

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

**TERRANCE JONES, RICKEY ADAMS,
FELTER BLAKE, CHARLES BROWN,
JOHNNIE BUCHANAN, KETHON COLBERT,
JAMES EDWARDS, TRACY ELLISON,
JAMES FIELDS, JOSEPH FULLER,
JASON GRACE, RICKIE GRACE, JR.,
MILTON HANNON, RICKY HICKS,
KEVIN HILL, MARCUS HOLLIDAY,
PRELLA HOLLIE, JOSHUA JORDAN,
GARRETT JORDAN, TERRY MCCLAIN,
JAMES MCKINNEY, TIMOTHY NORRIS,
JEROME PATTERSON, WARREN POWELL,
RUFUS SMITH, HOWARD SMOTHERS, JR.,
RODERICK SPANN, JAMAL WELLS,
MARCEL WHITE, ALPHONSO JENKINS-YOUNG,**

Plaintiffs,

v.

Case No.:

CITY OF JACKSONVILLE.

Defendant.

_____ /

COMPLAINT & DEMAND FOR JURY TRIAL

Plaintiffs TERRANCE JONES, RICKEY ADAMS, FELTER BLAKE,
CHARLES BROWN, JOHNNIE BUCHANAN, KETHON COLBERT, JAMES
EDWARDS, TRACY ELLISON, JAMES FIELDS, JOSEPH FULLER, JASON
GRACE, RICKIE GRACE, JR., MILTON HANNON, RICKY HICKS, KEVIN HILL,
MARCUS HOLLIDAY, PRELLA HOLLIE, JOSHUA JORDAN, GARRETT JORDAN,
TERRY MCCLAIN, JAMES MCKINNEY, TIMOTHY NORRIS, JEROME
PATTERSON, WARREN POWELL, RUFUS SMITH, HOWARD SMOTHERS, JR.,

RODERICK SPANN, JAMAL WELLS, MARCEL WHITE, ALPHONSO JENKINS-YOUNG, (“Plaintiffs”), by and through undersigned counsel, hereby file this Complaint against Defendant CITY OF JACKSONVILLE, (“Defendant”), and states as follows:

INTRODUCTION

1. This is an action to remedy discrimination based on disability, race and color, pursuant to the provisions of the Americans with Disabilities Act, as amended, (“ADAAA”), 42 U.S.C. §12101, *et seq.*, Title VII, Civil Rights Act of 1866, 42 U.S.C. §1981, as amended by the Civil Rights Act of 1991 (“Section 1981”) and the for the violation of their rights to be free from racial and disability discrimination and to recover front pay, back pay, an equal amount as liquidated damages, reinstatement, lost benefits, compensatory damages, emotional distress damages, pain and suffering, injunctive relief, reasonable attorneys’ fees and costs and any other relief to which the Plaintiffs are entitled including but not limited to equitable relief.

2. Plaintiffs also complain pursuant to the Florida Civil Rights Act of 1992, Fla. Stat. §760.01 *et seq.* (“FCRA”), based upon diversity and supplemental jurisdiction of this Court, seeking relief and damages to redress the injuries Plaintiffs have suffered as a result of being discriminated against by their employer on the basis of disability, color, and race.

JURISDICTION AND VENUE

3. Jurisdiction of this matter arises pursuant to 28 U.S.C. §1331 with federal questions involving Title VII, Section 1981 and the ADAAA, 28 U.S.C. § 1367. An express grant of federal court jurisdiction over this federal claims is found in Title VII at

42 U.S.C. §2000e-5(f)(3). Jurisdiction over state law claims also arise under the Court's supplemental jurisdiction, 28 U.S.C. § 1367

4. This Court has jurisdiction over Plaintiffs' claims because at all times material to this Complaint, Plaintiffs worked for Defendant in Duval County, Florida.

5. The illegal conduct complained of and the resultant injury occurred within the judicial district in and for Duval County, Florida.

