  
14 E-mail:MSchultz@MSchultz.com  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27