

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

Equal Employment	)	
Opportunity Commission,	)	
	)	
Plaintiff,	)	Case No. 4:26-cv-1289
	)	
v.	)	JURY TRIAL DEMANDED
	)	
The Washington University,	)	
	)	
Defendant.	)	

COMPLAINT

Nature of the Action

This is an action under Title VII of the Civil Rights Act of 1964 and Title I of the Civil Rights Act of 1991 to correct unlawful employment practices on the basis of retaliation and to provide appropriate relief to Charging Party Amega Thaier, who was aggrieved by such practices. As described with greater particularity below, Defendant Washington University discharged Thaier in retaliation for her opposition to alleged race discrimination, filing a Charge of Discrimination with the Commission, and participation in the Commission's investigation of her charge.

Jurisdiction and Venue

1. Jurisdiction of this Court is invoked pursuant to 28 U.S.C. §§ 451, 1331, 1337, 1343 and 1345. This action is authorized and instituted pursuant to Section 706(f)(1) and (3) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e-5(f)(1) and (3) ("Title VII") and pursuant to Section 102 of the Civil Rights Act of 1991, 42 U.S.C. § 1981a.

2. Venue is proper in this Court pursuant to Section 706(f)(3) of Title VII, 42 U.S.C. § 2000e-5(f)(3), because the employment practices alleged to be unlawful were committed within the jurisdiction of the United States District Court for the Eastern District of Missouri.

Parties

3. Plaintiff, the Equal Employment Opportunity Commission (“Commission”), is the agency of the United States of America charged with the administration, interpretation and enforcement of Title VII and is expressly authorized to bring this action by Sections 706(f)(1) and (3) of Title VII, 42 U.S.C. §§ 2000e-5(f)(1) and (3).

4. Defendant, The Washington University (“Washington University”), is a Missouri corporation headquartered and doing business in the City of St. Louis, Missouri, and has continuously had at least fifteen employees.

5. At all relevant times, Washington University has continuously been an employer engaged in an industry affecting commerce within the meaning of Sections 701(b), (g) and (h) of Title VII, 42 U.S.C. §§ 2000e (b), (g) and (h).

Administrative Procedures

6. More than thirty days prior to the institution of this lawsuit, Amega Thaier filed a charge with the Commission alleging violations of Title VII by Washington University.

7. On June 22, 2026, the Commission issued to Washington University a Letter of Determination finding reasonable cause to believe that Title VII was violated and inviting Washington University to join with the Commission in

informal methods of conciliation to endeavor to eliminate the unlawful employment practices and provide appropriate relief.

8. The Commission engaged in communications with Washington University to provide Washington University the opportunity to remedy the discriminatory practices described in the Letter of Determination.

9. The Commission was unable to secure from Washington University a conciliation agreement acceptable to the Commission.

10. On July 1, 2026, the Commission issued Washington University a Notice of Failure of Conciliation.

11. All conditions precedent to the institution of this lawsuit have been fulfilled.

Statement of Facts

12. In August 2021, Amega Thaier began her employment with Washington University as a Program Manager in the Alvin J. Siteman Cancer Center (SCC), part of the Washington University School of Medicine in St. Louis, Missouri.

13. Thaier had been recruited and hired by Nicholas Fisher, SCC Executive Director of Research and Business Administration, and Courtney Beers, SCC Director of Research Operations.

14. Thaier reported to Fisher and Beers during her employment at SCC.

15. In 2024, Fisher and Beers promoted Thaier to the position of Senior Program Manager.

16. In June 2024, Fisher emailed the SCC research administration team, including Thaier, that they would participate in two training sessions provided by the Washington University School of Medicine's Office of Diversity, Equity, and Inclusion (ODEI) on the topics of "How Racism Harms" and "Anti-Racism Community Discussions".

17. Fisher's email stated that the training sessions were "mandatory for all staff."

18. On October 9, 2024, in preparation for the "How Racism Harms" discussion session scheduled for early November 2024, ODEI sent an online survey to the expected participants from the SCC research administration team, which noted that participants "will spend time in shared racial identity spaces" during the session and asked them to self-identify as either White or BIPOC (Black, Indigenous, People of Color).

19. Thaier, who is Black, selected "BIPOC" as her racial identity and then emailed ODEI staff expressing concern about how "shared racial identity spaces" would work given that she was the only "BIPOC" person on the SCC research administration team.

