

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

MICHAEL THREAT

4819 Delevan Drive
Lyndhurst, OH 44124

and

MARGARITA NOLAND-MOORE

18012 Marcella Road
Cleveland, OH 44119

and

PAMELA BEAVERS

9621 Thorn Avenue
Cleveland, OH 44148

and

LAWRENCE WALKER

290 Eaton Ridge Drive
Sagamore Hills, OH 44067

and

REGINALD ANDERSON

9736 Gates Avenue
Cleveland, OH 44105

Plaintiffs,

-vs-

COMPLAINT

Trial by Jury Endorsed Hereon

CITY OF CLEVELAND)
601 Lakeside Avenue)
Cleveland, OH 44114)

and)

NICOLE CARLTON, personally and)
in her official capacity as)
Commissioner, City of Cleveland)
Division of Emergency Medical Services)
1701 Lakeside Avenue)
Cleveland, OH 44114)

Defendants.)

NATURE OF THE ACTION

1. This is an action instituted, *inter alia*, under the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States, Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§2000e-1, *et seq.*, as amended (2019 Supp.), and the Civil Rights Act of 1871, 42 U.S.C. §1983, as amended (2019 Supp.) and various state laws to vindicate state and federally protected rights against unlawful employment practices on the basis of race, gender and retaliation.

JURISDICTION

2. This present and continuing action is authorized and instituted pursuant to Section 706(f) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 2000e-6(f) (2019 Supp.) (hereinafter referred to as "Title VII") in accordance

with Notice of Suit Rights issued by the U.S. Equal Employment Opportunity Commission which accompany this complaint as Exhibit 1.

3. With respect to constitutional claims of violations of the Equal Protection Clause of the Fourteenth Amendment through the Civil Rights Act of 1871, 42 U.S.C. § 1983, jurisdiction is asserted pursuant to 28 U.S.C. §1331 and 28 U.S.C. §§1343 (3) and (4). Jurisdiction is asserted likewise with respect to declaratory relief pursuant to 28 U.S.C. §§ 2202-2202.

4. With respect to state claims under the Ohio Civil Rights Act, Ohio Revised Code §§ 4112.01, *et seq.* (2019 Supp.) and other state claims, jurisdiction is asserted pursuant to 28 U.S.C. §1367.

VENUE

5. Plaintiffs and Defendants are citizens of the United States which includes a municipal corporation organized under the laws of the State of Ohio and venue exists within the jurisdiction of the United States District Court for the Northern District of Ohio, Eastern Division because all parties are located within Cuyahoga County, Ohio and because the unlawful employment practices alleged were and continue to be committed within the jurisdiction of the United States District Court for the Northern District of Ohio, Eastern Division.

PARTIES

6. Plaintiffs Michael Threat, Margarita Noland Moore, Pamela Beavers, Lawrence Walker and Reginald Anderson are African American Captains

employed by the City of Cleveland's Division of Emergency Medical Services ("EMS") who, at all relevant times, were and continue to be employed by Defendant City of Cleveland and whose terms and conditions of employment are controlled by Defendant Nicole Carlton.

7. Defendant City of Cleveland is an "employer" as defined by Title VII and acting under color of state law for purposes of claims asserting violations of the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States.

8. Defendant Nicole Carlton has been, is presently and continues to be at all relevant times the Commissioner of the City of Cleveland's Division of Emergency Medical Services (EMS) which empowers her under color of state law to control work shifts schedules and other terms and conditions of public employment for Captains working for Defendant City of Cleveland's division of Emergency Medical Services.

9. At all relevant times, Defendant City of Cleveland has been and is now an employer engaged in an industry affecting commerce within the meaning of Section 701(b), (g) and (h) of Title VII, 42 U.S.C. §§ 2000e (b) and (g).

GENERAL ALLEGATIONS

10. Plaintiffs reassert the foregoing allegations and incorporate them by reference as if fully set forth herein.

11. Plaintiffs Captain Michael Threat, Captain Pamela Beavers, Captain Margarita Moore, Captain Reginald Anderson and Captain Lawrence Walker work in the Division of Emergency Medical Services (EMS) for Defendant City of Cleveland.

12. Plaintiffs Captain Michael Threat, Captain Pamela Beavers, Captain Margarita Moore, Captain Reginald Anderson and Captain Lawrence Walker work under Defendant Nicole Carlton as Commissioner of the Division of Emergency Medical Services (EMS) of Defendant City of Cleveland.