6. Plaintiffs filed their Charges of Discrimination timely with the Equal Employment Opportunity Commission ("EEOC"). The EEOC issued its right-to-sue letter therefore this Complaint is being filed within 90 days of Plaintiffs receiving their right-to-sue letter.

PARTIES

7. Plaintiffs are adult individuals who reside in Jacksonville, Duval County, Florida.

8. Defendant CITY OF JACKSONVILLE is and was, at all relevant times, operating in Duval County, Florida and is within the jurisdiction of this Court. Therefore, venue is proper in this Court.

9. The City of Jacksonville is responsible for the Fire Department of the City of Jacksonville, an agency it maintains, operates, and governs.

10. Plaintiffs are employed as firefighters by the City of Jacksonville.

11. Plaintiffs are African American males.

12. Defendant was an employer as defined by the laws under which this action is brought and employs greater than 15 employees.

13. At all times material to this action, Plaintiffs were “employees” of Defendant within the meaning of the ADA.

14. At all times material to this action, Defendant was, and continues to be an “employer” within the meaning of the ADA.

15. At all relevant times, the City acted through its agency, to commit the acts alleged in this Complaint and was responsible for such acts.

TITLE VII/ FCRA STATUTORY PREREQUISITES

16. Plaintiffs are African American male individuals who suffered discrimination based on their race and medical condition. As such, they are members of a class of individuals protected by Title VII and the FCRA.

17. Plaintiffs were qualified for their position of employment as firefighters.

18. The Defendant meets the statutory criteria for coverage as an “employer” under Title VII and the FCRA.

19. Plaintiffs meet the statutory criteria for coverage as an “employee” under Title VII, and the FCRA.

20. Plaintiff filed their Charge of Discrimination with the Equal Employment Opportunity Commission (“EEOC”). The EEOC issued its right-to-sue letter on the Charge of Discrimination. Therefore this complaint is being filed within 90 days of Plaintiff receiving their right-to-sue letter.

21. Accordingly, Plaintiffs have complied with all other Title VII, and FCRA requirements and all other prerequisites prior to bringing this lawsuit.

GENERAL ALLEGATIONS

22. At all times material, Defendant acted with malice and with reckless disregard for Plaintiffs' federally protected rights.

23. Plaintiffs have retained the law firm of MORGAN & MORGAN, P.A. to represent them in the litigation and have agreed to pay the firm a reasonable fee for its services.

24. Plaintiffs are all African American firefighters who suffer from Pseudofolliculitis Barbae, a disabling or "perceived" disability" condition under the ADAA that affects approximately 45-85% of Black men.

25. Pseudofolliculitis Barbae is a medical condition that causes significant pain, severe bumps, scarring, and deformities on the skin of afflicted individuals if they shave with a razor in order to be completely clean shaven.

26. Plaintiffs were employed by Defendant as a Firefighters/Paramedics or Firefighters/EMTs ("firefighters") during all relevant times.

27. Plaintiffs bring this claim for disability discrimination against Defendant for its unlawful discrimination of Plaintiffs based upon their disability or "perceived disability," in violation of the Americans with Disabilities Act of 1990, as amended, 42 U.S.C. § 12101 *et seq.* ("ADA"). Plaintiffs are seeking damages including lost wages, compensatory damages, punitive damages, and their attorneys' fees and costs.

28. Plaintiffs' bring a claim for discrimination against Defendant, who subjected Plaintiffs to workplace discrimination and retaliation because of their medical condition.

FACTS

29. Plaintiffs are African American males.

30. Plaintiffs all suffer from the medical condition of Pseudofolliculitis Barbae.

31. This condition affects primarily African American men, and precludes them from shaving with a razor.

32. The Jacksonville Fire Department maintains a policy whereby every active duty firefighters is required to be clean shaven.

33. “Clean shaven” is defined as having no facial hair whatsoever, and the policy requires active duty firefighters to use a razor to meet that standard.

