

FILED

IN THE UNITED DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

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U.S. DISTRICT COURT
N.D. OF ALABAMA

CYNTHIA ANN COLLINS and)
BERYL DAUZAT, on behalf of themselves)
and others similarly situated,)

Plaintiffs,)
)

vs.

CV-08-P-1267-S

) JURY DEMAND
)

DOLLAR TREE STORES, INC.,)

Defendants.)

COMPLAINT

I. INTRODUCTION

1. This is an action for declaratory judgment, equitable relief and money damages, instituted to secure the protection of and to redress the deprivation of rights secured through the Equal Pay Act of 1963, as amended, 29 U.S.C. §206(d) that provides for relief against pay discrimination in employment on the basis of sex. Cynthia Ann Collins and Beryl Dauszat, on behalf of themselves and all others similarly situated female Store Managers, seek back-pay (plus interest), liquidated and/or

nominal damages, injunctive and declaratory relief, attorney's fees and costs and expenses.

II. JURISDICTION

2. The jurisdiction of this Court is invoked pursuant to the Equal Pay Act of 1963, as amended, 29 U.S.C. §206(d). The jurisdiction of this Court is invoked to secure protection of and redress deprivation of rights secured by 29 U.S.C. §206(d) providing for injunctive and other relief against equal pay violations.

III. PARTIES

3. Plaintiff, Cynthia Ann Collins, is a female citizen of the United States, and a resident of Attalla, Etowah County, Alabama. At all times relevant to this lawsuit, the plaintiff was employed with the defendant as a Store Manager.
4. Plaintiff, Beryl Dausat, is a female citizen of the United States, and a resident of Birmingham, Jefferson County, Alabama. At all times relevant to this lawsuit, the plaintiff was employed with the defendant as a Store Manager.
5. The defendant, Dollar Tree Stores, Inc. (hereinafter "Dollar Tree"), is subject to suit under the "Equal Pay Act of 1963," as amended. The

defendant is an entity doing business in the State of Alabama.

IV. FACTUAL ALLEGATIONS

6. On information and belief, the defendant pays/paid the plaintiffs (as Store Managers) and all other females similarly situated to the plaintiffs, less than male Store Managers for performing jobs of equal skill, responsibility and effort under similar working conditions than the plaintiffs and other females similar situated.
7. The defendant willfully violated the Equal Pay Act by paying the plaintiffs and all other female Store Managers unequal wages to those of similarly situated males performing a job of equal skill, responsibility and effort under similar working conditions.
8. The duties and responsibilities of an Store Manager at Dollar Tree are the same and require equal skill, effort and responsibilities under similar working conditions regardless of the geographic location of the store (rural or urban), the physical size of the store, or the amount of sales generated by a store, or any other factor other than sex.
9. Upon information and belief, the plaintiffs and all others similarly situated female Store Managers have been discriminated against because of their sex concerning compensation and other terms and conditions of

employment in violation of the Equal Pay Act. Such discrimination also adversely affects the wages the plaintiffs and all other similar situated receive as payment for workers' compensation, disability payments, and other benefits that are determined based on salary, bonus or overall compensation.

V. PRAYER FOR RELIEF

The plaintiffs, on behalf of themselves and all others similarly situated female Store Managers, seek back-pay (plus interest), liquidated and/or nominal damages, injunctive and declaratory relief, attorney's fees and costs and expenses. Plaintiffs, on behalf of themselves and all others similarly situated further seek any and all other relief allowed by the Court.

Respectfully submitted,

/s/Gregory O. Wiggins
Gregory O. Wiggins
Rocco Calamusa, Jr.
Counsel for the Plaintiffs

OF COUNSEL:
WIGGINS, CHILDS, QUINN & PANTAZIS, LLC
The Kress Building
301 19th Street North
Birmingham, Alabama 35203
205/314-0500

THE PLAINTIFFS DEMAND A TRIAL BY STRUCK JURY.

/s/Gregory O. Wiggins
OF COUNSEL

DEFENDANT'S ADDRESS:

Serve by Certified Mail:

Dollar Tree Stores, Inc.
500 Volvo Parkway
Chesapeake, VA 23320

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BERYL DAUZAT, on behalf of themselves)
and others similarly situated,)

Plaintiffs,)

vs.)

CIVIL ACTION NUMBER:

CV-08-

JURY DEMAND

DOLLAR TREE STORES, INC.,)

Defendants.)

CONSENT FORM

I, Cynthia Ann Collins (print name), hereby file this consent to become a party plaintiff in the above-style lawsuit. In doing so, I confirm the following facts:

1. I work/worked as a Store Manager for Dollar Tree Stores, Inc. (hereinafter "Dollar Tree");
2. I have personal knowledge and/or a good faith belief that, as a Store Manager, I was paid less than male Store Manager(s) who performed work requiring equal skill, responsibility, and effort under similar working conditions as I did.

I specifically authorize the named plaintiffs, along with counsel of record for the named plaintiffs, as my agent to prosecute this lawsuit on my behalf, to make any and all decisions with respect to the conduct of this litigation, and to negotiate and/ or settle any and all compensation claim(s) I have against Dollar Tree, regarding EPA claims.

Cynthia Ann Collins
Name (Print)

Cynthia Ann Collins
Name (Sign)

Social Security Number
(Required)

Cynthia Ann Collins
Name while employed at
Dollar Tree (Print)

Address: 2908 Naccalula Parkway
Attalla AL 35954

Telephone Number(s): (256) 547-4967 (home)
(256) 312-7770 (cell)

(work)

7-12-08
Date that you signed this form

3-04 till 7-08
Dates Employed as
Dollar Tree Store Manager

Dollar Tree # 2395
\$41,500 yearly salary

Store name(s) and number(s) at
Last Rate of Pay as a Store Manager

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vs.)

) CIVIL ACTION NUMBER:

) CV-08-

) JURY DEMAND

DOLLAR TREE STORES, INC.,)

Defendants.)

CONSENT FORM

I, BERYL DAUZAT (print name), hereby file this consent to become a party plaintiff in the above-style lawsuit. In doing so, I confirm the following facts:

1. I work/worked as a Store Manager for Dollar Tree Stores, Inc. (hereinafter "Dollar Tree");
2. I have personal knowledge and/or a good faith belief that, as a Store Manager, I was paid less than male Store Manager(s) who performed work requiring equal skill, responsibility, and effort under similar working conditions as I did.

I specifically authorize the named plaintiffs, along with counsel of record for the named plaintiffs, as my agent to prosecute this lawsuit on my behalf, to make any and all decisions with respect to the conduct of this litigation, and to negotiate and/ or settle any and all compensation claim(s) I have against Dollar Tree, regarding EPA claims.

BERYL DAUZAT
Name (Print)

Beryl M. Dautat
Name (Sign)

Social Security Number
(Required)

BERYL MARIE DAUZAT
Name while employed at
Dollar Tree (Print)

Address: 5180 SCENIC VIEW DR.
BIRMINGHAM,
ALABAMA 35210

Telephone Number(s): 205-999-7958 (home)
SAME (cell)
205-655-4269 (work)

July 12, 2008
Date that you signed this form

11/6/2005 - PRESENT
Dates Employed as
Dollar Tree Store Manager

711.54

Store name(s) and number(s) at
Last Rate of Pay as a Store Manager