13. Plaintiff Captain Michael Threat moved from Alabama as a young man because of enforced racial segregation.

14. When he and his family would visit his Alabama family, he experienced the consequences of the vestiges of open racial segregation and the enduring pain of those experiences.

15. Similar experiences were suffered by the other African American Captains both prior to starting work at EMS and during their service at EMS.

16. Defendant City of Cleveland has been and continues to be aware of the historical supremacist problems within the division of Emergency Medical Services.

17. Historically, work shifts within the Defendant City of Cleveland's Division of Emergency Medical Services have been governed by seniority for Captains.

18. In the fall of each year, Captains have the opportunity to bid on the following year's schedule based on seniority.

19. Based on seniority alone, persons employed as Captains with the longest tenure within Defendant City of Cleveland's Division of Emergency Medical Services get to select whether they work day shift or night shift and be on the "A" or "B" key.

20. "A" or "B" key indicates which days of the pay period persons work.

21. In roughly 2011, Plaintiffs' contract with Defendant City of Cleveland permitted the EMS Commissioner to transfer up to four captains from their chosen shift and key.

22. Any shift changes made by the EMS Commissioner were to be based on job class seniority.

23. The goal was to avoid having a shift with too many inexperienced captains.

24. Plaintiffs observed early on that Defendant Nicole Carlton would only move either African American captains or female captains.

25. Since the time of the contract change, Defendants City of Cleveland and Nicole Carlton have never transferred a white male for a white male.

26. In or around 2014, Plaintiff, Captain Lawrence Walker, had chosen his shift/key for the year.

27. Captain Walker was notified that he was being transferred to a different shift/key.

28. Plaintiffs noticed that Walker had coincidentally selected a shift/key where there would have been a majority of African Americans.

29. Based upon Defendant Nicole Carlton's past conduct and Plaintiff Lawrence Walker's transfer, Plaintiffs questioned the City of Cleveland and Carlton about the change.

30. Defendants City of Cleveland and Nicole Carlton responded that the contract gave them the power to move whomever they wanted.

31. In the fall of 2017, the Captains all entered their bids as they had in the past.

32. After the bidding process was complete, one of the shifts contained four African Americans.

33. Shifts were only comprised of four individuals.

34. Defendants City of Cleveland and Nicole Carlton, based on the results of the bidding, chose to transfer a black male and replace him with a white male in order to ensure that there was not a shift of all African Americans.

35. After the move was made, Plaintiffs inquired with Defendant Nicole Carlton about the reason for the move.

36. Carlton's explanation for the move to Plaintiffs was "I cannot have a shift with all blacks on it."

37. The sole reason for the employment action by Defendants City of Cleveland and Carlton was on account of race and not job class seniority.

38. Plaintiffs explained to Defendant Nicole Carlton that the practice of moving African Americans off of certain shifts on the basis of race and gender was unlawful.

39. Defendant Carlton responded that she could do whatever she wanted because of the contract.

40. On October 11, 2017, Plaintiff Margarita Moore emailed Carlton expressing concern that the City of Cleveland and Carlton were discriminating against the African American captains based upon race.

41. Carlton did not respond to the email.

42. The Plaintiffs then initiated the grievance process.

43. During the grievance process and after Defendants Carlton and City of Cleveland openly admitted that race and gender were being used in determining who and where a captain would serve on each shift, Plaintiffs filed a dual charge with the Ohio Civil Rights Commission (“OCRC”) and the Equal Employment Opportunity Commission (“EEOC”) based upon the discrimination they were experiencing.

44. The OCRC found probable cause on Plaintiffs’ charges and ordered that an attempt to resolve under the Ohio law be approached through conciliation.

45. The OCRC and the City of Cleveland conciliated the matter without the consent of Plaintiffs.

46. After the finding of probable cause of employment discrimination, a white captain who was transferred onto the shift with three other African Americans stepped down from his captain position.

47. The vacancy on the shift/key was to be filled by the bidding process.

48. Two African American captains with a high level of seniority bid on the shift/key.

49. One Caucasian male with less seniority than the two African American Captains also bid to be moved to the shift.

50. Inexplicably, a white captain was permitted by Defendants City of Cleveland and Nicole Carlton to “jump” over the two African Americans who had more seniority.

