

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

JASON CRAIG and RODRICK)	
SHOOTS, SR.)	
)	
Plaintiffs,)	Case No.:
)	
v.)	COMPLAINT
)	
CITY OF MOBILE,)	JURY TRIAL DEMANDED
)	
Defendant.)	

Plaintiffs Jason Craig and Rodrick Shoots, Sr. (collectively, “Plaintiffs”), by and through their undersigned counsel, complaining of Defendant the City of Mobile (“Defendant”) bring this action for employment discrimination/retaliation pursuant to Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e *et seq.* (“Title VII”) and Section 1981 of the Civil Rights Act of 1866, 42 U.S.C. § 1981 (“Section 1981”), and hereby allege upon information and belief as follows:

JURISDICTION AND VENUE

1. This Court has original federal question jurisdiction under 28 U.S.C. § 1331 because the claims asserted herein arise pursuant to Title VII and Section 1981.
2. Venue is proper in this Court under 28 U.S.C. § 1391 because all parties reside in this judicial district and a substantial part of the events or omissions giving rise to Plaintiffs’ claims occurred in this judicial district.

PARTIES

3. Plaintiff Jason Craig (“Captain Craig”) is an African-American male. Captain Craig currently resides and at all relevant times herein has resided in Wilmer, Alabama.

4. Captain Craig has been employed by the City of Mobile Fire Rescue Department for almost 26 years.

5. Plaintiff Rodrick Shoots, Sr. (“Captain Shoots”) is an African-American male. Captain Shoots currently resides and at all relevant times herein has resided in Mobile, Alabama.

6. Captain Shoots was employed by the City of Mobile Fire Rescue Department for approximately 28 years.

7. Defendant the City of Mobile is a municipal corporation organized and existing under the laws of the State of Alabama and is an employer as defined by Title VII.

8. At all relevant times, the City of Mobile acted through its agency, the City of Mobile Fire Rescue Department (“MFRD”) to commit the acts alleged in this Complaint and were responsible for such acts.

9. MFRD has multiple fire stations, including Station 16, which is located at 1951 Maryvale Street in Mobile, Alabama.

FACTUAL ALLEGATIONS

10. Kay'ana Adams ("Ms. Adams") is an African-American homosexual female who was hired as a probationary firefighter with the MFRD at Station 16 on or about September 11, 2021.

11. Ms. Adams' probationary period was to last one year, from September 11, 2021 to September 11, 2022.

12. From the moment Ms. Adams was hired at MFRD, she faced sexist and racist remarks and discrimination from coworkers as a result of her being a black, female, lesbian firefighter.

13. For example, in September 2021, Ms. Adams voiced her concerns when fellow firefighters were discussing how to tie a noose during rope week.

14. Ms. Adams also received comments about her religious beliefs and was flat out told by one firefighter that he did not want to work with woman.

15. Further, Ms. Adams was subject to constant comments and questions about her sexual orientation from multiple firefighters, including from Acting Captain Jesse Nicholson ("Nicholson") and Tony Rutland ("Rutland").

16. For a three-month period, she was regularly referred to by a fellow male firefighter as "macho man" and was constantly questioned by Acting Captain Nicholson as to why she did not date men.

17. While Ms. Adams was employed with the MFRD, she reported directly to Captain Craig.

18. Captain Craig was first hired by the MFRD as a firefighter in 1998. He was promoted to Captain in 2007 and has served as Captain since this time.

19. Captain Craig has also been a member of the Mobile Chapter of the International Association of Progressive Black Firefighters since 1998. Captain Craig currently serves as vice president of the association, a position he has held since 2020. Captain Craig previously served as the president of the association from 2014 to 2017.

20. As Ms. Adams' direct supervisor, Captain Craig was responsible for submitting Ms. Adams' probationary firefighter evaluation form ("Grade Sheet") towards the end of her probationary period where he would grade Ms. Adams' performance in a variety of categories and recommend one of three things: (1) hiring Ms. Adams, (2) terminating Ms. Adams, or (3) extending Ms. Adams' probation period.

21. While Ms. Adams was employed with the MFRD, Captain Shoots served as her union representative.

22. Captain Shoots was first hired by MFRD as a firefighter in October 1994. He was promoted to Captain in 2011.

23. Captain Shoots continued to serve as Captain until he was unlawfully terminated from MFRD on or about November 29, 2022.

