

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

STACEY R. FOWLER
[REDACTED]
[REDACTED]

Plaintiff,

v.

**AT&T INC.
C/O CT CORPORATION SYSTEM
4400 EASTON COMMONS WAY,
SUITE 125
COLUMBUS, OHIO 43219,**

**AT&T TELEHOLDINGS, INC.
D/B/A AT&T MIDWEST
C/O CT CORPORATION SYSTEM
4400 EASTON COMMONS WAY
SUITE 125
COLUMBUS, OHIO 43219,**

**OHIO BELL TELEPHONE COMPANY
D/B/A AT&T OHIO
C/O CT CORPORATION SYSTEM
4400 EASTON COMMONS WAY
SUITE 125
COLUMBUS, OHIO 43219,**

JOHN DOES 1-10,

Defendants.

Case No.

Judge

Jury Demand Endorsed Herein

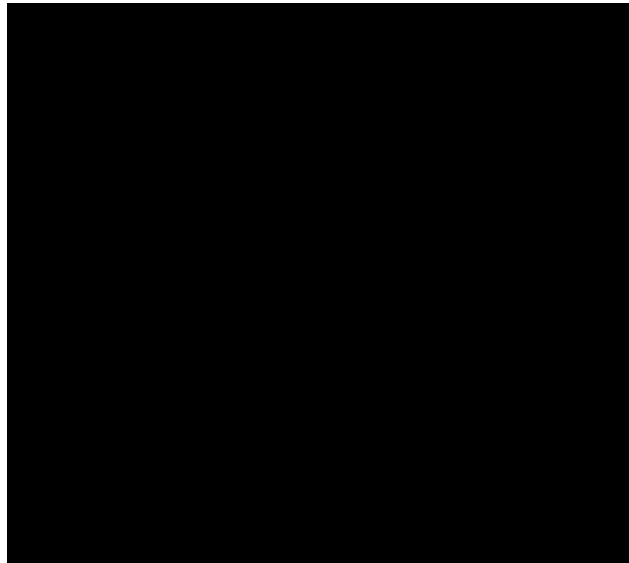
VERIFIED COMPLAINT

Plaintiff Stacey R. Fowler (“Fowler”), by and through undersigned counsel, for her Complaint against Defendants AT&T Inc., AT&T Teleholdings, Inc. (d/b/a AT&T Midwest), Ohio Bell Telephone Company (d/b/a AT&T Ohio), and John Does 1–10, alleges as follows:

INTRODUCTION

1. This lawsuit centers on the abhorrent and shocking conduct of Defendants AT&T Inc., Ohio Bell Telephone Company (“AT&T Ohio”), and AT&T Teleholdings, Inc. (“AT&T Midwest”), (collectively, “AT&T”), and unknown John Does (together with AT&T, “Defendants”) who illegally discriminated and retaliated against Plaintiff Stacey Fowler.

2. Fowler—a 53 year old black female and employee of AT&T for more than 32 years—worked in the white male dominated Construction and Engineering department at AT&T Ohio. One afternoon in March 2023, Fowler walked into her office after a day of meetings and found a note that had been slid under her office door. She opened the note and to her shock the note contained the following racist, misogynistic death threat:



3. The person or persons who left the note also stapled one of Fowler’s business cards to the note, scratching out her title on the business card, presumably to indicate proximity and access to Fowler, thus making the threat more credible.

4. Fowler immediately reported the racist, misogynistic threat. Rather than hold a single person responsible for this cowardly racist act, AT&T ***protected the racists, fulfilled their***

wishes, and fired Fowler instead—mere weeks after Fowler was threatened. Then, AT&T replaced Fowler with a white male. In doing so, AT&T made clear that it would go above and beyond to protect white males at the expense of minorities and females in general, and Fowler, in particular.

5. Accordingly, Fowler now brings this civil action, to hold AT&T accountable for its discriminatory and retaliatory actions, and to recover damages for the discrimination she has endured.

PARTIES

6. Plaintiff Stacey Fowler, is an Ohio resident. From May 21, 1990 to April 18, 2023, Fowler was an employee of AT&T Ohio.

7. Defendant AT&T Inc. is a Dallas, Texas-based communications holding company with its principal place of business at 208 S. Akard Street, Dallas, Texas 75202. At all relevant times, AT&T, Inc. owned AT&T Ohio.

8. Defendant AT&T Midwest is a Delaware communications company with its principal place of business at 30 South Wacker Drive, Floor 34, Chicago, IL 60606. Upon information and belief, at all relevant times, AT&T Midwest had an ownership interest in AT&T Ohio.

9. Defendant AT&T Ohio is a Cleveland, Ohio-based telecommunications company with its principal place of business at 750 Huron Road, Cleveland, Ohio 44113. At all relevant times, Defendant AT&T Ohio employed Plaintiff Fowler in Ohio.

10. Defendants Doe 1–10 (the “Doe Defendants”) are individuals who have not been identified, but, upon information and belief are liable related to the causes of action contained herein. Their identities are currently unknown, but Plaintiff anticipates that their identities will

be revealed during discovery, at which time Fowler will amend or seek leave to amend the Complaint.

JURISDICTION AND VENUE

11. This Court has jurisdiction over Plaintiff's federal claims pursuant to 28 U.S.C. §§ 1331 and 1343. This Court has supplemental jurisdiction over Plaintiff's state law claims pursuant to 28 U.S.C. § 1367.

12. Venue is proper under 28 U.S.C. § 1391 because substantially all the conduct complained of occurred within this District.

ADMINISTRATIVE PROCEDURES

13. Within 300 days of the conduct alleged below, and prior to the filing of this Complaint, Fowler filed a charge of discrimination with the Ohio Civil Rights Commission (the "OCRC") against AT&T.