51. The white captain was given the shift/key by the Defendants.

52. Because of Defendants City of Cleveland’s and Nicole Carlton’s governmental policy of barring all African American Captains on one shift, the pattern and practice of government-sanctioned racial exclusion continued to be implemented.

53. After the transfer was challenged through the grievance process, Carlton and the City of Cleveland defended their actions by stating that she and the City of

Cleveland had the right to “balance” the number of minorities and women on each shift.

54. Defendants City of Cleveland and Carlton candidly admitted that race and gender were restrictions on captains on shift assignments.

55. After Carlton and City of Cleveland confirmed again that race and gender were part of a governmental practice in restricting the choice of shifts based on the race and gender of a captain, Plaintiffs Reginald Anderson and Pamela Beavers filed separate dual charges with the Ohio Civil Rights Commission (“OCRC”) and the Equal Employment Opportunity Commission (“EEOC”) based upon the governmental policy of discrimination they were experiencing.

56. The OCRC also found probable cause on the subsequent charges and ordered that conciliation be attempted.

57. OCRC and the City of Cleveland once again conciliated the matter without the consent of Plaintiffs.

58. In July 2018, when the Ohio Civil Rights Commission indicated it had made a probable cause finding, a news story ran in Northeast Ohio about the finding of intentional racial discrimination practiced by the City of Cleveland and implemented by Carlton.

59. The City of Cleveland and Carlton were angered about both the finding of discrimination by the OCRC and the subsequent news coverage.

60. In retaliation for the finding and because Plaintiffs had filed the charges against the City of Cleveland, Defendant City of Cleveland filed an unfair labor practice charge against Plaintiffs.

61. Defendants knew that no unfair labor practice occurred and used the mechanism to retaliate against the Plaintiffs.

62. Defendants City of Cleveland and Carlton only filed the unfair labor practice charge because of the public findings by the OCRC and the bad press that followed.

63. Defendants knew that the OCRC findings were public record and that a television station obtained the information from the Central Office of the OCRC in Columbus, not from the Plaintiffs.

64. Defendant City of Cleveland's allegations of an unfair labor practice by the Plaintiffs, which were allegedly founded on the Plaintiff "leaking" the public finding of the OCRC to the media, were not true.

65. Based upon the unfair labor practice allegations and threats from the Defendants, Plaintiffs filed a subsequent OCRC/EEOC dual charge of retaliation.

66. Defendant City of Cleveland's intentions were proven when it offered to drop the unfair labor practice allegations against Plaintiffs if Plaintiffs agreed to withdraw their retaliation charges pending before the OCRC.

67. Defendant City of Cleveland routinely told Plaintiffs “be careful” whom you accuse of discrimination in an effort to force them to withdraw their retaliation charges.

68. Defendant City of Cleveland then started a campaign of punishment against Plaintiffs who had filed retaliation charges.

69. Defendant City of Cleveland charged Plaintiff Pamela Beavers with violations of the “sick abuse policy” which restricted her from calling off for a period of eighteen (18) months.

70. Plaintiff Pamela Beavers was punished by Defendant City of Cleveland for being late for a total of seven (7) minutes when others who had not filed discrimination or retaliation charges with the OCRC were not punished for severe sick abuse policy violations.

71. Defendant City of Cleveland punished Ms. Beavers while ignoring at least three (3) white captains who had violated the same or similar policy

72. Each of the white captains who had not filed charges with the OCRC were not punished or subjected to retaliation.

73. Plaintiffs have been and continued to be anxious and concerned over continuing retaliation by Defendant City of Cleveland in their battle for equality.

74. During the grievance process, Defendant City of Cleveland routinely told Plaintiffs it would be tough for the City of Cleveland to work with them on issues because of their exercise of the right to file discrimination and retaliation charges.

75. Plaintiffs received notices of right to sue for their retaliation claims on June 21, 2019 and June 24, 2019.

76. Plaintiffs received notices of right to sue on their discrimination claims on September 3, 2019.

77. As a result of Defendants actions, Plaintiffs have suffered substantial emotional and economic damages.

78. Plaintiffs have been subjected to knowing and overt retaliation by the Defendants.

Count I

VIOLATIONS OF TITLE VII OF THE CIVIL RIGHTS ACT OF 1964-EMPLOYMENT DISCRIMINATION

79. Plaintiffs reassert the foregoing allegations and incorporate them by reference as if fully set forth herein.

80. Plaintiffs are all African American Captains working for the City of Cleveland.

81. Plaintiffs have been specifically discriminated against by the City of Cleveland because of their race and gender.

82. Plaintiffs have been barred from working on the same shift with one another because of their race.

83. Plaintiff Pamela Beavers has been barred from working with other female Captains on the same shift because of her gender.

