



DISTRICT COURT  
**FILED**

IN THE DISTRICT COURT IN AND FOR TULSA COUNTY  
STATE OF OKLAHOMA

JUL - 7 2014

JESSICA L. CHANCE

Plaintiff,

vs.

THE CITY OF TULSA,  
RAY DRISCOLL, TULSA FIRE CHIEF,

Defendants.

SALLY HOWE SMITH, COURT CLERK  
STATE OF OKLA. TULSA COUNTY

**CJ-2014-02597**

**DAMAN CANTRELL**

ATTORNEY LIEN CLAIMED

**PETITION**

COMES NOW the plaintiff, Jessica L. Chance, through her attorneys of record, bring this action against the defendants, the City of Tulsa and Ray Driscoll for violations of her constitutionally protected rights arising out of Defendants' failure to hire the Plaintiff based upon her gender.

**PARTIES, JURISDICTION AND VENUE**

1. Plaintiff is a resident of Tulsa County, Oklahoma.
2. Defendant City of Tulsa regularly conducts business in Tulsa County, State of Oklahoma and employ more than fifteen (15) people.
3. Defendant Ray Driscoll is a resident of Tulsa County, Oklahoma.
4. The incidents and occurrences which form the basis of Plaintiff's action occurred in Tulsa County.
5. This Court has jurisdiction and venue is proper in Tulsa County.
6. Compensatory damages are sought pursuant to 42 U.S.C. § 2000e, *et seq.* and 42 U.S.C. § 1981.

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7. Punitive damages are sought pursuant to 42 U.S.C. § 1981.
8. Costs and attorney's fees may be awarded pursuant to 42 U.S.C. § 2000e, *et seq*

**FACTS COMMON TO ALL CLAIMS**

9. The Plaintiff is a female.
10. The Plaintiff applied for a position as a firefighter with the Tulsa Fire Department in October of 2011.
11. The Plaintiff completed and passed several written and physical exams during the months of November 2011 through April 2012.
12. The Plaintiff advanced to the fourth round of the testing/hiring process. During this interview, Defendant Driscoll instructed the Plaintiff to stand against a wall and pose for a picture. He stated that they were taking pictures of all of the applicants, however, upon information the Plaintiff gained from other male applicants, Plaintiff learned that the other male applicants were not photographed.
13. The Plaintiff then learned that she was not being hired to work for the Tulsa Fire Department in August 2012.
14. The Plaintiff next learned that the photograph taken of her by Defendant Driscoll was used to compare to nude photographs obtained of the Plaintiff from a Tulsa Police Officer in order to confirm that it was the Plaintiff in the photographs. The nude photographs were taken within the confines of a previous relationship the Plaintiff had with the Tulsa Police Officer.
15. The Plaintiff was discriminated against as a result of these gender-based actions and criteria used for consideration and qualification for the position. The

actions such as those described above were not taken when considering whether the male applicants were qualified for the position. The Plaintiff believes that Defendants hired male applicants who were less qualified than her when comparing their testing scores from the interview process with her scores.

16. Based upon the above described facts, the Defendants failed to hire the Plaintiff based on her gender, despite the fact that she was qualified for the position.

**FIRST CLAIM FOR RELIEF**  
**DISCRIMINATION BASED ON GENDER (TITLE VII)**

17. Plaintiff incorporates as if realleged Paragraphs 1-16.

18. By failing to hire the Plaintiff based on her gender and treating her different than similarly situated male applicants, the Defendants have violated Title VII of the Civil Rights Act of 1964.

WHEREFORE, Plaintiff prays for judgment against the Defendants for:

- a. Back pay and lost benefits; front pay until normal retirement
- b. Compensatory damages for her mental anguish, pain and suffering and other non-pecuniary losses;
- c. Punitive damages for the intentional and knowing acts of discrimination committed by the management and executives at City of Tulsa and Chief Driscoll;
- d. Her attorney fees and the costs and expenses of this action;
- e. Such other relief as the Court deems just and equitable.

**SECOND CLAIM FOR RELIEF**  
**INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

19. Plaintiff incorporates as if realleged Paragraphs 1-18.

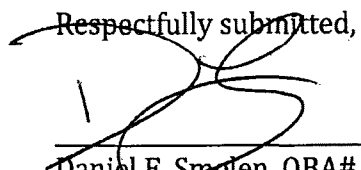
20. The Defendants' actions of intentional and malicious discrimination and retaliation are extreme and outrageous and have caused severe emotional and psychological damage to the Plaintiff.

21. The Defendants intentionally or recklessly caused severe emotional distress to Plaintiff beyond which a reasonable person could be expected to endure.

WHEREFORE, Plaintiff prays for judgment against the Defendants for:

- a. Back pay and lost benefits; front pay until normal retirement
- b. Compensatory damages for her mental anguish, pain and suffering and other non-pecuniary losses;
- c. Punitive damages for the intentional and knowing acts of discrimination committed by the management and executives at City of Tulsa and Chief Driscoll;
- d. Her attorney fees and the costs and expenses of this action;
- e. Such other relief as the Court deems just and equitable.

Respectfully submitted,



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