24. Captain Shoots has been a member of the Mobile Chapter of the International Association of Progressive Black Firefighters since 1994. He has served as president of the association since 2020.

25. As an MFRD Captain and the president of the Mobile Chapter of the International Association of Progressive Black Firefighters, Captain Shoots has observed and has called to attention racial disparities and discrimination with respect to MFRD's hiring, training, discipline, and promotion practices.

26. In June of 2022, Ms. Adams got a tattoo that covered the back of her head and part of her neck.

27. To Ms. Adams understanding, her tattoo was not in violation of the MFRD's then-existing tattoo policy.

28. Upon information and belief, the MFRD tattoo policy in place as of June 2022, required that if a tattoo was in an area that was publicly visible, it had to at least be capable of being covered up to a significant degree.

29. Not only was the then-existing tattoo policy vague, but it was not regularly enforced, as other firefighters, who were white, had visible neck tattoos, yet no disciplinary actions were taken against them.

30. In July 2022, an anonymous complaint was filed against Ms. Adams in connection with her tattoo.

31. As a result of the complaint, on September 8, 2022, Ms. Adams was required to attend a disciplinary hearing.

32. Captain Craig, Ms. Adams' direct supervisor, was not permitted to attend Ms. Adams' disciplinary hearing.

33. Captain Shoots, Ms. Adams' union representative, was permitted and did attend Ms. Adams' disciplinary hearing.

34. Chief Johnny Morris, Jr. presided over the disciplinary hearing. Also present were Chief James Frank ("Chief Frank"), Chief Jack Busby and Chief John Young.

35. Upon conclusion of the disciplinary hearing, it was ordered that Ms. Adams' probationary period would be extended for six months, that Ms. Adams would be required to grow her hair out in order to adequately cover the tattoo, and that a new tattoo policy would be put in place.

36. Both Ms. Adams and Captain Shoots believed that the matter of Ms. Adams' tattoo had been resolved.

37. On September 29, 2022, Chief Philip Ballard ("Chief Ballard") appeared at Station 16 and told Ms. Adams that he needed to get a picture of her tattoo. Captain Craig and Captain Shoots were present at Station 16 at this time.

38. Ms. Adams then asked Chief Ballard why he needed a picture of her tattoo, but Chief Ballard refused to answer her.

39. Ms. Adams informed Chief Ballard that she was not comfortable with him taking a picture of her tattoo, especially if he could not explain to her why he needed the picture.

40. Chief Ballard then grabbed Ms. Adams by the arm and attempted to turn her around so that he could take a picture of the back of her head with his cell phone.

41. Chief Ballard did not get a picture of Ms. Adams' tattoo at that time as Captain Shoots soon intervened.

42. Because Ms. Adams was confused, Captain Shoots reminded her to be careful when exchanging words with Chief Ballard, stating something to the effect of "he is not your friend."

43. Captain Shoots then proceeded into his office to call his superiors to find out why Chief Ballard needed a photo of Ms. Adam's tattoo, as he and Ms. Adams believed that the matter had already been resolved at the September 8, 2022 disciplinary hearing.

44. Captain Shoots called both Chief Jeremy Lami ("Chief Lami") and Chief Frank, but neither of them answered the phone.

45. Captain Shoots then called the head of MFRD's internal affairs, Director Laskey. Director Laskey did not answer the phone, but later called Captain Shoots back and stated that he was unaware as to why Chief Ballard was requesting a picture of Ms. Adams' tattoo.

46. It was later discovered that Director Laskey was, in fact, aware of the MFRD's intention to take a picture of Ms. Adams' tattoo.

47. After leaving Station 16, Chief Ballard called Captain Shoots and advised him that on order from Chief Kenneth Keller ("Chief Keller"), Ms. Adams was to proceed to Station 12, where she would be required to have a photograph taken of her tattoo that day.

48. Ms. Adams asked Captain Shoots, her union representative, to accompany her to Station 12.

49. On request from Ms. Adams, Captain Shoots then asked Chief Ballard if he (Shoots) could accompany Ms. Adams to Station 12. Chief Ballard initially said yes, but later instructed Captain Shoots that he was to remain at Station 16.