84. Plaintiffs have sustained extreme emotional distress and suffering on account of Defendants' unlawful discriminatory conduct.

85. The acts and conduct of the Defendants have been intentional, malicious and in wanton and reckless disregard to the rights and feelings of the Plaintiffs.

86. Plaintiffs has been damaged by Defendants' attempts to segregate the Captains at Cleveland EMS.

Count II

VIOLATIONS OF TITLE VII OF THE CIVIL RIGHTS ACT OF 1964- RETALIATION

87. Plaintiffs reassert the foregoing allegations and incorporate them by reference as if fully set forth herein.

88. Plaintiffs each had a protected right to file their claims of discrimination with the Equal Employment Opportunity Commission and Ohio Civil Rights Commission.

89. Plaintiffs had the right to file their charges free from fear of retaliation.

90. Only because Plaintiffs exercised their right to file charges against the City of Cleveland did the City turn around and file an unfounded and spiteful unfair labor charge against Plaintiffs.

91. Since Plaintiffs filed their charges against the City of Cleveland, Defendants have treated Plaintiffs differently from their white counterparts and targeted Plaintiffs for retaliation.

92. Given their history working in the Division of Emergency Medical Services and the historical limitations placed on African Americans, Plaintiffs have sustained and continue to sustain extreme emotional distress and suffering solely on account of Defendants' overt discriminatory and retaliatory conduct.

93. The acts and conduct of the Defendants have been intentional, malicious and in wanton and reckless disregard of the rights and feelings of the Plaintiffs.

94. Plaintiffs have been damaged by Defendants' attempts to segregate the Captains at Cleveland EMS on account of race and gender and retaliate against them as a result of their exercise of a federally protected right in filing charges with the OCRC and EEOC.

Count III

VIOLATIONS OF DUE PROCESS ENSURED UNDER THE FOURTEENTH AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES, CIVIL RIGHTS ACT OF 1871, 42 U.S.C. §1983

95. Plaintiffs reassert the foregoing allegations and incorporate them by reference as if fully set forth herein.

96. Plaintiffs are all African American Captains working for the City of Cleveland.

97. Plaintiffs have been specifically discriminated against by the City of Cleveland because of their race and gender and otherwise treated less favorably than white employees of the Division of Emergency Medical Services.

98. The differences in treatment by Defendant, City of Cleveland and Defendant Nicole Carlson, individually and in her official capacity as Commissioner of the Division of Emergency Medical Services were all under color of state law.

99. The differences in treatment by Defendant City of Cleveland and Defendant Nicole Carlson, individually and in her official capacity as Commissioner of the Division of Emergency Medical Services, were undertaken on account of the race of the Plaintiffs as a government-sanctioned practice of restricting terms and conditions of public employment to persons on account of race.

100. Plaintiffs have been barred from working on the same shift with one another solely on account of their race.

101. Plaintiff Pamela Beavers has been barred from working with other female Captains on the same shift because of her gender.

102. Plaintiffs have sustained emotional distress because of Defendants' discriminatory conduct.

103. The acts and conduct of the Defendants have been intentional, malicious and in wanton and reckless disregard to the rights and feelings of the Plaintiffs.

104. Plaintiffs have been damaged by Defendants' attempts to segregate the Captains at Cleveland EMS.

Count IV

INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

105. Plaintiffs reassert the foregoing allegations and incorporate them by reference as if fully set forth herein.

106. Being directed by their superior who is white that one cannot be permitted to work beside another co-worker on account of race would be a traumatizing and disturbing experience for any reasonable person.

107. Defendant Nicole Carlton has been and continues to be aware of the historical consequences of racism within the Division of Emergency Medical Services and clearly knew that separating the Plaintiffs as African American Captains from shifts was particularly mean-spirited and injurious.

108. The openly racist explanation of separating African American Captains under color of state law was intended and continues to be intended to inflict emotional and mental distress.

109. Defendant Nicole Carlton, in her official capacity as Commissioner of Emergency Medical Services for the City of Cleveland, clearly understood the knowing and severe consequences of her racially discriminatory statements and actions against African-American Captains of the City of Cleveland's Division of Emergency Medical Services.

