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We are here today to announce that this morning we have filed a sex and age discrimination lawsuit on behalf of 9 women against “Resorts Casino Hotel” (aka “Resorts”).

Our clients, the plaintiffs, were long-term employees of the Resorts Casino Hotel, where all had been employed for many years as cocktail servers, and where all had exemplary employment histories. Defendants fired each of the Plaintiffs on or about March 7, 2011. All Plaintiffs were told that they were being fired because they did not “meet uniform requirements.”

Plaintiffs allege that they were fired because of their age and/or because they did not meet the gender stereotypes of defendants concerning a perceived ideal feminine body type.

On November or December 2010, we allege in our lawsuit that the defendants including Dennis Gomes undertook a plan to change the make-up of the group of female cocktail servers

to ensure that as a group the cocktail servers were younger, slimmer, sexier and more conforming to a stereotype of feminine beauty.

All cocktail servers, even those who had been employed at the Resorts Casino for many years were required to be interviewed or re-interviewed for their jobs and were asked questions that related to their age and their willingness to wear a more sexy costume.

Subsequent to the interview process, plaintiffs were also required to “audition” for their jobs. This audition consisted in part of participating in a required photo shoot where they were told they would be required to wear a sexy uniform provided to them in an appropriate size by Resorts.

When the Plaintiffs arrived for the photo shoot, they were not provided with appropriately sized uniforms as promised. Rather, in many cases, the Plaintiffs were required to wear a uniform that was several sizes too small. For example:

- a. Plaintiff Margie DePamphilis advised her supervisor that she wore a size six. However, she was required to wear a size two for the photo shoot.
- b. Plaintiff Yvonne Ray advised her supervisor that she wore a size eight or a size ten, but she was required to wear a size four.
- c. Plaintiff Dorrie Fitzgerald advised her supervisor that she wore a size six or eight, but she was required to wear a size two for the photo shoot.

Our lawsuit contends that younger cocktail servers were not required to wear uniforms that were several sizes too small, but were instead provided uniforms that were appropriately sized. Also, some older plaintiffs were not permitted to wear bras while younger ones were permitted to wear bras which enhanced their appearance in the uniforms.

Plaintiff were also treated less favorably than younger cocktail servers. Our lawsuit alleges the older plaintiffs were

required to pose, bend, turn and move in ways that would emphasize body fat, whereas younger cocktail servers were not required to pose in these unflattering ways.

This process of participating in what we contend was a “sham evaluation” caused plaintiffs extreme embarrassment, humiliation and shame.

On or about March 7, 2011, each of the plaintiffs was advised that her employment was terminated because she did not meet the uniform standards.

The plaintiffs contend that the true reason that they were fired was because of their age and/or because they did not meet the stereotype of youthful feminine sexiness desired by Defendants. It is our belief that these considerations of age or gender stereotyping were determinative or motivating factors in their discharge.

We have, therefore, filed a lawsuit today in New Jersey Superior Court alleging a violation of New Jersey’s Law Against Employment Discrimination. We are also alleging a violation

of the Covenant of Good Faith and Fair Dealing, Intentional Infliction of Emotional Distress, and Breach of Contract. We are seeking damages including back pay, lost wages, damages for pain and suffering, punitive damages and injunctive relief.

Mr. Gomes may have sought to recreate the 1920's with his flapper uniforms and G-men, but we are here to remind him that although there were no laws prohibiting employers from discriminating against women on account of their sex and age at that time, there are laws which prohibit such discriminatory conduct now.

There was "prohibition" of alcohol in the 20's, but in 2011, there is prohibition of sex and age discrimination in order to assure equal employment opportunity for all.

Resorts may have their G-men and Mr. Gomes, but my clients have their G-woman as their lawyer and advocate, as well as New Jersey counsel Virginia Hardwick and Joyce Collier. We do not find Resorts' conduct to be either entertaining or acceptable.

A Resorts advertisement shows women in the skimpy flapper attire stating, "Let us serve you". Our message to Resorts is that we will be serving you today with a lawsuit, and we are looking forward to fighting against with these brave women in a New Jersey court of law.

Gloria Allred  
Attorney-at-law  
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Representing:

Leanne Martina  
Margaret DePamphilis  
Marie Stewart  
Elsa Hernandez  
Yvonne Ray  
Janie Burton  
Rode de la Cruz  
Dorrie Fitzgerald  
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