

Judge OKs Suit Against Casino Firm

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SACRAMENTO — A management company contracted to run an Indian casino can be sued by workers for sexual harassment and gender discrimination even though the tribe itself is immune from the claims, a Placer County judge has ruled.

Judge Charles D. Wachob said Station Casinos Inc. was the workers' de facto employer, and he refused to dismiss it from the suit, unlike the dismissal he granted to the United Auburn Indian Community after the tribe claimed sovereign immunity. *Medina v. Stations Casinos Inc.*, SCV18017. That ruling has been appealed.

Debra Smith, plaintiffs' counsel and senior staff attorney at Equal Rights Advocates in San Francisco, said Thursday that Station

Casinos must be treated like other corporate entities doing business in California.

"It must comply with state laws and its obligation to protect workers from discrimination and harassment," she said.

Smith represents Corinn Medina and six other female workers at Thunder Valley Casino in Lincoln near the Sierra foothills. Medina contended in the class action that she was required to wear a skimpy costume at work that subjected her to management-sanctioned, constant harassment by high rollers. She said she was sexually assaulted in the casino's parking lot.

Other plaintiffs alleged they were discriminated against because they were older than 40 and were offered low-end, low-paying jobs with little chance of advancement.

The defendants argued the tribe was a necessary party to the ac-

tion and the suit could not proceed against the other defendants without the tribe because that would subject the tribe to federal and state laws under which they claimed immunity.

But, Wachob rejected those arguments in a ruling issued Sept. 22, saying any intrusion on the tribe's interest in self-sufficiency was remote. He noted the tribe had agreed to abide by employment laws in its gaming compact with the state that were no less stringent than those in state and federal law.

Matt Jacobs, a Sacramento lawyer for DLA Piper, representing Station Casinos, said he likely would file a writ of appeal on the ruling.

"We're supposed to litigate it without the tribe's presence," Jacobs said. "I don't see how we can do that."

Jacobs insisted Station Casinos was not the plaintiffs' employer.