20. After exchanging multiple emails with ODEI staff, Thaier understood that she would participate in the "How Racism Harms" training session with the rest of the SCC research administration team, but that there would be no "shared racial identity spaces" activities during the training.

21. The “How Racism Harms” training session for the SCC research administration team was postponed from early November 2024 to January 22, 2025, and changed from being in-person to remote via Zoom.

22. In January 2025, ODEI staff sent Zoom invitations to the SCC research administration team, including Thaier, for the “How Racism Harms” training session.

23. ODEI staff sent the Zoom invitation to Thaier knowing that Thaier did not want to participate in a “shared racial identity spaces” activity.

24. Thaier accepted the Zoom invitation and joined the January 22, 2025, “How Racism Harms” training session believing, based on her emails with ODEI staff, that the session would not include a “shared racial identity spaces” activity.

25. During the January 22, 2025, “How Racism Harms” training session, the ODEI facilitator separated the SCC research administration team participants into Zoom breakout rooms for “shared racial identity spaces” based on race.

26. Despite knowing that Thaier did not want to participate in a “shared racial identity spaces” activity, the ODEI facilitator placed Thaier, the only non-White person on the SCC research administration team, in a Zoom room by herself, where she remained alone for several minutes.

27. After several minutes, a different ODEI staff member joined Thaier in the breakout room. After a brief discussion, Thaier exited the Zoom meeting.

28. Later in the day on January 22, 2025, Thaier sent an email to ODEI staff, copying her supervisors Fisher and Beers, with the subject line, “Feedback on

Today's DEI Training." Thaier described how upsetting the experience was for her: "Being the only Black person in the training, I was isolated and put in a position that felt profoundly alienating and cruel. It wasn't just uncomfortable—it was dehumanizing. In 2025, in this political and social climate, the only black/BIPOC person was literally and figuratively segregated and asked to leave the 'room.' It's egregious." Thaier reminded them that she had "flagged this issue months ago when the activity was initially scheduled, and the decision was made to avoid it for this exact reason." Thaier also urged them to engage in a comprehensive review of policies and processes for planning and delivering their DEI sessions.

29. ODEI staff responded to Thaier by email on January 22 and 30, 2025. Thaier believed the responses from ODEI staff did not sufficiently acknowledge the harm she experienced when, during the training, she was separated from the rest of her team because of her race.

30. On January 31, 2025, Thaier emailed a written internal complaint to Washington University's Office of Institutional Equity (OIE), complaining that ODEI "has created an ecosystem that delivers training in a manner inconsistent with its mission and the university's commitment to diversity, equity, and inclusion" and that "subsequent racelighting by [ODEI staff] is unacceptable."

31. Both before and after Thaier filed her internal complaint with OIE, Fisher and Beers expressed support of her decision to escalate her complaint within Washington University.

32. From approximately February to June 2025, Gillian Lawson (then Boscan), OIE's Director of Investigations, conducted an internal investigation into Thaier's complaint.

33. OIE marked its investigation "resolved", but there was no formal resolution.

34. After the January 2025 incident with ODEI, Thaier's work as SCC Senior Program Manager continued as normal, and Fisher and Beers continued to give her consistent positive feedback regarding her work.

35. In May 2025, Thaier successfully completed Washington University's Emerging Leaders Program (ELP), having entered that program as part of the 2024 Cohort. The ELP is designed for staff to build skills to have a more intentional approach to leadership in their sphere of influence through hands-on collaboration with others.

36. In June 2025, Fisher and Beers tasked Thaier with creating and leading what came to be known as the Clinical Trials Initiative for developing new Prevention & Control clinical trials. In that role, Thaier coordinated with investigators to identify and then facilitate implementation of new clinical trials at SCC, and she was successful in doing so.

37. Also in June 2025, Beers told Thaier that she wanted her to be actively involved throughout FY26 in the preparation of SCC's renewal application for the National Cancer Institute (NCI) Cancer Center Support Grant (CCSG).

38. In Thaier's June 11, 2025, Performance Evaluation, Beers gave her the highest "Exceptional Contributor" rating and stated: "I intend to partner with Meg in coming months to identify ways for her to assume more of the high-level SCC workload and—to the extent possible—to focus the majority of additional responsibilities on more mission-critical work. . . . We will be focusing a significant amount of time and energy in FY26 on the CCSG renewal. The grant application will be all new for Meg but I've yet to see a challenge that she can't handle. I look forward to working with Meg on this important (and critical) task."

