UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

Plaintiff(s)	)	**Civil Case No.:**
vs.	)	**COMPLAINT FOR EMPLOYMENT DISCRIMINATION BASED UPON AGE**
Defendant(s)	)	

Plaintiff(s) demand(s) a trial by: ____ JURY ____ COURT (Select **only** one).

Plaintiff(s) in the above-captioned action, allege(s) as follows:

JURISDICTION

1. Jurisdiction is conferred on this court pursuant to 29 U.S.C. §§ 626(c)(1). If the plaintiff is a **federal** employee, jurisdiction is conferred on this court pursuant to 29 U.S.C. § 633a(c).

PARTIES

2. a. Plaintiff: _____

Address: _____

_____

_____

b. Plaintiff: _____

Address: _____

_____

_____

Additional Plaintiffs may be added on a separate sheet of paper.

3. a. Defendant: _____

Official Position: _____

Address: _____

_____

_____

b. Defendant: _____

Official Position: _____

Address: _____

_____

_____

Additional Defendants may be added on a separate sheet of paper.

4. This action is brought pursuant to the Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621-634(b), as amended, for employment discrimination based on age.

5. Venue is invoked pursuant to 28 U.S.C. § 1391.

6. The conduct complained of in this action involves:

(A) ____ Failure to employ

(B) ____ Termination of employment

(C) ____ Failure to promote

(D) ____ Unequal terms and conditions of employment

(E) ____ Reduction in wages

(F) ____ Retaliation

(G) ____ Other acts as specified below:

_____

_____

FACTS

7. Set forth the facts of your case which substantiate your claim of discrimination. List the events in the order they happened, naming defendants involved, dates and places.

Note: Each fact should be stated in a separate paragraph; paragraphs should be numbered sequentially.

You must include allegations of wrongful conduct as to EACH and EVERY defendant in your complaint.

The facts surrounding my claim of discrimination are:

_____

_____

_____

_____

_____

_____

_____

8. (a) My year of birth is _____.

(b) My age at the time of the alleged discriminatory act was: _____.

9. I filed charges with the New York State Division on Human Rights or the New York City Commission on Human Rights regarding the alleged discriminatory acts on or about:

_____, 20____
(Date)

10. I filed a Notice of Intent with the Equal Employment Opportunity Commission on or about:

_____, 20____
(Date)

11. The Equal Employment Opportunity Commission issued a Notice-of-Right-to-Sue letter **(copy attached)** which was received by me on or about:

_____, 20____
(Date)

12. The plaintiff is an employee within the meaning of 29 U.S.C. § 630(f).

13. The plaintiff is within the age limits as prescribed by 29 U.S.C. § 631(a).

14. The defendant(s) is (are) an employer, employment agency, or labor organization within the meaning of 29 U.S.C. § 630(b) (c) and (d).

15. The defendant(s) is (are) engaged in commerce within the meaning of 29 U.S.C. § 630(h).

16. In accordance with 29 U.S.C. § 626(d) and § 633(b), more than sixty (60) days have elapsed since filing a charge alleging unlawful discrimination with the New York State Division of Human Rights, the New York City Commission on Human Rights or the Equal Employment Opportunity Commission.

17. If plaintiff is a **federal** employee and has not filed a complaint with the Equal Employment Opportunity Commission, in accordance with 29 U.S.C. § 633a(d) a thirty (30) day Notice of Intent to File this action must been given to the Equal Employment Opportunity Commission before an action may be brought in this Court.

18. **PRAYER FOR RELIEF**

WHEREFORE, plaintiff(s) request(s) that this Court grant the following relief:

_____

_____

_____

I declare under penalty of perjury that the foregoing is true and correct.

DATED: _____

_____

_____
Signature of Plaintiff(s)
(all Plaintiffs must sign)