110. The fear of having too many African American officers working together is rooted in supremacist attitudes and history.

111. Defendant Nicole Carlton knew the history of racist actions within EMS, knows the individual African-American Captains, and knows the racially separatist undertaking she ordered and insists on maintaining would jointly and severally inflict significant and consequential emotional distress on the Plaintiffs.

112. By ratifying the order impacting Plaintiffs on various occasions that an all-black Captain team would not be permissible, Defendants knew or should have reasonably known that they would inflict serious emotional and mental distress.

113. Defendants knowingly interfered with Plaintiffs' protected right to file charges with the EEOC and OCRC and knowingly intended to injure them for engaging in a protected activity under the laws of the United States and the State of Ohio.

114. Defendants knew they violated the laws of the United States and the State of Ohio by openly discriminating against their African American Captains and knew the only way to continue to avoid the matter would be to punish Plaintiffs.

115. Defendants knew they had the power to make work more difficult for the Plaintiffs, have done so and continue to adversely affect their shifts/keys.

116. Instituting a racially separatist policy of not allowing African American Captains to work together on the same shift and retaliating against them was intended to exceed reasonable bounds of decency and intended to generate an intolerable work environment for the Plaintiffs.

117. Defendants' actions in discriminating and retaliating against Plaintiffs proximately caused Plaintiffs' psychological injuries and loss of quality of life.

118. The mental anguish suffered by Plaintiffs is serious, consequential and should not have to be endured on account of race, gender and retaliation.

119. The acts and conduct of Defendants were intentional, malicious and in wanton and reckless disregard of the rights and feelings of Plaintiffs.

120. Plaintiffs have sustained significant emotional injuries arising out of the Defendants' unlawful practices and retaliation.

Count V

VIOLATIONS OF THE OHIO CIVIL RIGHTS ACT- EMPLOYMENT DISCRIMINATION

121. Plaintiffs reassert the foregoing allegations and incorporate them by reference as if fully set forth herein.

122. Plaintiffs are all African American Captains working for the City of Cleveland.

123. Plaintiffs have been specifically discriminated against by the City of Cleveland because of their race, gender and retaliation.

124. Plaintiffs have been barred from working on the same shift with one another because of their race.

125. Plaintiff Pamela Beavers has been barred from working with other female Captains on the same shift because of her gender.

126. Plaintiffs have sustained extreme emotional distress and suffering on account of Defendants' unlawful discriminatory conduct.

127. The acts and conduct of the Defendants have been intentional, malicious and in wanton and reckless disregard to the rights and feelings of the Plaintiffs.

128. Plaintiffs have been damaged by Defendants' attempts to segregate the Captains at Cleveland EMS on account of race.

Count VI

VIOLATIONS OF THE OHIO CIVIL RIGHTS ACT- RETALIATION

129. Plaintiffs reassert the foregoing allegations and incorporate them by reference as if fully set forth herein.

130. Plaintiffs each had a protected right to file their claims of discrimination with the Equal Employment Opportunity Commission and Ohio Civil Rights Commission.

131. Plaintiffs had the right to file their charges free from fear of retaliation.

132. Only because Plaintiffs exercised their right to file charges against the City of Cleveland did the City turn around and file an unfounded and spiteful unfair labor charge against Plaintiffs.

133. Since Plaintiffs filed their charges against the City of Cleveland, Defendants have treated Plaintiffs differently from their white counterparts and targeted Plaintiffs for retaliation.

134. Given their history working in the Division of Emergency Medical Services and the historical limitations placed on African Americans, Plaintiffs have sustained and continue to sustain extreme emotional distress and suffering solely on account of Defendants' overt discriminatory and retaliatory conduct.

135. The acts and conduct of the Defendants have been intentional, malicious and in wanton and reckless disregard of the rights and feelings of the Plaintiffs.

136. Plaintiffs have been damaged by Defendants' attempts to segregate the Captains at Cleveland EMS on account of race and gender and retaliate against them as a result of their exercise of a federally protected right in filing charges with the OCRC and EEOC.

WHEREFORE, Plaintiffs urge this Court to grant the following relief:

A. Declare that the acts and conduct of the Defendants constitute violations of the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States, the Civil Rights Act of 1871, 42 U.S.C. §1983, as amended, and Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§2000e, *et seq.* and pending state law claims under the Ohio Civil Rights Act, Chapter 4112 of the Ohio Revised Code and for intentional infliction of emotional distress.