34. As Black men with Pseudofolliculitis Barbae, Plaintiffs cannot shave with a razor. Moreover, this policy disproportionality affects Black firefighters.

35. Beginning in April 2015, Plaintiffs all received an accommodation due to their medical condition that permitted them to have close cropped facial hair that was barely noticeable, as long as they passed what is called the “fit test.”

36. The “fit test” refers to a test that the department administers to gauge the fit of the positive pressure self-contained breathing apparatus (“SCBA”) masks on the face of a firefighter.

37. If the mask fits properly, then oxygen would not escape from the mask and the fit test would be passed.

38. Each Plaintiff took and passed a fit test on numerous occasions.

39. By the Departments own metric, the Plaintiffs could all perform their job functions with the simple accommodation that they were afforded, i.e., being permitted to be close shaven but not clean shaven.

40. Plaintiffs aptly performed their job functions with the accommodation provided regarding the clean shave policy.

41. Each day Plaintiffs worked, they were subject to visual inspections by their supervisors, who observed that the barely noticeable facial hair worn by Plaintiffs conformed to the accommodation granted to them.

42. However, on January 12, 2016, Plaintiffs each received a Memorandum from Kelli O'Leary, Director, Employee Services, for the City of Jacksonville Fire and Rescue Department, stating that effective immediately, the accommodation granted in April 2015, is now being denied.

43. As a consequence of Defendant's actions, Plaintiffs' accommodations were unilaterally revoked and Plaintiffs were expected to be clean shaven with a razor's shave.

44. Defendant declared that there would be no exception to the clean shave policy for any reason as having any amount of facial hair would impact the fit of an SCBA mask.

45. Defendant based its decision on alleged OSHA violations. This reason was false. Every Plaintiff passed a fit test, passed daily visual inspections at the firehouse, was able to perform their job functions.

46. When the Plaintiffs objected to this treatment, they were informed that they would be placed on light duty, which preventing them from working as firefighters. Additionally, Plaintiffs would be prohibited from taking promotional test until they were clean shaven. More importantly, Plaintiffs' would have their pay reduced while on light

duty.

47. The position taken by the Department is a farce, and aimed at discriminating against Plaintiffs and coercing them by taking away their ability to earn a living.

48. There was no analysis of any of the Plaintiffs' accommodation before they were unilaterally revoked.

49. This newfound stance on the shave policy was not grounded in any legitimate workplace need, but rather a desire to discriminate against Plaintiffs.

50. Indeed, should the affected firefighters be placed on light duty, they would represent a significant portion of the African American membership at the Jacksonville Fire Department.

51. Plaintiffs were told that they would no longer be accommodated and were required to be clean shaven as defined by using a razor to shave.

52. Plaintiffs were forced to choose between working as career firefighters and earning a living, and shaving, which results in significant pain, skin irritation, and lasting damage to their skin.

53. Plaintiffs were all afforded a medical accommodation to the shave policy due to their medical condition and were permitted to maintain very slight and barely noticeable facial hair.

54. Plaintiffs' trimmed their facial hair to the point where it was at best stubble.

55. With the accommodation, Plaintiffs were able to perform all of their job

functions without any hardship to the Defendant.

56. Each Plaintiff successfully passed a fit test that certified each Plaintiff could wear an oxygen mask with the slight facial hair without any leakage of air.

57. Despite the fact that Plaintiffs performed their job function with the accommodation without any hardship to Defendant, Defendant without any notice, legitimate reason, or rational basis, unilaterally canceled the accommodation.

58. Defendant did not engage in any analysis, consideration, or review of the accommodation.

59. Plaintiffs were told that, all of a sudden, there were no exceptions to the shave policy and that the Plaintiffs were in direct violation of the policy.

60. Defendant's actions were aimed at discriminating against African American firefighters as their policy affected predominately African American firefighters within the Jacksonville Fire Department.