39. On July 11, 2025, Thaier signed and filed a Charge of Discrimination with the Commission, alleging that Washington University had subjected her to unlawful discrimination based on race in violation of Title VII.

40. On or about July 20, 2025, the Commission provided Washington University with notice of Thaier's Charge of Discrimination.

41. On or about July 30, 2025, Thaier told Beers that she had filed a Charge of Discrimination with the Commission.

42. Sometime after Thaier told Beers about her EEOC Charge, Thaier began to sense a change in Beers and Fisher. At some point in August 2025, when Beers shifted some of Thaier's duties to a coworker, Thaier told Beers, "It feels like I'm moving from the driver's seat to the passenger seat."

43. On August 25, 2025, Fisher told Thaier that he and Beers were working on a new strategy for funding the Clinical Trials Initiative, which would allow the initiative to be "long term and sustainable."

44. On August 27, 2025, Washington University submitted to the Commission a written response to Thaier's Charge of Discrimination, claiming that "a series of events led to Ms. Thaier inadvertently receiving an invitation to the [How Racism Harms] program" and that her "charge is without merit."

45. From approximately September 4, 2025, through October 21, 2025, Thaier was out of work on approved medical leave, returning to work on October 22, 2025.

46. On October 1, 2025, while Thaier was still out on approved medical leave, Fisher sent an email to all SCC staff regarding a recent message from the University Chancellor to all employees about financial difficulties and the possibility of eliminating positions. Fisher told SCC staff that SCC was in a different position than the rest of the university because it has different and stable funding, and he assured them that, "[o]ur budget in Siteman is as stable and secure as ever. If new challenges come, we will adapt, but I foresee no changes to our operations on the horizon. NO staffing changes, reductions or adjustments are even being considered, let alone planned, in our department."

47. When Thaier returned to work at the end of October 2025, Fisher and Beers decided to terminate Thaier.

48. On November 12, 2025, Beers told Thaier that there was not enough work for her and that she should begin looking for other opportunities because her position would eventually be eliminated.

49. On November 20, 2025, Fisher emailed Thaier that her position was being eliminated effective December 1, 2025, stating that the work she had previously been managing had either been transitioned to another employee or was being de-prioritized due to the department switching focus to preparing SCC's renewal application for the NCI CCSG.

50. On November 25, 2025, Thaier signed and filed an Amended Charge of Discrimination with the Commission regarding Washington University's retaliatory termination of her employment.

51. Washington University terminated Thaier's employment effective December 1, 2025.

52. Upon information and belief, shortly after Washington University terminated Thaier's employment, Fisher and Beers promoted another SCC employee to the Senior Project Manager position. That employee had not complained about race discrimination or filed a Charge of Discrimination with the Commission.

Statement of Claim

Retaliatory Discharge

53. The Commission repeats, re-alleges, and incorporates by reference the allegations in the foregoing paragraphs of this Complaint into this Count.

54. Washington University engaged in unlawful employment practices in violation of Section 704(a) of Title VII, 42 U.S.C. §§ 2000e-3(a), when it discharged Thaier in retaliation for opposing alleged race discrimination, filing a Charge of

Discrimination with the Commission, and / or participating in the Commission's investigation of her charge.

55. The unlawful employment practices described above deprived Thaier of equal employment opportunities and otherwise adversely affected her status as an employee in violation of Title VII.

56. The unlawful employment practices described above were done intentionally and with malice or with reckless indifference to Thaier's federally protected rights.

57. As a direct and proximate result of Washington University's unlawful conduct, Thaier suffered actual pecuniary and non-pecuniary damage, including but not limited to lost earnings and benefits, emotional distress, pain and suffering, anxiety, humiliation, inconvenience, and loss of enjoyment of life.

Prayer for Relief

Wherefore, the Commission respectfully requests that this Court:

A. Grant a permanent injunction enjoining Washington University, its officers, agents, servants, employees, attorneys, and all persons in active concert or participation with them, from retaliating against employees who engage in activity protected by Section 704(a) of Title VII, 42 U.S.C. §§ 2000e-3(a).

B. Order Washington University to institute and carry out policies, practices, and programs which provide equal employment opportunities for employees who engage in activity protected by Section 704(a) of Title VII, 42 U.S.C. §§ 2000e-3(a), and which eradicate the effects of its past and present unlawful employment practices.

C. Order Washington University to make Thaier whole by providing back pay and benefits with prejudgment interest, in amounts to be determined at trial, and other affirmative relief necessary to eradicate the effects of its unlawful employment practices, including but not limited to reinstatement or front pay.