50. Upon information and belief, Chief Keller was reportedly told by Chief Frank and Chief Lami that Captain Shoots could not be present when the picture of Ms. Adams' tattoo was taken.

51. Ms. Adams subsequently reported to Station 12 to have her tattoo photographed by Chief Keller.

52. Captain Craig, as Ms. Adams' direct supervisor, accompanied Ms. Adams to Station 12.

53. While at Station 12, Captain Craig requested that another Captain, Captain Gary Holbein ("Captain Holbein"), be present to observe Captain Keller take a picture of Ms. Adams' tattoo as an uninterested party.

54. Both Captain Craig and Captain Holbein were present when Chief Keller took a picture of Ms. Adam's tattoo in his office.

55. Ms. Adams eventually learned that a second anonymous complaint had been filed against her at some point after her September 8, 2022 disciplinary hearing for allegedly failing to adequately cover her tattoo.

56. Ms. Adams, however, was complying with the directive that she let her hair grow out in order to cover the tattoo, yet not enough time had passed between the September 8, 2022 disciplinary hearing and September 29, 2022, for her hair to completely cover the tattoo.

57. Although Ms. Adams' hair had not grown out enough to completely cover up the tattoo, she went out of her way (and beyond the order that she was given at the September 8, 2022 disciplinary hearing) to conceal her tattoo by placing bandages over top of it.

58. Upon information and belief, Rutland, who is white and who was known to have issues with Ms. Adams, wanted Ms. Adams fired and used her tattoo as a pretext for doing so.

59. Upon information and belief, Rutland went outside of the chain of command and complained about Ms. Adams and her tattoo to Chief Frank who then reported it to Chief Lami.

60. Notably, the MFRD considers going outside of the chain of command as insubordination.

61. Upon information and belief, Rutland has never been disciplined or charged with insubordination for going outside of the chain of command and complaining to Chief Frank about Ms. Adams.

62. Further, rather than instruct Ms. Adams' direct supervisor, Captain Craig, to review Ms. Adams tattoo and file an incident report, Chief Lami ordered the District Chief in charge of training to instruct the Captain in the training center, who was not in charge of or had any supervision over Ms. Adams, to send him an incident report regarding Ms. Adams' tattoo.

63. Notably, no one ever informed Ms. Adams, Captain Shoots, or Captain Craig that the MFRD was investigating Ms. Adams' tattoo for a second time.

64. During the first week of October 2022, Captain Craig was approached by Captain Scott Carmichael who, on direct order from Chief Frank, pressured

Captain Craig to change Ms. Adams' Grade Sheet to reflect a recommendation of termination.

65. Captain Craig had previously submitted Ms. Adams' Grade Sheet on or about September 23, 2022.

66. Captain Craig graded Ms. Adams "[e]xcellent" in every single category on the Grade Sheet, commenting, among other things, that she "produced beyond normal expectations," "is very knowledgeable over a wide range of job responsibilities," and "[i]s committed to the department's goals." Captain Craig also recommended that Ms. Adams receive permanent status.

67. Since becoming Captain in 2007, Captain Craig has performed numerous Grade Sheets for probationary firefighters and takes them very seriously.

68. Captain Craig refused to change Ms. Adams Grade Sheet as he believed that the Grade Sheet that he had previously submitted accurately reflected his assessment of Ms. Adams' performance.

69. On or about November 10, 2022, another photograph was taken of the back of Ms. Adams head, at which point her tattoo was no longer visible as it was covered up by her hair.

70. Notwithstanding, on November 10, 2022, Captain Reggie Norton (Acting District Chief) terminated Ms. Adams' employment with the MFRD for "conduct unbecoming."

71. Ms. Adams was not provided any explanation as to her alleged conduct that warranted her termination for “conduct unbecoming.”

72. Ms. Adams’ termination is a prime example of a discriminatory practice within the MFRD’s with respect to discipline.

73. As set forth above, at the time Ms. Adams got her tattoo, several white firefighters within the MFRD had visible neck tattoos and were not terminated, nor were they disciplined.

74. Further, Ms. Adams was already disciplined in connection with her tattoo in that her probationary period was extended six months and she was complying with the directive given at the September 8, 2022 disciplinary hearing that she grown out her hair to cover her tattoo.

75. Moreover, upon information and belief, a few white firefighters who violated more serious MFRD polices and who were charged with criminal offenses were not terminated from the MFRD.