14. The OCRC issued Fowler a Notice of Right to Sue letter on August 24, 2023, which is attached as Exhibit A.

15. Fowler has filed this Complaint within 90 days of the issuance of the Notice of Right to Sue letter.

16. Fowler has properly exhausted her administrative remedies prior to the filing of this suit.

FACTUAL BACKGROUND

A. Fowler's Exemplary Employment History With AT&T.

17. Fowler is a 54-year-old black female and former employee of AT&T Ohio.

18. Fowler was employed by AT&T Ohio from May 21, 1990, to April 18, 2023.

19. Throughout her nearly 33-year career at AT&T, Fowler worked in AT&T Ohio's Construction and Engineering Department.

20. AT&T Ohio's Construction and Engineering Department predominantly consists of white males.

21. Even so, Fowler—a black female—worked her way through the ranks, earning significant promotions within the Construction and Engineering Department.

22. From February 2007 to January 2013, Fowler held several Area Manager positions within the Construction and Engineering Department.

23. From January 2013 to around February 2021, Fowler was Area Manager of Outside Plant Design Engineering and Construction.

24. AT&T promoted Fowler to Ohio Director of Access on or around February 1, 2021.

25. As AT&T Ohio's Director of Access-Construction and Engineering, Fowler reported to Eric Cole, Assistant Vice President of Access-Construction and Engineering. Cole is a white male, who works primarily in AT&T's offices in Atlanta, Georgia.

26. Fowler also reported to Joel Barone, AT&T's Assistant Vice President of Radio Access Construction and Engineering for the Mid-Atlantic, Ohio, and Pennsylvania markets from 2020 to February 2023. Barone no longer works at AT&T. Barone is a white male.

27. Throughout Fowler's career at AT&T, Fowler received glowing reviews. Fowler's consistently positive reviews led to AT&T promoting Fowler several times, most recently in 2021.

28. For example, in January 2023, Fowler's supervisors, Cole and Barone, submitted the following reviews of Fowler's 2022 Performance:

- a. "Delivering on her 2022 Fiber build program, drastically improving the markets ESM results, and the successful launch of the BIC engineering program to support the pivot to driving penetration to our business locations passed."

- b. “Additionally, [Fowler] has done a fantastic job of training and developing her workforce and is actively involved in the personal development of her management team. The Ohio Leadership Boot camp she set up drastically reduced the ramp-up time for new managers and was essential to the market’s success.”
- c. “Since stepping into the Director role [Fowler] has displayed strong leadership skills which have enabled her to successfully deliver on her Fiber build targets while improving the efficiency of her work force. She has a hands-on approach and tackles challenges head on. [Fowler] is extremely effective in holding her suppliers accountable while partnering with them to ensure they deliver AT&T’s business needs.”

29. Based on those performance reviews, in February 2023—just two months before she was terminated—Fowler was given a raise, a “Success Bonus,” and a “Reward and Recognition” award of restricted stock units as part of her compensation package for 2023.

30. AT&T also awarded Fowler its Service Excellence Award for the first quarter of 2023. The award was announced after she was terminated.

31. In addition to performing her regular duties, AT&T officials often requested that Fowler participate in various public events related to equality, community engagement, and diversity. Fowler was often one of the only, if not the only, black woman representing AT&T at these events.

B. In 2021, AT&T Promotes Fowler to Director of the Construction and Engineering Department for Ohio a White- and Male-Dominated Department.

32. As noted above, AT&T Ohio’s Access-Construction and Engineering Department consists of predominantly white males.

33. As AT&T Ohio’s Director of the Access-Construction and Engineering Department, two levels of managers reported to Fowler.

34. The lower-level managers, known as “L1 Managers,” reported to “L2 Managers” or “Area Managers.” The Area Managers reported directly to Fowler.

35. Mrs. Fowler oversaw five Area Managers, all but one of whom were white males.

36. Those five Area Managers oversaw fifty-one L1 Managers.

37. Most of the Area Managers and L1 Managers lacked experience in managerial positions. This is because approximately 100 AT&T Ohio employees in the Construction and Engineering Department retired in 2021 due to pension incentives.

38. Upon information and belief, as a result of the mass retirements in 2021, approximately 65% of the managerial positions within AT&T Ohio's Construction and Engineering Department in 2021 were filled by employees who had never held a manager position before.

39. Because many of these L1 and Area Managers lacked managerial experience prior to 2021, Fowler facilitated leadership program meetings for all L1 and Area Managers throughout Ohio.

40. Fowler also created, facilitated, and instructed an Ohio Leadership Bootcamp Program to mentor, develop, and encourage L1 Managers.

41. Fowler's efforts to rebuild and train the Ohio Construction and Engineering Department directly benefited AT&T, as the Department met and surpassed all of its target goals for 2022.

42. Despite Fowler's successes in the Department, the Area Managers and L1 Managers made it clear that they did not like reporting to a Director who was a black woman.

43. Some of Fowler's subordinates complained about Fowler's position as Director, making statements about Fowler such as, "We had to take eight years of Obama, and now we have to deal with 'that bitch'?"

C. In November 2022, AT&T Orders Fowler to Oversee a “Surplus” of Approximately 25% of AT&T Ohio’s Construction and Engineering Department Managers.

44. In or around November 2022, AT&T decided to reduce the number of positions within Fowler’s unit by consolidating jobs, eliminating duplicative work, and reducing work deemed nonessential.

45. Internally, at AT&T, a reduction in workforce is also known as a “Surplus” (hereinafter, “Reduction in Force” for clarity).

46. Most of the positions within Fowler’s unit that AT&T decided to reduce were L1 Managers. Indeed, AT&T demanded that the Department eliminate sixteen L1 Manager positions.

47. AT&T also required that Fowler terminate one of the five Area Managers.

48. Fowler disagreed with AT&T’s decision to terminate sixteen of the fifty-one L1 Managers within her Department—nearly a third of the employees in those positions—for several reasons. First, the Surplus would set back the progress the Department had made under Fowler the previous year. Second, to her knowledge, this was an abnormally large Reduction in Force. Fowler cannot recall another AT&T Director of Construction having to select more than nine employees for a single Reduction in Force.