D. Order Washington University to make Thaier whole by providing compensation for past and future pecuniary losses resulting from the unlawful employment practices described above, including but not limited to job search expenses and other out-of-pocket expenses, in amounts to be determined at trial.

E. Order Washington University to make Thaier whole by providing compensation for past and future non-pecuniary losses resulting from the unlawful practices complained of above, including, but not limited to, emotional distress, pain and suffering, anxiety, humiliation, inconvenience, and loss of enjoyment of life, in amounts to be determined at trial.

F. Order Washington University to pay Thaier punitive damages for its malicious and reckless conduct, as described above, in an amount to be determined at trial.

G. Grant such further relief as the Court deems necessary and proper in the public interest.

H. Award the Commission its costs of this action.

Jury Trial Demand

The Commission requests a jury trial on all questions of fact raised by its Complaint.

Respectfully submitted,

CATHERINE L. ESCHBACH
Acting General Counsel

CHRISTOPHER LAGE
Deputy General Counsel

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ATTORNEYS FOR PLAINTIFF EQUAL
EMPLOYMENT OPPORTUNITY
COMMISSION

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Equal Employment Opportunity Commission

(b) County of Residence of First Listed Plaintiff _____
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Luke R. Hertenstein; EEOC; 400 State Ave., Suite 905,
Kansas City, KS, 66101; 913-359-1812.

DEFENDANTS

The Washington University

County of Residence of First Listed Defendant St. Louis County
(IN U.S. PLAINTIFF CASES ONLY)NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☒ 1 U.S. Government Plaintiff ☐ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | ☐ 1 | ☐ 1 | Incorporated or Principal Place of Business In This State | ☐ 4 | ☐ 4 |
| Citizen of Another State | ☐ 2 | ☐ 2 | Incorporated and Principal Place of Business In Another State | ☐ 5 | ☐ 5 |
| Citizen or Subject of a Foreign Country | ☐ 3 | ☐ 3 | Foreign Nation | ☐ 6 | ☐ 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
☐ 110 Insurance ☐ 120 Marine ☐ 130 Miller Act ☐ 140 Negotiable Instrument ☐ 150 Recovery of Overpayment & Enforcement of Judgment ☐ 151 Medicare Act ☐ 152 Recovery of Defaulted Student Loans (Excludes Veterans) ☐ 153 Recovery of Overpayment of Veteran's Benefits ☐ 160 Stockholders' Suits ☐ 190 Other Contract ☐ 195 Contract Product Liability ☐ 196 Franchise	PERSONAL INJURY ☐ 310 Airplane ☐ 315 Airplane Product Liability ☐ 320 Assault, Libel & Slander ☐ 330 Federal Employers' Liability ☐ 340 Marine ☐ 345 Marine Product Liability ☐ 350 Motor Vehicle ☐ 355 Motor Vehicle Product Liability ☐ 360 Other Personal Injury ☐ 362 Personal Injury - Medical Malpractice	PERSONAL INJURY ☐ 365 Personal Injury - Product Liability ☐ 367 Health Care/Pharmaceutical Personal Injury Product Liability ☐ 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY ☐ 370 Other Fraud ☐ 371 Truth in Lending ☐ 380 Other Personal Property Damage ☐ 385 Property Damage Product Liability	☐ 625 Drug Related Seizure of Property 21 USC 881 ☐ 690 Other LABOR ☐ 710 Fair Labor Standards Act ☐ 720 Labor/Management Relations ☐ 740 Railway Labor Act ☐ 751 Family and Medical Leave Act ☐ 790 Other Labor Litigation ☐ 791 Employee Retirement Income Security Act IMMIGRATION ☐ 462 Naturalization Application ☐ 465 Other Immigration Actions	☐ 422 Appeal 28 USC 158 ☐ 423 Withdrawal 28 USC 157 INTELLECTUAL PROPERTY RIGHTS ☐ 820 Copyrights ☐ 830 Patent ☐ 835 Patent - Abbreviated New Drug Application ☐ 840 Trademark ☐ 880 Defend Trade Secrets Act of 2016 SOCIAL SECURITY ☐ 861 HIA (1395ff) ☐ 862 Black Lung (923) ☐ 863 DIWC/DIWW (405(g)) ☐ 864 SSID Title XVI ☐ 865 RSI (405(g)) FEDERAL TAX SUITS ☐ 870 Taxes (U.S. Plaintiff or Defendant) ☐ 871 IRS—Third Party 26 USC 7609	☐ 375 False Claims Act ☐ 376 Qui Tam (31 USC 3729(a)) ☐ 400 State Reapportionment ☐ 410 Antitrust ☐ 430 Banks and Banking ☐ 450 Commerce ☐ 460 Deportation ☐ 470 Racketeer Influenced and Corrupt Organizations ☐ 480 Consumer Credit (15 USC 1681 or 1692) ☐ 485 Telephone Consumer Protection Act ☐ 490 Cable/Sat TV ☐ 850 Securities/Commodities/Exchange ☐ 890 Other Statutory Actions ☐ 891 Agricultural Acts ☐ 893 Environmental Matters ☐ 895 Freedom of Information Act ☐ 896 Arbitration ☐ 899 Administrative Procedure Act/Review or Appeal of Agency Decision ☐ 950 Constitutionality of State Statutes
REAL PROPERTY ☐ 210 Land Condemnation ☐ 220 Foreclosure ☐ 230 Rent Lease & Ejectment ☐ 240 Torts to Land ☐ 245 Tort Product Liability ☐ 290 All Other Real Property	CIVIL RIGHTS ☐ 440 Other Civil Rights ☐ 441 Voting ☒ 442 Employment ☐ 443 Housing/Accommodations ☐ 445 Amer. w/Disabilities - Employment ☐ 446 Amer. w/Disabilities - Other ☐ 448 Education	PRISONER PETITIONS Habeas Corpus: ☐ 463 Alien Detainee ☐ 510 Motions to Vacate Sentence ☐ 530 General ☐ 535 Death Penalty Other: ☐ 540 Mandamus & Other ☐ 550 Civil Rights ☐ 555 Prison Condition ☐ 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
42 U.S.C. §§ 2000e-3(a)Brief description of cause:
Retaliation under Title VII