76. Shortly after Ms. Adams’ termination, on or about November 29, 2022, Captain Shoots was terminated from the MFRD for allegedly interfering with the investigation into Ms. Adam’s tattoo, as well as for purported insubordination and disobeying a direct order in connection with the September 28, 2022 incident wherein Chief Ballard attempted to get a picture of Ms. Adams’ tattoo.

77. Captain Shoots appealed his termination. The appeal is still ongoing.

78. Again, Captain Shoots was never made aware of a subsequent investigation into Ms. Adams tattoo after the conclusion of the September 8, 2022 disciplinary hearing.

79. Further, Chief Ballard testified at Captain's Shoots appeal hearing that Captain Shoots was never given a direct order nor could Chief Ballard identify Captain Shoots' purported act of insubordination.

80. Also, on or about November 29, 2002, Captain Craig was charged with insubordination and placed on a 30-day unpaid suspension from December 7, 2022 to January 5, 2023.

81. Captain Craig appealed his suspension. The appeal is still ongoing.

82. The MFRD's purported reason for charging Captain Craig with insubordination was for failing to support Chief Ballard by not ordering Ms. Adams to comply with Chief Ballard's request to take a picture of her tattoo on September 29, 2022, and by failing to support Captain Keller in taking the photograph of Ms. Adams' tattoo at Station 12.

83. Notably, Chief Ballard never instructed Captain Craig to order Ms. Adams to have her tattoo photographed.

84. Moreover, Captain Craig accompanied Ms. Adams to Station 12 where she complied with Captain Keller's request and the picture of Ms. Adams tattoo was taken without incident.

85. Following his suspension, Captain Craig was transferred to Station 21.

86. Further, as a result of his suspension, Captain Craig's performance evaluation (i.e., Grade Sheet), which was submitted by his immediate supervisor in April 2023, reflected that his performance during the prior period was "unsatisfactory."

87. Up until this time, Captain Craig never once received an unsatisfactory Grade Sheet throughout his nearly 26 years of employment with the MFRD.

88. In fact, but for his suspension, Captain Craig's April 2023 Grade Sheet reflects that his performance is "exceptional."

89. Because Grade Sheets are used in determining, among other things, promotions and merit increases, an unsatisfactory Grade Sheet hinders Captain Craig's opportunities for advancement.

EEOC AUTHORIZATION TO FILE

90. Plaintiffs previously filed charges against the City of Mobile Fire Rescue Department with the Equal Employment Opportunity Commission ("EEOC"), requesting a Notice of Right to Sue in the event that their matters could not be resolved by the EEOC.

91. The EEOC issued Captain Craig a Notice of Right to Sue on May 31, 2023, a copy of which is attached hereto as **Exhibit A**.

92. The EEOC issued Captain Shoots a Notice of Right to Sue on April 20, 2023, a copy of which is attached hereto as **Exhibit B**.

93. Plaintiffs bring this Complaint within 90 days of receipt of their respective Notices of Right to Sue.

CAUSES OF ACTION
FIRST CAUSE OF ACTION
DISCRIMINATION/RETALIATION IN VIOLATION OF TITLE VII

94. Plaintiffs incorporate each and every paragraph above as if fully set out herein.

95. By and through its course of conduct in suspending Captain Craig and terminating Captain Shoots, Defendant discriminated/retaliated against Plaintiffs in violation of Title VII.

96. As a direct and proximate result of Defendant's unlawful discriminatory conduct in violation of Title VII, Plaintiffs have suffered, and continue to suffer, monetary and/or other economic harm for which they are entitled an award of monetary damages and other relief.

97. As a direct and proximate result of the unlawful conduct committed by Defendant in violation of Title VII, Plaintiffs have suffered, and continue to suffer, severe mental anguish and emotional distress, including, but not limited to, humiliation, embarrassment, stress and anxiety, loss of self-esteem and self-

confidence, and emotional pain and suffering for which they are entitled to an award of monetary damages and other relief.

98. Defendant's unlawful and discriminatory actions were done with willful negligence, or recklessness, or a conscious disregard of Plaintiffs' rights or their conduct was so reckless as to amount to such disregard of Plaintiffs' protected rights under Title VII, for which Plaintiffs are entitled to an award of punitive damages.