D. Fowler Shepherds the Area Managers Through the Reduction in Force, With Little to No Support or Guidance From AT&T.

49. Although Fowler was a relatively new Director, AT&T provided little to no assistance to Fowler related to overseeing the Reduction in Force.

50. However, Fowler sought to provide support and guidance to the Area Managers who reported to her and were responsible for determining which L1 Managers would be selected for the Reduction in Force.

51. In November and December 2022, the Area Managers began reviewing and selecting the L1 Managers that would be subject to the Reduction in Force.

52. Fowler and the Area Managers met several times to discuss each L1 Manager and whether their respective Area Manager had selected them for the Reduction in Force.

53. The Area Managers—not Fowler—were the final decision makers regarding which of the L1 Managers would be terminated. Fowler did not select any individual L1 Manager for the Reduction in Force, but simply supported the Area Managers through the process.

54. By February 2023, the Area Managers had finalized the L1 Managers chosen for termination and submitted those names to AT&T's Human Resources Department.

55. Upon information and belief, at least one of the Area Managers falsely told some of the terminated L1 Managers that Fowler had chosen to terminate them because they were white men.

56. Upon information and belief, the same Area Managers (all of whom were white males) gave some of the terminated L1 Managers confidential managerial documents, against Fowler's orders and AT&T policy.

57. Upon information and belief, not one Area Manager has been disciplined for disclosing confidential materials in violation of management orders and AT&T policy.

E. AT&T Opens An Investigation into Fowler After AT&T Receives a Reverse Discrimination Claim Related to the Reduction in Force.

58. Almost immediately after AT&T completed the Surplus of sixteen L1 Managers, AT&T purportedly received a reverse-discrimination claim from at least one L1 Manager whose position was terminated.

59. AT&T's Equal Employment Opportunity unit immediately opened an investigation, the primary subject of which was Fowler.

60. AT&T wasted no time in pursuing a white man's complaint that he had been terminated based on his race.

61. Indeed, AT&T Investigator Thomas Rutledge promptly conducted a forensic review of Fowler's emails and her computer.

62. By March 15, 2023, just weeks after the Reduction in Force decision was announced, Rutledge interrogated Fowler about the purported reverse-discrimination claim.

63. In the interrogation, Fowler was open and honest, describing the entire Reduction in Force process.

64. Fowler explained that the Area Managers were the final decision makers, and she made clear that no discrimination took place.

65. Still, AT&T's investigation focused on Fowler, not the white male Area Managers, all of whom were the final decision makers for the Reduction in Force.

66. Upon information and belief, some of the white male Area Managers defied Fowler's direct orders by sharing confidential managerial documents with terminated L1 Managers.

67. Upon information and belief, the white male Area Managers lied to Investigator Rutledge about Fowler's involvement in the Reduction in Force, about Fowler having discriminatory motives in overseeing the Reduction in Force, and about whether the Area Managers gave confidential information to L1 Managers regarding the Reduction in Force.

68. Upon information and belief, AT&T continues to employ those same white male Area Managers who lied in the investigation and who shared confidential managerial documents with terminated L1 Managers.

F. Fowler Finds the Racist, Misogynistic Death Threat in Her Office, and Immediately Reports It to AT&T.

69. On March 30, 2023, around 7:50 a.m., Fowler arrived at AT&T Ohio's office building, located at 8372 E. Broad Street, Reynoldsburg, Ohio 43068.

70. AT&T Ohio's 8372 E. Broad Street office building requires scanning a personnel badge to unlock and access any of the office building's exterior doors.

71. Fowler worked in her office for about two hours, until about 9:40 a.m. She locked the door upon leaving her office, and did not return until later in the afternoon.

72. Fowler spent the bulk of the day in a conference room on the first floor of the building, where she conducted in-person staff meetings with the Area Managers who reported to her.

73. Once the group meeting of the Area Managers was completed, Fowler conducted one-on-one meetings with each of the Area Managers in a room down the hallway from the conference room where the group meeting was held.

74. After completing her meetings, Fowler returned to her office at approximately 2:40 p.m. She unlocked the door to her office, opened it, and immediately noticed on her office floor a folded piece of paper that was taped shut with her business card stapled to it.

75. Fowler picked up the folded paper, retrieved her coat, closed and locked her office door, then entered L1 Manager Justin Mattison's office where he and fellow L1 Manager Tyler Herring were collecting their belongings before they left the building.

76. Having not yet opened the folded paper, Fowler asked Mattison and Herring if they had slid the folded paper under her office door.

77. Mattison and Herring responded that they did not and asked Fowler what the paper was.

78. Fowler opened the paper and read the typed note (the “Death Threat”) that stated in all capital letters “YOU STUPID **NIGGER** BITCH. IF WE CAN’T TAKE YOU **DOWN** WILL TAKE YOU **OUT**.” Fowler’s business card with her title, “AT&T Director” crossed out, was stapled to the Death Threat.

79. Upon reading the Death Threat, Fowler became light-headed, emotional, and frightened because she believed someone had threatened her life.

80. Once Fowler collected herself, but before leaving the office, Fowler called and texted her direct supervisor, Cole, about the Death Threat.

81. After leaving the building, Fowler drove to a nearby Target parking lot and called AT&T’s Asset Protection unit to report the Death Threat.

82. Fowler also prepared a written report regarding the Death Threat and sent it to Cole.

83. That night, Cole, Vice President Chris Altomari, Asset Protection Investigator Louis Williams, and Human Relations Officer Hannah Francis called Fowler to discuss the Death Threat.