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE _____

DOCKET NUMBER _____

DATE

August 12, 2026

SIGNATURE OF ATTORNEY OF RECORD

/s/ Luke R. Hertenstein, 23809(KS)

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
 - (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
 - (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
- United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here. United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
- Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
- Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.
- Original Proceedings. (1) Cases which originate in the United States district courts.
- Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.
- Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
- Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
- Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
- Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
- Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
- PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7.** Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service.
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
- Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
- Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related cases, if any. If there are related cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI

Equal Employment	)	
Opportunity Commission ,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 4 : 26 - cv - 1289
The Washington	)	
University ,	)	
	)	
Defendant,	)	
	)	

ORIGINAL FILING FORM

**THIS FORM MUST BE COMPLETED AND VERIFIED BY THE FILING PARTY
WHEN INITIATING A NEW CASE.**

☐ THIS SAME CAUSE, OR A SUBSTANTIALLY EQUIVALENT COMPLAINT, WAS
PREVIOUSLY FILED IN THIS COURT AS CASE NUMBER _____
AND ASSIGNED TO THE HONORABLE JUDGE _____.

☐ THIS CAUSE IS RELATED, BUT IS NOT SUBSTANTIALLY EQUIVALENT TO ANY
PREVIOUSLY FILED COMPLAINT. THE RELATED CASE NUMBER IS _____ AND
THAT CASE WAS ASSIGNED TO THE HONORABLE _____. THIS CASE MAY,
THEREFORE, BE OPENED AS AN ORIGINAL PROCEEDING.

☒ NEITHER THIS SAME CAUSE, NOR A SUBSTANTIALLY EQUIVALENT
COMPLAINT, HAS BEEN PREVIOUSLY FILED IN THIS COURT, AND THEREFORE
MAY BE OPENED AS AN ORIGINAL PROCEEDING.

The undersigned affirms that the information provided above is true and correct.

Date: 08/12/2026

/s/ Luke R. Hertenstein, 23809 (KS)
Signature of Filing Party

UNITED STATES DISTRICT COURT

for the
Eastern District of Missouri_____
Equal Employment Opportunity Commission*Plaintiff*

v.

The Washington University*Defendant*

Civil Action No. 4:26-cv-1289

WAIVER OF THE SERVICE OF SUMMONS

To: Luke R. Hertenstein, Attorney for Plaintiff EEOC*(Name of the plaintiff's attorney or unrepresented plaintiff)*

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from _____, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: _____

*Signature of the attorney or unrepresented party*_____
The Washington University*Printed name of party waiving service of summons*_____
*Printed name*_____
*Address*_____
*E-mail address*_____
Telephone number

Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.