61. The Defendant's conduct had a disparate impact upon African American firefighters as nearly every African American firefighter was targeted by this sudden and unlawful change in policy.

62. The result of Defendant's actions is that a disproportionate number of black firefighters were adversely affected by the policy, reassigned, and forced to choose between their livelihood and serving the City they love.

63. Plaintiffs and other African American firefighters now have to shave with a razor and endure painful bumps on their skin, irritated skin conditions, and scarring on their skin as a result of the department's unlawful policies.

COUNT I – RACE DISCRIMINATION UNDER TITLE VII

64. Plaintiffs reincorporate and adopt all allegations contained within paragraphs 1 through 63, above.

65. Defendant City of Jacksonville, by and through the Jacksonville Fire Department, discriminated against Plaintiffs on the account of their race.

66. Defendant engaged in unlawful employment practices prohibited by Title VII by discriminating against Plaintiffs as set forth herein.

67. Defendant's employment practices have the effect of disproportionately targeting Black firefighters so that they would be reassigned and eventually terminated.

68. Approximately 45%-85% of African American males experience pain, scarring, bumps, and deformity if they use a razor to shave.

69. Defendant knew or should have known of the discrimination unlawfully targets African Americans and those with disabilities.

70. The above discrimination was done by Defendant with a reckless disregard for Plaintiffs' rights under federal law. As a direct and proximate result of the discrimination described above, Plaintiffs have suffered and continues to suffer loss of employment, loss of income, loss of other employment benefits and has suffered and continues to suffer mental anguish, distress, humiliation, great expense and loss of enjoyment of life.

WHEREFORE, Plaintiffs pray for a trial by jury and all legal and equitable relief allowed by law including:

- a. Back pay and benefits;

- b. Interest on back pay and benefits;
- c. Front pay and benefits;
- d. Compensatory damages for emotional pain and suffering;
- e. Injunctive relief;
- f. Prejudgment interest;
- g. Costs and attorney's fees; and
- h. Such other relief as the Court may deem just and proper.

COUNT II – RACE DISCRIMINATION UNDER SECTION 1981

71. Plaintiffs reincorporate and adopt all allegations contained within paragraph 1 through 63, above.

72. Plaintiffs are members of a protected class under Section 1981 due to their race.

73. By the conduct described above, Defendant engaged in unlawful employment practices and discriminated against Plaintiffs on the basis of their race in violation of Section 1981.

74. Defendant knew or should have known of the discrimination.

75. The above discrimination was done by Defendant with a reckless disregard for Plaintiffs' rights under federal law. As a direct and proximate result of the discrimination described above, Plaintiffs suffered and continues to suffer mental anguish, distress, humiliation and loss of enjoyment of life.

WHEREFORE, Plaintiffs pray for a trial by jury and all legal and equitable relief allowed by law including:

- a. Back pay and benefits;
- b. Interest on back pay and benefits;
- c. Front pay and benefits;
- d. Compensatory damages for emotional pain and suffering;
- e. Injunctive relief;
- f. Prejudgment interest;
- g. Costs and attorney's fees; and
- h. Such other relief as the Court may deem just and proper.

COUNT III – RACE DISCRIMINATION UNDER THE FCRA

76. Plaintiffs reincorporate and adopt all allegations contained within paragraphs 1 through 63, above.

77. Plaintiffs are members of protected class due to their race.

78. By the conduct described above, Defendant engaged in unlawful employment practices and discriminated against plaintiffs on the basis of their race in violation of the FCRA.

79. Defendant knew or should have known of the discrimination.

80. The above discrimination was done by Defendant with a reckless disregard for Plaintiff's rights under state law. As a direct and proximate result of the discrimination described above, Plaintiff has suffered and continues to suffer loss of employment, loss of income, loss of other employment benefits and has suffered and continues to suffer mental anguish, distress, humiliation, great expense and loss of enjoyment of life.

