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8 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

9 IN AND FOR THE COUNTY OF MARICOPA

10 THE STATE OF ARIZONA *ex rel.* TERRY  
GODDARD, the Attorney General; and THE  
11 CIVIL RIGHTS DIVISION OF THE ARIZONA  
DEPARTMENT OF LAW,

12 Plaintiff,

13 vs.

14 FAMILY HEALTH PROVIDERS, LTD., an  
15 Arizona professional corporation,

16 Defendant.

No. CV2006-013709

COMPLAINT  
(Non-classified Civil)

17  
18 Plaintiff, the State of Arizona *ex rel.* Terry Goddard, the Attorney General, and the  
19 Civil Rights Division of the Arizona Department of Law (collectively the "State"), for its  
20 Complaint, alleges as follows:

21 **INTRODUCTION**

22 This is an action brought under the Arizona Civil Rights Act to correct an unlawful  
23 service practice, to provide appropriate relief to an aggrieved person, and to vindicate the  
24 public interest. Specifically, the State brings this matter to redress the injury sustained because

25 ///

1 Defendant Family Health Providers, Ltd. ("FHP") subjected Karen Yravedra to  
2 discrimination because of her disability, in violation of the Arizona Civil Rights Act, A.R.S.  
3 §41-1492.02.

#### 4 JURISDICTION AND VENUE

5 1. This Court has jurisdiction of this matter pursuant to A.R.S. §41-1442(B).

6 2. Venue is proper in Maricopa County pursuant to A.R.S. §2-401(17).

#### 7 PARTIES

8 3. The Civil Rights Division of the Arizona Department of Law is an administrative  
9 agency established by A.R.S. §41-1401 to enforce the provisions of the Arizona Civil Rights  
10 Act, A.R.S. §41-1401 *et seq.*

11 4. The State brings this action on its own behalf and on behalf of Ms. Yravedra, an  
12 aggrieved person, as provided by A.R.S. §41-1492.09(B).

13 5. At all relevant times, Defendant FHP was an Arizona professional corporation  
14 doing business in Cottonwood, Arizona. FHP, through its two principals, Drs. James Arthur  
15 and Dreanna Janssen, provides health care services. FHP operates a professional office for  
16 health care providers and is a place of "public accommodation" as that term is defined in  
17 A.R.S. §41-1492(9).

18 6. At all relevant times, Judi Arthur was an agent and employee of FHP.

#### 19 BACKGROUND

20 7. During the relevant time period, Ms. Yravedra sought health care services from  
21 FHP and is a person with a physical disability as defined in A.R.S. §41-1492(5). To  
22 ameliorate the effects and symptoms of her disability, Ms. Yravedra utilized an assistive  
23 animal, a dog, which Ms. Yravedra brought to the FHP office.

24 8. Ms. Yravedra twice visited FHP for health care services, and during each visit  
25 her assistive animal would accompany Ms. Yravedra into the examination room.

1           9.       During her second visit, on June 16, 2005 Ms. Yravedra stopped at FHP's front  
2 desk after her examination to make the co-pay for the services rendered. At that time, Ms.  
3 Yravedra and Ms. Arthur, FHP's Office Manager had a discussion about Ms. Yravedra's  
4 assistive animal.

5           10.       Specifically, Ms. Arthur asked Ms. Yravedra why she had an animal with her.  
6 Ms. Yravedra advised Ms. Arthur that it was a service animal and provided Ms. Arthur with an  
7 identification card for the dog that was issued by the Service Animal Registry of America  
8 ("SARA").

9           11.       Ms. Arthur questioned the authenticity of the SARA identification for the dog  
10 and asked Ms. Yravedra what tasks the dog performed for Ms. Yravedra. Ms. Yravedra  
11 explained that she utilized the dog for balance.

12          12.       Ms. Arthur informed Ms. Yravedra that she should not bring her dog on her next  
13 visit to the FHP office.

14          13.       Ms. Yravedra left the FHP office and reported the incident to the police  
15 department, who followed up by calling Ms. Arthur.

16          14.       When FHP learned about the confrontation between Ms. Yravedra and Ms.  
17 Arthur, and that Ms. Yravedra reported the incident to the police, FHP discharged Ms.  
18 Yravedra as a patient.

19          15.       Ms. Yravedra filed a charge with the State's Compliance Section on August 12,  
20 2005, in which she alleged that FHP discriminated against her because of her disability.

21          16.       The State's Compliance Section investigated Ms. Yravedra's charge pursuant to  
22 A.R.S. §41-1492.09.

23          17.       At the conclusion of the State's investigation, the State determined that there is  
24 reasonable cause to believe that Defendants discriminated against Ms. Yravedra because of her  
25 disability in violation of the Arizona Civil Rights Act.





1 C. Assess a statutory civil penalty against Defendant to vindicate the public interest  
2 in an amount that does not exceed five thousand dollars for the first violation pursuant to  
3 A.R.S. §41-1492.09.

4 D. Order Defendant to make Ms. Yravedra whole for any damage she suffered and  
5 award her damages in an amount to be determined at trial.

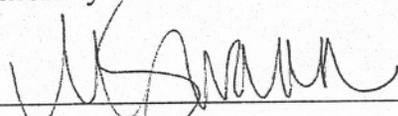
6 E. Order the State to monitor Defendant's compliance with the Arizona Civil  
7 Rights Act.

8 F. Award the State its costs incurred in bringing this action, including its attorneys'  
9 fees and taxable costs, and its costs in monitoring Defendant's future compliance with the  
10 Arizona Civil Rights Act.

11 G. Grant such other and further relief as this Court may deem just and proper in the  
12 public interest.

13 Dated this 12<sup>th</sup> day of September, 2006.

14 TERRY GODDARD  
15 Attorney General

16 By   
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