SECOND CAUSE OF ACTION
DISCRIMINATION/RETALIATION IN VIOLATION OF SECTION 1981

99. Plaintiffs incorporate each and every paragraph above as if fully set out herein.

100. By and through its course of conduct in suspending Captain Craig and terminating Captain Shoots, Defendant discriminated/retaliated against Plaintiffs in violation of Section 1981.

101. As a direct and proximate result of Defendant's unlawful discriminatory conduct in violation of Section 1981, Plaintiffs have suffered, and continue to suffer, monetary and/or other economic harm for which they are entitled an award of monetary damages and other relief.

102. As a direct and proximate result of the unlawful conduct committed by Defendant in violation of Section 1981, Plaintiffs have suffered, and continue to suffer, severe mental anguish and emotional distress, including, but not limited to,

humiliation, embarrassment, stress and anxiety, loss of self-esteem and self-confidence, and emotional pain and suffering for which they are entitled to an award of monetary damages and other relief.

103. Defendant's unlawful and discriminatory actions were done with willful negligence, or recklessness, or a conscious disregard of Plaintiffs' rights or their conduct was so reckless as to amount to such disregard of Plaintiffs' protected rights under Section 1981, for which Plaintiffs are entitled to an award of punitive damages.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully requests that this court grant the following relief:

- A. A declaratory judgment that the actions, conduct and practices of Defendant complained of herein violated the laws of the United States;
- B. Order the reinstatement of Captain Shoots to the respective position he held at MFRD prior to his termination;
- C. An award of damages in an amount to be determined at trial, plus prejudgment interest, to compensate Plaintiffs for all monetary and/or economic damages;
- D. An award of damages in an amount to be determined at trial, plus prejudgment interest, to compensate Plaintiffs for all non-monetary and/or

compensatory damages, including, but not limited to, compensation for their mental anguish and emotional distress, humiliation, embarrassment, stress and anxiety, loss of self-esteem, self-confidence and personal dignity, and emotional pain and suffering;

E. An award of punitive damages;

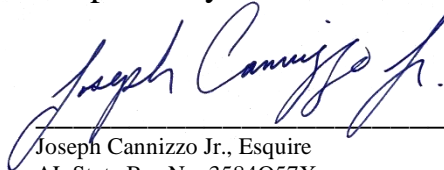
F. An award of costs that Plaintiffs have incurred in this action, as well as Plaintiffs' reasonable attorneys' fees to the fullest extent permitted by law; and

G. Such other and further relief as the Court may deem just and proper.

JURY DEMAND

Plaintiffs hereby demand a trial by jury on all of the triable issues of facts and damages stated herein.

Respectfully submitted,



Joseph Cannizzo Jr., Esquire
AL State Bar No. 3584057X
LENTO LAW GROUP, P.C.
Chase Corporate Center
1 Chase Corporate Center, Suite 400
Birmingham, AL, 35244
T: (385) 485-0600 | F: (313) 992-1122
jcannizzo@lentolawgroup.com
Attorney for Plaintiffs

DATED: July 18, 2023

Frank R. Schirripa
(pro hac vice forthcoming)
Kathryn A. Hettler
(pro hac vice forthcoming)
HACH ROSE SCHIRRIPA & CHEVERIE LLP
112 Madison Avenue, 10th Floor
New York, New York 10016
Telephone: (212) 213-8311
Facsimile: (212) 779-0028
fschirripa@hrsclaw.com
kh@hrsclaw.com
Attorneys for Plaintiffs

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

Jason Craig and Rodrick Shoots, Sr.

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

(c) Attorneys (Firm Name, Address, and Telephone Number) Joseph Cannizzo Jr. Lento Law Group, P.C. 1 Chase Corporate Center, Suite 400 Birmingham, AL 35244; (385) 485-0600

DEFENDANTS

City of Mobile

County of Residence of First Listed Defendant Mobile (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, 2 U.S. Government Defendant, 3 Federal Question (U.S. Government Not a Party), 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)

- Citizen of This State, Citizen of Another State, Citizen or Subject of a Foreign Country, PTF DEF, Incorporated or Principal Place of Business In This State, Incorporated and Principal Place of Business In Another State, Foreign Nation

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

Table with columns: CONTRACT, REAL PROPERTY, TORTS, CIVIL RIGHTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES. Includes various legal categories like Personal Injury, Real Property, Labor, etc.