B. Grant a permanent injunction enjoining the City of Cleveland and Nicole Carlton in her official capacity as Commissioner of the Division of Emergency Medical Services, their officers, agents, employees, successors, assigns, and all persons in active concert of participation with it, from engaging in any employment

practices which discriminate on the basis of race or gender and further enjoin any acts or conduct which has the purpose or effect of retaliating against the Plaintiffs for asserting rights against discrimination based on race and gender;

C. Order Defendants to institute and to otherwise carry out policies, practices and programs which provide equal employment opportunities for employees of all races and genders, and which eradicate the effects of its past and present unlawful employment practices; based on race, gender and retaliation;

D. Grant to Plaintiffs, jointly and severally, from the Defendants appropriate compensatory damages.

E. Grant to the Plaintiffs, jointly and severally, appropriate exemplary and punitive damages against Defendant Nicole Carlton personally;

F. Grant to the Plaintiffs and against the Defendants costs in this action including statutory reasonable attorney fees as provided by law;

G. Grant such further relief as the Court deems just, equitable and in advance of the public interest.

/s/ Jared S. Klebanow

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/s/ Avery Friedman

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avery@lawfriedman.com

Attorneys for Plaintiffs

TRIAL BY JURY DEMANDED

Plaintiffs hereby demands trial by jury.

/s/ Avery Friedman
Avery Friedman

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

MICHAEL THREAT, MARGARITA NOLAND-MOORE, PAMELA BEAVERS, LAWRENCE WALKER and REGINALD ANDERSON

(b) County of Residence of First Listed Plaintiff Cuyahoga

(EXCEPT IN U.S. PLAINTIFF CASES)

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

Avery Friedman & Associates 850 Euclid Ave. Ste 701 Cleveland OH 44114, 216-621-9282, Jared Klebanow, Klebanow Law LLC 850 Euclid Ave., Ste 701, Cleveland OH 44114 216-621-8230

DEFENDANTS

CITY OF CLEVELAND, OHIO and NICOLE CARLTON

County 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)

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 | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 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
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input checked="" type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes

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-1, et seq., as amended (2019 Supp.), 42 U.S.C. §1983, as amended (2019 Supp.)

Brief description of cause:

Employment discrimination based on race and gender with retaliation

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

09/12/2019

SIGNATURE OF ATTORNEY OF RECORD

s/Avery Friedman

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO**

I. Civil Categories: (Please check one category only).

1. ☒ General Civil
2. ☐ Administrative Review/Social Security
3. ☐ Habeas Corpus Death Penalty

*If under Title 28, §2255, name the SENTENCING JUDGE: _____

CASE NUMBER: _____

II. **RELATED OR REFILED CASES.** See LR 3.1 which provides in pertinent part: "If an action is filed or removed to this Court and assigned to a District Judge after which it is discontinued, dismissed or remanded to a State court, and subsequently refiled, it shall be assigned to the same Judge who received the initial case assignment without regard for the place of holding court in which the case was refiled. Counsel or a party without counsel shall be responsible for bringing such cases to the attention of the Court by responding to the questions included on the Civil Cover Sheet."

This action: ☐ is **RELATED** to another **PENDING** civil case ☐ is a **REFILED** case ☐ was **PREVIOUSLY REMANDED**

If applicable, please indicate on page 1 in section VIII, the name of the Judge and case number.

III. In accordance with Local Civil Rule **3.8**, actions involving counties in the Eastern Division shall be filed at any of the divisional offices therein. Actions involving counties in the Western Division shall be filed at the Toledo office. For the purpose of determining the proper division, and for statistical reasons, the following information is requested.

ANSWER ONE PARAGRAPH ONLY. ANSWER PARAGRAPHS 1 THRU 3 IN ORDER. UPON FINDING WHICH PARAGRAPH APPLIES TO YOUR CASE, ANSWER IT AND STOP.

(1) **Resident defendant.** If the defendant resides in a county within this district, please set forth the name of such county

COUNTY: Cuyahoga County

Corporation For the purpose of answering the above, a corporation is deemed to be a resident of that county in which it has its principal place of business in that district.

(2) **Non-Resident defendant.** If no defendant is a resident of a county in this district, please set forth the county wherein the cause of action arose or the event complained of occurred.

