

**COPY**

STATE OF MAINE  
PENOBSCOT, ss

Docket No.:  
CIVIL ACTION

DOMESTIC ABUSE HELPLINE FOR MEN )  
f/k/a BATTERED MEN'S HOTLINE )  
and )  
MR. JOHN DOE )  
v. )  
MAINE COALITION TO END )  
DOMESTIC VIOLENCE )

COMPLAINT and DEMAND for  
DECLARATORY JUDGMENT  
Pursuant to 14 M.R.S.A. §5951  
et seq.

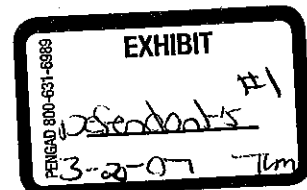
NOW COMES the Plaintiff, DOMESTIC ABUSE HELPLINE FOR MEN, by and  
through counsel, Ferdinand A. Slater, and complains against the Defendant as follows:

**JURISDICTION**

1. The Plaintiff is a domestic nonprofit corporation, Maine charter number 20010232ND, the registered agent of which is Ms. Jan Brown, 127 Athens Road, P. O. Box 252, Harmony, Maine 04942.
2. The Defendant is a domestic nonprofit corporation, Maine charter number 19770228ND, the registered agent of which is Ms. Kimberly Roberts, 170 Park Street, Bangor, Maine 04401.

**STATUTE OF LIMITATIONS**

3. An action brought pursuant to 5 M.R.S.A §4612 must be brought within two (2) years of the act of unlawful discrimination complained of by the Plaintiff. The Defendant's



unlawful conduct and discriminatory practices began on or about August 30, 2002 and the Defendant's unlawful conduct and discriminatory practices against Plaintiff continue day to day as a scheme or course of conduct that is violative of Plaintiff's civil rights guaranteed under the State and Federal Constitutions and Plaintiff's practices and continuous course of conduct is discriminatory and violative of Plaintiff's State and Federal Constitutional as well as statutory rights. Said practices and course of conduct by Defendant is pervasive and ongoing, day to day, against the Plaintiff. Therefore the statute of limitations in this matter has not expired.

#### **COUNT I : VIOLATION OF MAINE HUMAN RIGHTS ACT**

3. Plaintiff on or about July 23, 2002 wrote to the Maine Coalition to End Domestic Violence (hereinafter "MCEDV") and inquired to whom to write in order to request and receive an application for membership in their organization.
4. On August 30, 2002 a reply was received which stated that the current criteria for membership in MCEDV required "organizations whose primary purpose is to provide a full range of services to battered women and their children. . . . As a result, membership in MCEDV is limited to nine multi-service domestic violence projects statewide."
5. Plaintiff was unable to submit an application for membership in MCEDV because MCEDV refused to send an application for membership to Plaintiff.

6. The Defendant's published "Minimum Criteria for Full Membership in the Maine Coalition to End Domestic Violence" is discriminatory on its face and excludes Plaintiff from membership based solely on gender. Paragraph 8 of the aforementioned criteria states "A full member must demonstrate incorporation as an independent, nonprofit organization in the State of Maine, whose primary purpose is to provide services to battered women and their children."(emphasis added).
7. The Plaintiff, based on the published minimum criteria for full membership, is in all aspects qualified for full membership except Plaintiff's primary, but not exclusive, purpose is to provide services to battered men and their children (emphasis added).
8. Plaintiff is denied access to advantages and privileges enjoyed by MCEDV solely on the basis of gender. Those advantages include but are not limited to funds from government and other sources and eligibility for public and private grant consideration.
9. Plaintiff, on or about November 15, 2002, filed a complaint with the Maine Human Rights Commission, case number PA02-0658, for the aforementioned discriminatory practices of Defendant.
10. Plaintiff requested and on or about December 9, 2003 received from the Maine Human Rights Commission a "Notice of Right to Sue issued pursuant to 5 M.R.S.A. §4612, sub-§6 and §4622, sub-§1, ¶C."

11. Plaintiff by written correspondence, by and through counsel, on or about December 12, 2003 informed Defendant of the intent to pursue court action on the aforementioned claims and "To avoid any further litigation and the expenses it will entail, my client [Plaintiff hereto] is asking that your client [MCEDV] reconsider its position, and forthwith permit my client [Plaintiff hereto] to join the coalition." Plaintiff was again denied an application for membership.
12. Defendant's, continuous, intentional, and unlawful discrimination is evidenced by Defendant ignoring Plaintiff's reasonable requests for membership as evidenced by Defendant's refusing to even provide an application for membership in MCEDV to Plaintiff.
13. Mr. John Doe is an identifiable male victim of domestic violence unable to access services or programs through Plaintiff because of the Defendant's unlawful gender discrimination.
14. Mr. John Doe contacted the Defendant and was informed their services are for abused women (emphasis added) and children and there is no assistance, shelter, or services offered by MCEDV or available to Mr. John Doe and his children as victims of domestic violence.

15. Defendant, knowing of Plaintiff's existence and mission statement, did not inform Mr. John Doe of the Domestic Abuse Helpline for Men and therefore Mr. John Doe suffered emotional distress as result of Defendant's gender discrimination.
16. Defendant's unlawful gender discrimination against Plaintiffs is systemic, ongoing, and occurring without interruption.
17. Defendant's unlawful gender discrimination deprives Plaintiffs of the same or similar services offered, delivered, or made available to women and children and withheld or denied to Plaintiff in the same or similar circumstance. Said denial based only on gender.

**SPECIFIC ALLEGATION IN ACCORDANCE WITH 5 M.R.S.A. §4622**

18. A civil action under the Maine Human Rights Act was filed by Plaintiff hereto with the Maine Human Rights Commission on November 15, 2002 and on December 9, 2003 the Plaintiff hereto sought and received a "right to sue" letter for the commission in accordance with 5 M.R.S.A. §4612(6).
19. Plaintiff is entitled to attorney's fees under 5 M.R.S.A. §4614 and civil penal damages or compensatory and punitive damages under 5 M.R.S.A. §4613 because Plaintiff has complied with the requirement(s) set for at 5 M.R.S.A. §4622.

WHEREFORE, Plaintiff demands declaratory judgment against the Defendant; and prays for relief and Order from the Court prohibiting the Defendant from discriminating against the Plaintiffs, compensatory damages, punitive damages, reasonable costs and attorney's fees, and any other such just and equitable relief as is determined just by the Court.

Dated at Ellsworth Maine this 30th day of August, 2004.

Attorney for Plaintiff,



Ferdinand A. Slater, Esq., #8632

5 School St.

Ellsworth, Maine 04605

(207) 667-0076

### CERTIFICATE OF SERVICE

I, Ferdinand A. Slater, Esq., attorney for Plaintiff, hereby certify I have this day made service of a conforming copy of the attached upon the following private corporation, at the addresses indicated, by registered course of the U.S. Mail, first class, postage pre-paid, return receipt requested in accordance with M.R.Civ.P. 4(d)(8).

Ms. Kimberly Roberts, Registered Agent  
Maine Coalition to End Domestic Violence  
170 Park Street,  
Bangor, Maine 04401.

Date: August 30, 2004



Ferdinand A. Slater, Esq.