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, 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; 42 U.S.C. § 1981. Brief description of cause: discrimination/retaliation (race)

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ In excess of \$1,000,000 CHECK YES only if demanded in complaint: JURY DEMAND: [X] Yes [] No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE DOCKET NUMBER

DATE 07/18/2023 SIGNATURE OF ATTORNEY OF RECORD

Handwritten signature of Joseph Cannizzo Jr.

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

Exhibit A



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Mobile Local Office
63 South Royal Street, Suite 504
Mobile, AL 36602
(251) 304-7920
Website: www.eeoc.gov

DETERMINATION AND NOTICE OF RIGHTS

(This Notice replaces EEOC FORMS 161 & 161-A)

Issued On: 05/31/2023

To: Mr. Jason W. Craig



Charge No: 425-2023-00915

EEOC Representative and email: ERIKA LACOUR
MLO Director
erika.lacour@eeoc.gov

DETERMINATION OF CHARGE

The EEOC issues the following determination: The EEOC will not proceed further with its investigation and makes no determination about whether further investigation would establish violations of the statute. This does not mean the claims have no merit. This determination does not certify that the respondent is in compliance with the statutes. The EEOC makes no finding as to the merits of any other issues that might be construed as having been raised by this charge.

NOTICE OF YOUR RIGHT TO SUE

This is official notice from the EEOC of the dismissal of your charge and of your right to sue. If you choose to file a lawsuit against the respondent(s) on this charge under federal law in federal or state court, **your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice.** Receipt generally occurs on the date that you (or your representative) view this document. You should keep a record of the date you received this notice. Your right to sue based on this charge will be lost if you do not file a lawsuit in court within 90 days. (The time limit for filing a lawsuit based on a claim under state law may be different.)

If you file a lawsuit based on this charge, please sign-in to the EEOC Public Portal and upload the court complaint to charge 425-2023-00915.

On behalf of the Commission, Digitally signed by ERIKA
ERIKA LACOUR LACOUR
Date: 2023.05.31 13:39:41 -05'00'

Erika LaCour
MLO Director

cc:

Christopher Kern
City of Mobile Legal Department
P.O. Box 1827
Mobile, AL 36633

Please retain this notice for your records.

Exhibit B



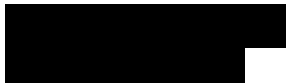
U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Mobile Local Office
63 South Royal Street, Suite 504
Mobile, AL 36602
(251) 304-7920
Website: www.eeoc.gov

DETERMINATION AND NOTICE OF RIGHTS

(This Notice replaces EEOC FORMS 161 & 161-A)

To: Mr. Rodrick D. Shoots Sr.



Charge No: 425-2023-00913

EEOC Representative and email: CYNTHIA WILSON
Investigator
cynthia.wilson@eeoc.gov

DETERMINATION OF CHARGE

The EEOC issues the following determination: The EEOC will not proceed further with its investigation and makes no determination about whether further investigation would establish violations of the statute. This does not mean the claims have no merit. This determination does not certify that the respondent is in compliance with the statutes. The EEOC makes no finding as to the merits of any other issues that might be construed as having been raised by this charge.

NOTICE OF YOUR RIGHT TO SUE

This is official notice from the EEOC of the dismissal of your charge and of your right to sue. If you choose to file a lawsuit against the respondent(s) on this charge under federal law in federal or state court, **your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice.** Receipt generally occurs on the date that you (or your representative) view this document. You should keep a record of the date you received this notice. Your right to sue based on this charge will be lost if you do not file a lawsuit in court within 90 days. (The time limit for filing a lawsuit based on a claim under state law may be different.)

If you file a lawsuit based on this charge, please sign-in to the EEOC Public Portal and upload the court complaint to charge 425-2023-00913.

On behalf of the Commission,

Cynthia Wilson Digitally signed by Cynthia Wilson
Date: 2023.04.20 14:47:35 -05'00'

For Erika La'Cour
Mobile Local Office Director

Cc:

Christopher Kern
City of Mobile Legal Department
P.O. Box 1827
Mobile, AL 36633

Kathryn Willis
11 N WATER ST STE 22200
Mobile, AL 36602

Please retain this notice for your records.