COUNTY:

(3) **Other Cases.** If no defendant is a resident of this district, or if the defendant is a corporation not having a principle place of business within the district, and the cause of action arose or the event complained of occurred outside this district, please set forth the county of the plaintiff's residence.

COUNTY:

IV. The Counties in the Northern District of Ohio are divided into divisions as shown below. After the county is determined in Section III, please check the appropriate division.

EASTERN DIVISION

☐

AKRON

(Counties: Carroll, Holmes, Portage, Stark, Summit, Tuscarawas and Wayne)

☒

CLEVELAND

(Counties: Ashland, Ashtabula, Crawford, Cuyahoga, Geauga, Lake, Lorain, Medina and Richland)

☐

YOUNGSTOWN

(Counties: Columbiana, Mahoning and Trumbull)

WESTERN DIVISION

☐

TOLEDO

(Counties: Allen, Auglaize, Defiance, Erie, Fulton, Hancock, Hardin, Henry, Huron, Lucas, Marion, Mercer, Ottawa, Paulding, Putnam, Sandusky, Seneca VanWert, Williams, Wood and Wyandot)

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

_____ District of _____

Plaintiff

v.

Defendant

)
)
)
)
)
)
)

Civil Action No. _____

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

SANDY OPACICH, CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*: _____
_____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

I declare under penalty of perjury that this information is true.

Date: _____
_____ *Server's signature*

Printed name and title

Server's address

Additional information regarding attempted service, etc:

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

_____ District of _____

Plaintiff

v.

Defendant

)
)
)
)
)
)
)

Civil Action No. _____

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

SANDY OPACICH, CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*: _____
_____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Michael Threat**
4819 Delevan Drive
Lyndhurst, OH 44124

From: **Indianapolis District Office**
101 West Ohio St
Suite 1900
Indianapolis, IN 46204



On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

22A-2019-00295

Jeremy A. Sells,
State & Local Coordinator

(317) 226-7221

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

- ☐ The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.
- ☐ Your allegations did not involve a disability as defined by the Americans With Disabilities Act.
- ☐ The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.
- ☐ Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge
- ☐ The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.
- ☒ The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.
- ☐ Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission

Michelle Eisele

Enclosures(s)

Michelle Eisele,
District Director

June 21, 2019

(Date Mailed)

cc: **HR Director**
CITY OF CLEVELAND, DIVISION OF EMS
601 Lakeside Avenue
Cleveland, OH 44114

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Margerita Noland-Moore**
18012 Marcella Road
Euclid, OH 44119

From: **Indianapolis District Office**
101 West Ohio St
Suite 1900
Indianapolis, IN 46204

☐

On behalf of person(s) aggrieved whose identity is
 CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

22A-2019-00296

Jeremy A. Sells,
State & Local Coordinator

(317) 226-7221

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

☐

The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.

☐

Your allegations did not involve a disability as defined by the Americans With Disabilities Act.

☐

The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.

☐

Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge

☐

The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.

☒

The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.

☐

Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission

Michelle Eisele

Enclosures(s)

Michelle Eisele,
District Director

June 21, 2019

(Date Mailed)

cc: **HR Director**
CITY OF CLEVELAND DIVISION OF EMS
601 Lakeside Avenue
Cleveland, OH 44115

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Pamela L. Beavers**
9621 Thorn Avenue
Cleveland, OH 44108

From: **Indianapolis District Office**
101 West Ohio St
Suite 1900
Indianapolis, IN 46204

☐

On behalf of person(s) aggrieved whose identity is
 CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

22A-2019-00252

Jeremy A. Sells,
State & Local Coordinator

(317) 226-7221

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

☐

The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.

☐

Your allegations did not involve a disability as defined by the Americans With Disabilities Act.

☐

The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.

☐

Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge

☐

The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.

☒

The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.

☐

Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission

Michelle Eisele

Enclosures(s)

Michelle Eisele,
District Director

June 21, 2019

(Date Mailed)

cc: **HR Director**
CITY OF CLEVELAND, DIVISION OF EMS
601 Lakeside Avenue
Cleveland, OH 44115

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Pamela L. Beavers**
9621 Thorn Avenue
Cleveland, OH 44108

From: **Indianapolis District Office**
101 West Ohio St
Suite 1900
Indianapolis, IN 46204



On behalf of person(s) aggrieved whose identity is
 CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

22A-2019-00250

Jeremy A. Sells,
State & Local Coordinator

(317) 226-7221

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:



The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge



The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission

Michelle Eisele

June 21, 2019

Enclosures(s)

Michelle Eisele,
District Director

(Date Mailed)

cc: **HR Director**
CITY OF CLEVELAND, DIVISION OF EMS
601 Lakeside Avenue
Cleveland, OH 44115

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Lawrence Walker**
290 Eaton Ridge Drive
#311
Sagamore Hills, OH 44067

From: **Indianapolis District Office**
101 West Ohio St
Suite 1900
Indianapolis, IN 46204



On behalf of person(s) aggrieved whose identity is
 CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

22A-2019-00323

Jeremy A. Sells,
State & Local Coordinator

(317) 226-7221

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:



The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge



The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission

Michelle Eisele

Enclosures(s)

Michelle Eisele,
District Director

June 21, 2019

(Date Mailed)

cc: **HR Director**
CITY OF CLEVELAND DIVISION OF EMS
601 Lakeside Avenue
Cleveland, OH 44115

DISMISSAL AND NOTICE OF RIGHTS

To: **Reginald Anderson**
9736 Gates Avenue
Cleveland, OH 44105

From: **Indianapolis District Office**
101 West Ohio St
Suite 1900
Indianapolis, IN 46204

☐

On behalf of person(s) aggrieved whose identity is
 CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

22A-2019-00343

Jeremy A. Sells,
State & Local Coordinator

(317) 226-7221

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

☐

The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.

☐

Your allegations did not involve a disability as defined by the Americans With Disabilities Act.

☐

The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.

☐

Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge

☐

The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.

☒

The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.

☐

Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age

Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission

Michelle Eisele

Enclosures(s)

Michelle Eisele,
District Director

June 24, 2019

(Date Mailed)

cc:

HR Director
CITY OF CLEVELAND, DIVISION OF EMS
601 Lakeside Avenue
Cleveland, OH 44113

EEOC Form 161 (11/16)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Michael Threat**
4819 Delevan Drive
Lyndhurst, OH 44124

From: **Indianapolis District Office**
101 West Ohio St
Suite 1900
Indianapolis, IN 46204

☐

On behalf of person(s) aggrieved whose identity is
 CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

22A-2018-00469

Jeremy A. Sells,
State & Local Coordinator

(463) 999-1161

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

☐

The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.

☐

Your allegations did not involve a disability as defined by the Americans With Disabilities Act.

☐

The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.

☐

Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge

☐

The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.

☒

The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.

☐

Other (briefly state)


- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS** of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission



September 3, 2019

Enclosures(s)

Michelle Eisele,
District Director

(Date Mailed)

cc: **HR Director**
CITY OF CLEVELAND, DEPT OF PUBLIC SAFETY
1701 Lakeside Avenue
Cleveland, OH 44131

EEOC Form 161 (11/16)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Pamela Beavers**
9621 Horn Avenue
Cleveland, OH 44108

From: **Indianapolis District Office**
101 West Ohio St
Suite 1900
Indianapolis, IN 46204

☐

On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

22A-2018-00827

Jeremy A. Sells,
State & Local Coordinator

(463) 999-1161**THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:**☐

The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.

☐

Your allegations did not involve a disability as defined by the Americans With Disabilities Act.

☐

The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.

☐

Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge

☐

The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.

☒

The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.

☐

Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission



September 3, 2019

Enclosures(s)

Michelle Eisele,
District Director

(Date Mailed)

cc: **HR Director**
CITY OF CLEVELAND, DEPT OF PUBLIC SAFETY
1701 Lakeside Avenue
Cleveland, OH 44114

EEOC Form 161 (11/16)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Reginald Anderson**
9739 Gates Avenue
Cleveland, OH 44105

From: **Indianapolis District Office**
101 West Ohio St
Suite 1900
Indianapolis, IN 46204



On behalf of person(s) aggrieved whose identity is
 CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

22A-2018-01027

Jeremy A. Sells,
State & Local Coordinator

(463) 999-1161

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:



The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge



The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission



September 3, 2019

Enclosures(s)

Michelle Eisele,
District Director

(Date Mailed)

cc: **HR Director**
CITY OF CLEVELAND, DEPT OF PUBLIC SAFETY
1701 Lakeside Avenue
Cleveland, OH 44114