WHEREFORE, Plaintiff prays for a trial by jury and all legal and equitable relief allowed by law including:

- A. Back pay and benefits;
- B. Interest on back pay and benefits;
- C. Front pay and benefits;
- D. Compensatory damages for emotional pain and suffering;
- E. Injunctive relief;
- F. Prejudgment interest;
- G. Costs and attorney's fees; and
- H. Such other relief as the Court may deem just and proper.

COUNT IV - DISCRIMINATION UNDER THE ADA

81. Plaintiffs reincorporate and adopt all allegations contained within paragraphs 1 through 63, above.

82. Plaintiffs have a bona fide disability that affects a major life function, namely the ability to shave, skin condition, and skin deformity.

83. Plaintiffs have been discriminated against by the Defendant due to their bona fide disability in violation of Federal law.

84. Moreover, Defendant regarded Plaintiffs as having a disability when they denied them an accommodation and/or when Defendants unilaterally reassigned Plaintiffs from the firehouse to light duty due to their disability and/or having regarded the Plaintiffs as disabled.

85. Plaintiffs are protected by the ADA:

a. Plaintiffs were disabled or “perceived as disabled” employees who suffered discrimination because of their disability or “perceived disability” by Defendant; and

b. Plaintiffs suffered an adverse employment action as a result of their disability or “perceived disability.”

86. Defendant was at all material times an “employer” as envisioned and defined by the ADA.

87. Plaintiffs’ medical condition is a protected disability under the ADA, as amended. See 42 U.S.C. § 12102.

88. Defendant’s actions unquestionably constitute disability discrimination in violation of the ADA, as amended.

89. By reason of the foregoing, Defendant’s actions, and non-actions, affected the “terms, conditions or privileges” of Plaintiffs’ employment as envisioned by the ADA.

90. Alternatively, Defendant perceived Plaintiffs as being “disabled,” and therefore, unable to perform the essential functions of their positions, despite the fact that Plaintiffs could perform same with a reasonable accommodation.

91. Pleading in the alternative, Plaintiffs’ impairment did not substantially limit a major life activity, but was treated by Defendant as if it did.

92. Pleading in the alternative, Plaintiffs’ medical condition constituted an impairment that limited a major life activity only because of Defendant’s attitude toward the impairment.

93. Defendant does not have a non-discriminatory rationale for denying

Plaintiffs' accommodation request.

94. Plaintiffs were disabled individuals, or otherwise perceived as disabled by Defendant, during their employment. Therefore, they are members of protected classes as envisioned by the ADA.

95. Plaintiffs suffered sufficiently severe and pervasive treatment because of their disability and/or "perceived disability," and request for accommodation regarding same.

96. The acts of Defendant, by and through its agents and employees, violated Plaintiffs' rights against disability discrimination under the ADA.

97. The discrimination to which Plaintiffs were subjected was based on their disability and/or "perceived disability."

98. The conduct of Defendant, its agents, and employees proximately, directly, and foreseeably injured Plaintiffs, including, but not limited to, lost wages and benefits, future pecuniary losses, emotional pain and suffering, humiliation, inconvenience, mental anguish, loss of enjoyment of life, and other non-pecuniary losses.

99. The conduct of Defendant was so willful and wanton, and in such reckless disregard of the statutory rights of Plaintiffs, as to entitle them to an award of punitive damages against Defendant to deter it, and others, from such conduct in the future.

100. Plaintiffs are entitled to recover reasonable attorneys' fees and litigation expenses pursuant to the ADA.

101. Plaintiffs' have retained the law firm of MORGAN & MORGAN, P.A. to represent Plaintiffs in the litigation and have agreed to pay the firm a reasonable fee for its

services.