84. Altomari and Cole advised Fowler to work from home until AT&T investigated and resolved the Death Threat.

85. The next day, March 31, 2023, Fowler began working from home.

G. AT&T Fails to Investigate the Death Threat.

86. On or around March 31, 2023, AT&T’s Asset Protection Investigator Louis Williams told Fowler that she should file a police report because it would “add more weight” to the investigation.

87. Williams did not explain to Fowler what he meant by “adding more weight” to the investigation, but Fowler believed that Williams meant that AT&T would take the investigation more seriously if she first filed a police report.

88. On April 1, 2023, the day after Fowler found the Threat, she filed a police report.

89. After several days of working from home, Fowler still had not heard from AT&T’s Asset Protection unit regarding the status of the investigation of the Death Threat, despite her repeated requests for information.

90. Nor had Fowler heard from AT&T’s Equal Employment Opportunity unit about any investigatory actions it had taken.

91. In contrast to AT&T’s swift investigation of the baseless allegations of reverse-discrimination made by a white employee just weeks earlier, AT&T did not treat the vicious and vile, racist and misogynistic Death Threat that Fowler reported with any urgency or gravity.

92. Indeed, it took Investigator Williams almost two weeks after Fowler had found and reported the Death Threat for the Investigator to turn his attention to the issue.

93. On April 11, 2023, Investigator Williams met with Fowler to discuss the Death Threat. In that meeting, Investigator Williams represented that he had taken written statements from three witnesses, but he did not share whether he had conducted any sort of forensic investigation.

94. In that meeting, Investigator Williams also confided in Fowler the identity of the white male the Investigator believed may have left the note.

95. After this meeting, Investigator Williams prepared a formal statement for Fowler to sign regarding the Death Threat, and Fowler executed that document the same day.

H. On April 18, 2023, AT&T Terminates Fowler.

96. On April 13, 2023, two days after Fowler met with Investigator Williams and submitted her written statement, AVP Cole, whose office is in Georgia, contacted Fowler to request a face-to-face meeting the following Tuesday morning, on April 18th, when he was planning to visit AT&T's Columbus offices.

97. Fowler agreed to the meeting.

98. On April 18, 2023, at 7:30 a.m., Fowler met with AVP Cole and HR Officer Francis—both of whom called Fowler the night she found and reported the Death Threat.

99. During the April 18 meeting, AVP Cole read a prepared statement to Fowler, notifying her that AT&T had terminated Fowler in connection with the investigation into the reverse-discrimination claim.

100. AVP Cole did not provide the written statement to Fowler.

101. AVP Cole did not ask Fowler to sign anything, and did not conduct AT&T's "Exit Interview Process."

102. The alleged reasons for Fowler's termination were not legitimate and were clearly pretextual.

103. AT&T's termination of Fowler concluded AT&T's so-called investigation into the Death Threat.

104. Upon information and belief, AT&T continues to employ the white male employees who made the racist Death Threat to Fowler, which violated the law and AT&T policy.

105. Fowler's job and responsibilities have been assumed by a white male.

COUNT I
Retaliation—42 U.S.C. § 1981
As Against AT&T

106. Fowler hereby restates, realleges, and incorporates by reference each of the above allegations as if fully restated here.

107. Fowler engaged in protected activity when she reported the Death Threat to AT&T.

108. At all times relevant, AT&T was aware Fowler was engaged in a protected activity.

109. AT&T retaliated against Fowler by terminating her employment.

110. Fowler's termination was directly related to the protected activity in which she engaged.

111. But for Fowler engaging in protected activity, Fowler would not have experienced the retaliation to which AT&T has subjected her.

112. AT&T has violated 42 U.S.C. § 1981 by subjecting Fowler to retaliation for her complaints and opposition to the Death Threat—an anonymous, discriminatory note used to intentionally intimidate Fowler because of her race and gender—which AT&T chose not to meaningfully investigate and instead decided to terminate Fowler's employment.

113. As a direct and proximate result of AT&T's unlawful retaliatory conduct in violation of § 1981, Fowler has suffered and continues to suffer monetary and/or economic damages, including, but not limited to, loss of past and future income, compensation, and benefits for which she is entitled to an award of monetary damages, and other relief.

114. As a direct and proximate result of AT&T's unlawful retaliatory conduct in violation of § 1981, Fowler has suffered and continues to suffer severe mental anguish and emotional distress, including, but not limited to, depression, humiliation, embarrassment, stress

and anxiety, loss of self-esteem, fear for her safety, and emotional pain and suffering for which she is entitled to an award of monetary damages and other relief.

115. AT&T's unlawful retaliatory conduct constitutes a willful and wanton violation of § 1981, which was outrageous, malicious, was intended to injure Fowler, and was done with conscious disregard of Fowler's civil rights, entitling Fowler to an award of punitive damages.

COUNT II
Retaliation—Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e, *et seq.*
As Against AT&T

116. Fowler hereby restates, realleges, and incorporates by reference each of the above allegations as if fully restated here.

117. Fowler engaged in protected activity when she reported the Death Threat to AT&T.

118. At all times relevant, AT&T was aware Fowler was engaged in a protected activity.

119. AT&T retaliated against Fowler by terminating her employment.

120. Fowler's termination was directly related to the protected activity in which she engaged.

121. But for Fowler engaging in protected activity, Fowler would not have experienced the retaliation to which AT&T has subjected her.

122. AT&T has violated Title VII by subjecting Fowler to retaliation for her complaints and opposition to the Death Threat—an anonymous, discriminatory note used to intentionally intimidate Fowler because of her race and gender—which AT&T chose not to meaningfully investigate and instead decided to terminate Fowler's employment.

123. As a direct and proximate result of AT&T's unlawful retaliatory conduct in violation of Title VII, Fowler has suffered and continues to suffer monetary and/or economic damages, including, but not limited to, loss of past and future income, compensation, and benefits for which she is entitled to an award of monetary damages, and other relief.

124. As a direct and proximate result of AT&T's unlawful retaliatory conduct in violation of Title VII, Fowler has suffered and continues to suffer severe mental anguish and emotional distress, including, but not limited to, depression, humiliation, embarrassment, stress and anxiety, loss of self-esteem, fear for her safety, and emotional pain and suffering for which she is entitled to an award of monetary damages and other relief.

125. AT&T's unlawful retaliatory conduct constitutes a willful and wanton violation of Title VII, which was outrageous, malicious, was intended to injure Fowler, and was done with conscious disregard of Fowler's civil rights, entitling Fowler to an award of punitive damages.

COUNT III
Race Discrimination—42 U.S.C. § 1981
As Against AT&T

126. Fowler hereby restates, realleges, and incorporates by reference each of the above allegations, as if fully restated here.

127. Fowler suffered an adverse employment action when AT&T terminated Fowler.

128. AT&T terminated Fowler because of her race.

129. But for Fowler's race, AT&T would not have terminated her employment.

130. AT&T violated 42 U.S.C. § 1981 by subjecting Fowler to discrimination by terminating Fowler's employment and assigning her duties to Jim Styf, a white male, and/or other non-black individuals.

131. As a direct and proximate result of AT&T's unlawful discriminatory conduct in violation of § 1981, Fowler has suffered and continues to suffer monetary and/or economic damages, including, but not limited to, loss of past and future income, compensation, and benefits for which she is entitled to an award of monetary damages, and other relief.

132. As a direct and proximate result of AT&T's unlawful discriminatory conduct in violation of § 1981, Fowler has suffered and continues to suffer severe mental anguish and emotional distress, including, but not limited to, depression, humiliation, embarrassment, stress and anxiety, loss of self-esteem, fear for her safety, and emotional pain and suffering for which she is entitled to an award of monetary damages and other relief.

133. AT&T's unlawful discriminatory conduct constitutes a willful and wanton violation of § 1981, which was outrageous, malicious, was intended to injure Fowler, and was done with conscious disregard of Fowler's civil rights, entitling Fowler to an award of punitive damages.

COUNT IV
Race Discrimination—Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e, *et seq.*
As Against AT&T

134. Fowler hereby restates, realleges, and incorporates by reference each of the above allegations, as if fully restated here.

135. Fowler suffered an adverse employment action when AT&T terminated Fowler.

136. AT&T terminated Fowler because of her race.

137. Alternatively, Fowler's race was a motivating factor in AT&T's decision to terminate Fowler.

138. AT&T violated Title VII by subjecting Fowler to discrimination by deciding to terminate Fowler's employment and assigning her duties to Jim Styf, a white male, and/or other non-black individuals.

139. As a direct and proximate result of AT&T's unlawful discriminatory conduct in violation of Title VII, Fowler has suffered and continues to suffer monetary and/or economic damages, including, but not limited to, loss of past and future income, compensation, and benefits for which she is entitled to an award of monetary damages, and other relief.

140. As a direct and proximate result of AT&T's unlawful discriminatory conduct in violation of Title VII, Fowler has suffered and continues to suffer severe mental anguish and emotional distress, including, but not limited to, depression, humiliation, embarrassment, stress and anxiety, loss of self-esteem, fear for her safety, and emotional pain and suffering for which she is entitled to an award of monetary damages and other relief.

141. AT&T's unlawful discriminatory conduct constitutes a willful and wanton violation of Title VII, which was outrageous, malicious, was intended to injure Fowler, and was done with conscious disregard of Fowler's civil rights, entitling Fowler to an award of punitive damages.

COUNT V
Race Discrimination—R.C. 4112.02
As Against AT&T

142. Fowler hereby restates, realleges, and incorporates by reference each of the above allegations, as if fully restated here.

143. Fowler suffered an adverse employment action when AT&T terminated Fowler.

144. AT&T terminated Fowler because of her race.

145. Alternatively, Fowler's race was a motivating factor in AT&T's decision to terminate Fowler.

146. AT&T violated R.C. 4112.02 by subjecting Fowler to discrimination by deciding to terminate Fowler's employment and assigning her duties to Jim Styf, a white male, and/or other non-black individuals.

147. As a direct and proximate result of AT&T's unlawful discriminatory conduct in violation of R.C. 4112.02, Fowler has suffered and continues to suffer monetary and/or economic damages, including, but not limited to, loss of past and future income, compensation, and benefits for which she is entitled to an award of monetary damages, and other relief.

148. As a direct and proximate result of AT&T's unlawful discriminatory conduct in violation of R.C. 4112.02, Fowler has suffered and continues to suffer severe mental anguish and emotional distress, including, but not limited to, depression, humiliation, embarrassment, stress and anxiety, loss of self-esteem, fear for her safety, and emotional pain and suffering for which she is entitled to an award of monetary damages and other relief.

149. AT&T's unlawful discriminatory conduct constitutes a willful and wanton violation of R.C. 4112.02, which was outrageous, malicious, was intended to injure Fowler, and was done with conscious disregard of Fowler's civil rights, entitling Fowler to an award of punitive damages.

COUNT VI

Sex Discrimination—Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e, *et seq.* As Against AT&T

150. Fowler hereby restates, realleges, and incorporates by reference each of the above allegations, as if fully restated here.

151. Fowler suffered an adverse employment action when AT&T terminated Fowler.

152. AT&T terminated Fowler because of her sex.

153. Alternatively, Fowler's sex was a motivating factor in AT&T's decision to terminate Fowler.

154. AT&T violated Title VII by subjecting Fowler to discrimination by deciding to terminate Fowler's employment and assigning her duties to Jim Styf, a white male, and/or other males.

155. As a direct and proximate result of AT&T's unlawful discriminatory conduct in violation of Title VII, Fowler has suffered and continues to suffer monetary and/or economic damages, including, but not limited to, loss of past and future income, compensation, and benefits for which she is entitled to an award of monetary damages, and other relief.

156. As a direct and proximate result of AT&T's unlawful discriminatory conduct in violation of Title VII, Fowler has suffered and continues to suffer severe mental anguish and emotional distress, including, but not limited to, depression, humiliation, embarrassment, stress and anxiety, loss of self-esteem, fear for her safety, and emotional pain and suffering for which she is entitled to an award of monetary damages and other relief.

157. AT&T's unlawful discriminatory conduct constitutes a willful and wanton violation of Title VII, which was outrageous, malicious, was intended to injure Fowler, and was done with conscious disregard of Fowler's civil rights, entitling Fowler to an award of punitive damages.

COUNT VII
Sex Discrimination—R.C. 4112.02
As Against AT&T

158. Fowler hereby restates, realleges, and incorporates by reference each of the above allegations, as if fully restated here.

159. Fowler suffered an adverse employment action when AT&T terminated Fowler.

160. AT&T terminated Fowler because of her sex.

161. Alternatively, Fowler's sex was a motivating factor in AT&T's decision to terminate Fowler.

162. AT&T violated R.C. 4112.02 by subjecting Fowler to discrimination by deciding to terminate Fowler's employment and assigning her duties to Jim Styf, a white male, and/or other males.

163. As a direct and proximate result of AT&T's unlawful discriminatory conduct in violation of R.C. 4112.02, Fowler has suffered and continues to suffer monetary and/or economic damages, including, but not limited to, loss of past and future income, compensation, and benefits for which she is entitled to an award of monetary damages, and other relief.

164. As a direct and proximate result of AT&T's unlawful discriminatory conduct in violation of R.C. 4112.02, Fowler has suffered and continues to suffer severe mental anguish and emotional distress, including, but not limited to, depression, humiliation, embarrassment, stress and anxiety, loss of self-esteem, fear for her safety, and emotional pain and suffering for which she is entitled to an award of monetary damages and other relief.

165. AT&T's unlawful discriminatory conduct constitutes a willful and wanton violation of R.C. 4112.02, which was outrageous, malicious, was intended to injure Fowler, and was done with conscious disregard of Fowler's civil rights, entitling Fowler to an award of punitive damages.

COUNT VIII
Hostile Work Environment—42 U.S.C. § 1981
As Against AT&T

166. Fowler hereby restates, realleges, and incorporates by reference each of the above allegations, as if fully restated here.

167. AT&T subjected Fowler to a hostile work environment because of her race and/or sex.

168. Fowler was subjected to a hostile work environment when she was targeted by AT&T in the reverse-discrimination investigation related to the Surplus.

169. Fowler was also subjected to a hostile work environment when AT&T failed to provide any meaningful protections for Fowler in the wake of the Death Threat or to investigate the Death Threat.

170. AT&T's failure to protect Fowler from the hostile work environment was because of Fowler's race and/or gender.

171. AT&T's hostile environment that Fowler was subject to was so severe or pervasive that a reasonable person in Fowler's position would find the environment hostile or abusive.

172. Fowler believed that her work environment was hostile or abusive as a result of AT&T's conduct, and notified AT&T of her environment.

173. Fowler suffered an adverse employment action—she was terminated—because of the hostile work environment that AT&T created or failed to investigate or remedy.

174. AT&T violated 42 U.S.C. § 1981 by subjecting Fowler to a hostile work environment, about which Fowler complained and opposed, and which in response to AT&T chose not to meaningfully investigate and instead decided to terminate Fowler's employment.

175. As a direct and proximate result of AT&T's unlawful conduct in violation of § 1981, Fowler has suffered and continues to suffer monetary and/or economic damages, including, but not limited to, loss of past and future income, compensation, and benefits for which she is entitled to an award of monetary damages, and other relief.

176. As a direct and proximate result of AT&T's unlawful conduct in violation of § 1981, Fowler has suffered and continues to suffer severe mental anguish and emotional distress, including, but not limited to, depression, humiliation, embarrassment, stress and anxiety, loss of self-esteem, fear for her safety, and emotional pain and suffering for which she is entitled to an award of monetary damages and other relief.

177. AT&T's unlawful conduct constitutes a willful and wanton violation of § 1981, which was outrageous, malicious, was intended to injure Fowler, and was done with conscious disregard of Fowler's civil rights, entitling Fowler to an award of punitive damages.

COUNT IX
Hostile Work Environment—Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e,
et seq.
As Against AT&T

178. Fowler hereby restates, realleges, and incorporates by reference each of the above allegations, as if fully restated here.

179. AT&T subjected Fowler to a hostile work environment because of her race and/or sex.

180. Fowler was subjected to a hostile work environment when she was targeted by AT&T in the reverse-discrimination investigation related to the Surplus.

181. Fowler was also subjected to a hostile work environment when AT&T failed to provide any meaningful protections for Fowler in the wake of the Death Threat or to investigate the Death Threat.

182. AT&T's failure to protect Fowler from the hostile work environment was because of Fowler's race and/or gender.

183. AT&T's hostile environment that Fowler was subject to was so severe or pervasive that a reasonable person in Fowler's position would find the environment hostile or abusive.

184. Fowler believed that her work environment was hostile or abusive as a result of AT&T's conduct, and notified AT&T of her environment.

185. Fowler suffered an adverse employment action—she was terminated—because of the hostile work environment that AT&T created or failed to investigate or remedy.

186. AT&T violated Title VII by subjecting Fowler to a hostile work environment, about which Fowler complained and opposed, and which in response AT&T chose not to meaningfully investigate and instead decided to terminate Fowler's employment.

187. As a direct and proximate result of AT&T's unlawful conduct in violation of Title VII, Fowler has suffered and continues to suffer monetary and/or economic damages, including, but not limited to, loss of past and future income, compensation, and benefits for which she is entitled to an award of monetary damages, and other relief.

188. As a direct and proximate result of AT&T's unlawful conduct in violation of Title VII, Fowler has suffered and continues to suffer severe mental anguish and emotional distress, including, but not limited to, depression, humiliation, embarrassment, stress and anxiety, loss of self-esteem, fear for her safety, and emotional pain and suffering for which she is entitled to an award of monetary damages and other relief.

189. AT&T's unlawful conduct constitutes a willful and wanton violation of Title VII, which was outrageous, malicious, was intended to injure Fowler, and was done with conscious disregard of Fowler's civil rights, entitling Fowler to an award of punitive damages.

COUNT X
Hostile Work Environment—R.C. 4112.02
As Against AT&T

190. Fowler hereby restates, realleges, and incorporates by reference each of the above allegations, as if fully restated here.

191. AT&T subjected Fowler to a hostile work environment because of her race and/or sex.

192. Fowler was subjected to a hostile work environment when she was targeted by AT&T in the reverse-discrimination investigation related to the Surplus.

193. Fowler was also subjected to a hostile work environment when AT&T failed to provide any meaningful protections for Fowler in the wake of the Death Threat or to investigate the Death Threat.

194. AT&T's failure to protect Fowler from the hostile work environment was because of Fowler's race and/or gender.

195. AT&T's hostile environment that Fowler was subject to was so severe or pervasive that a reasonable person in Fowler's position would find the environment hostile or abusive.

196. Fowler believed that her work environment was hostile or abusive as a result of AT&T's conduct, and notified AT&T of her environment.

197. Fowler suffered an adverse employment action—she was terminated—because of the hostile work environment that AT&T created or failed to investigate or remedy.

198. AT&T violated R.C. 4112.02 by subjecting Fowler to a hostile work environment, about which Fowler complained and opposed, and which AT&T chose not to meaningfully investigate and instead decided to terminate Fowler's employment.

199. As a direct and proximate result of AT&T's unlawful conduct in violation of R.C. 4112.02, Fowler has suffered and continues to suffer monetary and/or economic damages, including, but not limited to, loss of past and future income, compensation, and benefits for which she is entitled to an award of monetary damages, and other relief.

200. As a direct and proximate result of AT&T's unlawful conduct in violation of R.C. 4112.02, Fowler has suffered and continues to suffer severe mental anguish and emotional distress, including, but not limited to, depression, humiliation, embarrassment, stress and anxiety, loss of self-esteem, fear for her safety, and emotional pain and suffering for which she is entitled to an award of monetary damages and other relief.

201. AT&T's unlawful conduct constitutes a willful and wanton violation of R.C. 4112.02, which was outrageous, malicious, was intended to injure Fowler, and was done with conscious disregard of Fowler's civil rights, entitling Fowler to an award of punitive damages.

COUNT XI
Intentional Infliction of Emotional Distress
As Against Doe Defendants

202. Fowler hereby restates, realleges, and incorporates by reference each of the above allegations, as if fully restated here.

203. Doe Defendants engaged in extreme and outrageous conduct beyond all possible bounds of decency and is intolerable in a civilized community when they wrote the Death Threat and placed it under Fowler's office door.

204. Doe Defendants knew that their actions would result in serious emotional distress for Fowler, and indeed intended to create that result.

205. As a direct and proximate result of Doe Defendants' extreme and outrageous conduct, Fowler has suffered and continues to suffer monetary and/or economic damages,

including, but not limited to, loss of past and future income, compensation, and benefits for which she is entitled to an award of monetary damages, and other relief.

206. As a direct and proximate result of Doe Defendants' extreme and outrageous conduct, Fowler has suffered and continues to suffer severe mental anguish and emotional distress, including, but not limited to, depression, humiliation, embarrassment, stress and anxiety, loss of self-esteem, fear for her safety, and emotional pain and suffering for which she is entitled to an award of monetary damages and other relief.

207. Fowler has suffered mental anguish of a nature no reasonable person could be expected to endure.

208. Doe Defendants' extreme and outrageous conduct was malicious, was intended to injure Fowler, and was done with conscious disregard of Fowler's rights, entitling Fowler to an award of punitive damages.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff Stacey R. Fowler respectfully requests judgment in her favor on all claims in the Complaint against all Defendants jointly and severally, and prays for the following relief:

- A. Economic compensatory damages in an amount to be determined at trial;
- B. Non-economic compensatory damages in an amount to be determined at trial;
- C. Liquidated, treble, punitive, or other exemplary damages in an amount to be determined at trial;
- D. Front pay and back pay in an amount to be determined at trial;
- E. Attorneys' fees, expert fees, costs, and expenses incurred in pursuing the claims against Defendants pursuant to 42 U.S.C. § 1988 and state law;
- F. Pre-judgment and post-judgment interest; and

G. All other legal and equitable relief this Court and/or a jury determines to be appropriate.

Date: September 27, 2023

Respectfully submitted,

/s/ Shawn J. Organ

Shawn J. Organ, Esq. (0042052)

Kirsten R. Fraser, Esq. (0093951)

Connor A. Organ, Esq. (0097995)

ORGAN LAW LLP

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Columbus, Ohio 43215

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614.481.0904 (f)

sjorgan@organlegal.com

kfraser@organlegal.com

corgan@organlegal.com

Attorneys for Plaintiff Stacey R. Fowler

JURY DEMAND

Plaintiff Stacey R. Fowler hereby demands a trial by jury of all issues triable of right by jury.

/s/ Shawn J. Organ
Shawn J. Organ, Esq. (0042052)

VERIFICATION

STATE OF OHIO)
)
COUNTY OF FRANKLIN)

Now comes Stacey Fowler and states that she has read the foregoing Verified Complaint and that the allegations contained therein are true and accurate to the best of her knowledge, information, and belief.



Stacey Fowler

Sworn to before me and subscribed in my presence this 28th day of September 2023.



Connor A. Organ
Attorney At Law
Notary Public, State of Ohio
My commission has no expiration date
Sec. 147.03 R.C.



Notary Public

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

STACEY R. FOWLER
[REDACTED]
[REDACTED]

Plaintiff,

v.

**AT&T INC.
C/O CT CORPORATION SYSTEM
4400 EASTON COMMONS WAY,
SUITE 125
COLUMBUS, OHIO 43219,**

**AT&T TELEHOLDINGS, INC.
D/B/A AT&T MIDWEST
C/O CT CORPORATION SYSTEM
4400 EASTON COMMONS WAY
SUITE 125
COLUMBUS, OHIO 43219,**

**OHIO BELL TELEPHONE COMPANY
D/B/A AT&T OHIO
C/O CT CORPORATION SYSTEM
4400 EASTON COMMONS WAY
SUITE 125
COLUMBUS, OHIO 43219,**

JOHN DOES 1-10,

Defendants.

Case No.

Judge

EXHIBIT A



OHIO CIVIL RIGHTS COMMISSION

Governor Mike DeWine

Commissioners: Valerie A. Lemmie, Chair | Lori Barreras | William Patmon, III | Madhu Singh | Charlie Winburn
Executive Director Angela Phelps-White

August 24, 2023

**Mail Date: August 24, 2023

Stacey Fowler

AT&T

Attn: HR Representative

8372 E. Broad st

Reynoldsburg, OH 43068

LETTER OF DETERMINATION

Stacey Fowler v. AT&T

COL71(51249)04192023;22A-2023-04453

FINDINGS OF FACT:

Charging Party filed a charge of discrimination with the Ohio Civil Rights Commission alleging Respondent engaged in an unlawful discriminatory practice. All jurisdictional requirements for filing a charge have been met. Prior to the conclusion of the investigation, Charging Party requested to withdraw the charge to request a Notice of Right to Sue from the Ohio Civil Rights Commission or Equal Employment Opportunity Commission.

DECISION:

The Ohio Civil Rights Commission has entered into its record a finding of **WITHDRAWAL OF CHARGE – REQUEST A NOTICE OF RIGHT TO SUE**. The matter is **CLOSED**.

Please refer to the enclosed **NOTICE OF RIGHT TO SUE** for additional information on Charging Party's suit rights.

NOTICE OF RIGHT TO PETITION FOR JUDICIAL REVIEW:

A determination of the Commission that constitutes a Final Order is subject to judicial review, wherein the court reviews the contents of this letter and determines if there are sufficient factual findings supporting why the Commission did not issue a complaint. A petition for judicial review must be filed in the proper common pleas court within **THIRTY (30) days** of the date the Commission mailed this Final Order. The right to obtain judicial review and the mode and procedure thereof is set forth in Ohio Revised Code § 4112.06.

The judicial review process is not a means to reexamine the investigation or further pursue your allegations through the Commission. You may consult with an attorney for information on available options.

Stacey Fowler v. AT&T
COL71(51249)04192023;22A-2023-04453

FOR THE COMMISSION

/s/ ***Bai Benson***

Bai Benson, Columbus Regional Supervisor

Columbus Regional Office

P: 614-466-5928

E: bai.benson@civ.ohio.gov

cc: Representative for Charging Party:

Connor A. Organ Esq.

Organ Law LLP

Attorneys At Law

1330 Dublin Rd

Columbus, OH 43215

Representative for Respondent:

OHIO CIVIL RIGHTS COMMISSION

Board of Commissioners:

Valerie A. Lemmie – Chair
Lori Barreras
William W. Patmon, III
Madhu Singh
Charlie Winburn



Angela Phelps-White,

Executive Director

Charging Party,

Stacey Fowler

v.

Respondent,

AT&T

)
)
)
) **Charge No.** COL71(51249)04192023
) 22A-2023-04453
)
)
)
)
)
)

NOTICE OF RIGHT TO SUE

Pursuant to Ohio Revised Code 4112.051, you may file a civil action against the Respondent(s) alleging a violation of Ohio Revised Code 4112. The lawsuit may be filed in any State of Ohio court that has jurisdiction over the matter. Ohio Revised Code 4112.052 and 4112.14 provides that such a civil action must be filed within two years after the date of the alleged discriminatory practice. The time period to file a civil action is tolled during the pendency of the Commission investigation. You are advised to consult with an attorney to determine with accuracy the date by which a civil action must be filed. NOTE: If you request reconsideration of the Commission's determination, this NOTICE OF RIGHT TO SUE will be vacated. FOR FEDERAL COURT FILINGS: Notices of Right to Sue under federal law will be issued by the EEOC.

FOR THE COMMISSION

/s/George Shaw

George Shaw
Columbus Regional Director
30 E. Broad St., 4th Floor
Columbus, OH 43215
(614) 466-5928

Date mailed: August 24, 2023

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

Stacey R. Fowler

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

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

Shawn J. Organ, Kirsten R. Fraser, Connor A. Organ
Organ Law LLP
1330 Dublin Road, Columbus, OH 43215, 614-481-0900

DEFENDANTS

AT&T Inc.; AT&T Teleholdings, Inc.;
Ohio Bell Telephone CompanyCounty of Residence of First Listed Defendant
(IN U.S. PLAINTIFF CASES ONLY)NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF
THE TRACT OF LAND INVOLVED

Attorneys (If Known)

Jaime Mata, 208 S. Akard Street, 30th Flr., Dallas, TX 75202
(214) 757-7504

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. § 1981, 42 U.S.C. § 2000e

Brief description of cause:

Defendants discriminated against, retaliated against, and created a hostile work environment for Plaintiff because of her race and/or sex.

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

SIGNATURE OF ATTORNEY OF RECORD

September 28, 2023

/s/ Shawn J. Organ

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 pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

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