WHEREFORE, Plaintiffs pray for a trial by jury and all legal and equitable relief allowed by law including:

- a. Back pay and benefits;
- b. Interest on back pay and benefits;
- c. Front pay and benefits;
- d. Compensatory damages for emotional pain and suffering;
- e. Injunctive relief;
- f. Prejudgment interest;
- g. Costs and attorney's fees; and
- h. Such other relief as the Court may deem just and proper.

COUNT V
DISCRIMINATION BASED ON DISABILITY IN
VIOLATION OF THE FCRA

102. Plaintiffs reincorporate and adopt all allegations contained within Paragraphs 1 through 63, above.

103. Plaintiffs are members of a protected class due to their disability/handicap or perceived disability/handicap.

104. By the conduct described above, Defendant engaged in unlawful employment practices and discriminated against Plaintiffs on the basis of their disability/handicap or perceived disability/handicap in violation of the FCRA.

105. Defendant knew or should have known of the discrimination.

106. The above discrimination was done by Defendant with a reckless disregard for Plaintiffs' rights under state law. As a direct and proximate result of the discrimination described above, Plaintiffs have suffered and continues to suffer mental anguish, distress, humiliation, great expense and loss of enjoyment of life.

WHEREFORE, Plaintiffs pray for a trial by jury and all legal and equitable relief allowed by law including:

- a. Back pay and benefits;
- b. Interest on back pay and benefits;
- c. Front pay and benefits;
- d. Compensatory damages for emotional pain and suffering;
- e. Injunctive relief;
- f. Prejudgment interest;
- g. Costs and attorney's fees; and
- h. Such other relief as the Court may deem just and proper.

Plaintiffs specifically reserves the right to amend their Complaint to seek punitive damages against Defendant

DEMAND FOR JURY TRIAL

Pursuant to Fed. R. Civ. P. 38(b), Plaintiffs hereby demand a trial by jury.

Dated this 23rd day of November, 2020.

Respectfully submitted,

s/ ANTHONY J. HALL

Anthony J. Hall, Esq.

Florida Bar No.: 40924

Morgan & Morgan, P.A.

20 N. Orange Ave., 16th Floor

Orlando, FL 32801

MAILING: P.O. Box: 530244

Atlanta, GA 30353-0244

Direct Tel.: (407) 418-2079

Facsimile: (407) 245-3390

Email: ahall@forthepeople.com

Counsel for Plaintiffs

CIVIL COVER SHEET

JS 44 (Rev. 09/19)

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

TERRANCE JONES, et al

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

(c) Attorneys (Firm Name, Address, and Telephone Number)
Anthony J. Hall, Esq., Morgan & Morgan, 20 N Orange Avenue, Suite 1600, Orlando, Florida 32801, Tel: (407) 418-2079 Email: ahall@forthepeople.com

DEFENDANTS

CITY OF JACKSONVILLE

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 <i>or</i> 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 <i>and</i> 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"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other | <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 (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <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 <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 |
| REAL PROPERTY | CIVIL RIGHTS | PRISONER PETITIONS | FEDERAL TAX SUITS | |
| <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 | <input checked="" type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input 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 | 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 | <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609 | |
| | | <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act | IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions | |

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. §12101, ADA, and 42 U.S.C. §1981, Section 1981
Brief description of cause:
Disability, Race and Color Discrimination

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 11/23/2020 SIGNATURE OF ATTORNEY OF RECORD /s/ Anthony J. Hall

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Middle District of Florida

TERRANCE JONES, et al

Plaintiff(s)

v.

CITY OF JACKSONVILLE

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) CITY OF JACKSONVILLE
c/o Office of General Counsel
117 W. Duval Street
Suite 480
Jacksonville, Florida 32202

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:

Anthony J. Hall, Esquire
Morgan & Morgan, P.A.
20 N Orange Avenue, Suite 1600
Orlando, Florida 32801
Tel: (407) 418-2079
Email: ahall@forthepeople.com

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.

CLERK OF COURT

Date:

Signature of Clerk or Deputy Clerk

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

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 \$ _____ 0.00 _____.

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: