

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

BRANDIE FALICE,)	
)	
Plaintiff,)	
)	Civil Action File No.: _____
v.)	
)	<u>JURY TRIAL DEMANDED</u>
PNC FINANCIAL SERVICES)	
LLC,)	
)	
Defendant.)	

COMPLAINT

Plaintiff **Brandie Falice** brings this civil rights action for relief and damages against Defendant **PNC Financial Services LLC**, based on the following factual allegations and causes of action.

NATURE OF THE ACTION

1. This action to correct discriminatory employment practices by PNC Financial Services, LLC (“PNC”), arises under Title VII of the Civil Rights Act of 1964 (“Title VII”), as amended, 42 U.S.C.A. §§ 2000e-2(m), 2000e-3(a) and 42 U.S.C.A. § 1981.

2. Plaintiff Brandie Falice (“Falice”), an African-American woman, alleges that PNC unlawfully denied her promotions based on her race and her status as a single mother, and that PNC subsequently excluded her from another promotional opportunity because she made internal complaints that a prior non-selection was based on discriminatory motives.

3. To address PNC’s unlawful conduct, Falice seeks economic damages of back pay and front pay; compensatory damages for emotional distress and mental anguish; as well as her attorneys’ fees and costs of litigation.

THE PARTIES

4. Plaintiff Falice at all times relevant to this complaint was employed by a PNC branch in Norcross, Georgia and sought promotions within the metro Atlanta market.

5. PNC is a national banking and financial services company that is headquartered in Pittsburgh and maintains branches in Atlanta and its surrounding counties.

PERSONAL JURISDICTION

6. PNC is subject to service at the location of its registered agent, Paula Montano, at 1297 Wildflower Downs, Lawrenceville, Georgia 33044.

SUBJECT-MATTER JURISDICTION AND VENUE

7. Jurisdiction of this court is invoked pursuant to 28 U.S.C.A. §§ 1331 and 1343.

8. Venue is proper in this district and division under 28 U.S.C.A. § 1391(b)(1)-(2), as Defendant resides in and conducts business in this district and division and the acts or omissions giving rise to the claim occurred in the same venue.

EXHAUSTION OF ADMINISTRATIVE REMEDIES

9. Falice filed a charge of discrimination and retaliation against PNC with the Equal Employment Opportunity Commission, Charge No. 410-2024-08518, on May 14, 2024. A copy is attached as Exhibit A.

10. Falice subsequently received a right-to-sue letter on October 1, 2024. A copy is attached as Exhibit B.

FACTUAL ALLEGATIONS

11. Falice was hired as an entry level banker by PNC in 2018. For the remainder of her tenure at PNC, Falice excelled, receiving praise as a high potential employee with executive level potential.

12. In March 2022, Falice was promoted to the role of Assistant Manager at a Norcross, Georgia branch that focuses on business banking.

13. Despite the Assistant Manager title, due to the structure at Norcross, Falice performed many of the traditional operational duties of a branch manager, including hiring and firing of personnel, oversight of internal audits, directing customer engagement, and administering the setup of small business accounts.

14. Falice expressed interest in applying for promotion to a branch manager role in Doraville in March 2023 but her regional manager David Nunez discouraged her from applying on the grounds that the customer base of the branch was primarily Hispanic and that PNC intended to hire a person of Hispanic origin to fill the manager's slot.¹

¹ In fact, Falice is part Puerto Rican ancestry, but she identifies herself as Black and is not bilingual.

15. In the fall of 2023, Falice applied to fill an opening for a manager's position at a branch in Peachtree Corners.

16. Nunez interviewed Falice on November 22, 2023, and once again told her that she had the wrong demographic profile for the location. Peachtree Corners is a predominantly White community with a sizable Hispanic and Asian population. Blacks make up only 20% of the customer base in Peachtree Corners.

17. Nunez recommended instead that Falice wait to pursue an expected eventual opening at a Decatur branch based in a neighborhood with a majority Black clientele. According to Nunez, because of the demography of the customer base, Falice would be a better fit and that she could keep the clientele "in line."

18. During the November 2023 interview, Nunez brought up another concern that Falice's status as a single mother (Falice is divorced) might complicate her ability to perform the extensive duties expected of a manager, which include regular participation in external networking and marketing events outside of work hours.

19. Immediately after the interview, Falice raised concerns to the manager of her branch, Matthew Williams, that Nunez' comments indicated that she might

be denied a promotion for reasons related to her race and her status as a single mother.

20. Falice also reported Nunez's remarks to TJ Lomax, another branch manager who had mentored her during her employment at PNC Bank.

21. On January 11, 2024, Falice was officially informed that she had not been selected for the Peachtree Corners opening.

22. Falice informed both Williams and Lomax of her non-selection and sought guidance from both as to whether she should elevate her concerns that discrimination influenced her rejection to the human resources ("HR") department.

23. Under PNC's personnel policies, Williams was obligated to disclose to HR a subordinate's reporting of conduct that potentially violated the company's anti-discrimination policies. He never did so.

24. Lomax indicated that he would share Falice's account of her November 2023 interview with a third senior manager, Crystal Roach, who was known to be an influential figure among the informal network of Black PNC managers in Georgia.

25. In mid February 2024, Nunez angrily confronted Falice during a visit to the Norcross branch, telling her that he had heard rumors that she was discussing her non-selection for the Peachtree Corners opening with managers

within the company. Nunez admonished Falice for disclosing the substance of his remarks during the November 2023 interview.

26. The Peachtree Corners opening remained unfilled, as the original candidate selected declined the position. When Falice inquired about whether the job remained available, she was told by the talent and acquisitions department that the company had temporarily decided not to select a permanent manager for the job.

27. Despite the representation made to Falice, PNC ended up filling the Peachtree Corners slot in early April 2024 with a White male who had no prior experience in the Atlanta market. It is the customary practice at PNC to fill managerial vacancies with candidates who have experience within a metropolitan market.

28. As a regional manager, Nunez is integrally involved in evaluating and recommending candidates for approval to managerial jobs. His aversion to promoting Falice because of her race and her status as a single mother influenced her initial rejection for the Peachtree Corner opening.

29. In addition, Nunez's expressed anger at Falice for reporting his unlawful comments during a job interview likely colored her continuing failure to be selected when the managerial opening in Peachtree Corners reemerged.

30. On April 12, 2024, Falice chose to resign her employment at PNC due to her frustration at her advancement being impeded because of a combination of unlawful reasons, in the form of erroneous assumptions that her status as a single mother limited her availability to perform a manager's duties and that an African-American was a better fit for a "Black" branch.

31. Had Falice been promoted, her base pay would have risen. In addition, because PNC ties compensation to factors including customer generated revenue, a more affluent market like Peachtree Corners would have provided a more lucrative opportunity for Falice than the bank in the Decatur area, which reflects a more modest income base.

CAUSES OF ACTION

COUNT I

(Mixed motive race discrimination in violation of Title VII, 42 U.S.C.A. § 2000e-2(m))

32. Plaintiff Falice incorporates by reference the factual allegations in paragraphs 1–29 of this complaint as though set forth fully and separately herein.

33. Falice’s non-selection as a branch manager at a PNC branch with a predominantly White and non-Black clientele was at least partly motivated by her race, in violation of the mixed motive provision of Title VII.

34. As a result of PNC’s violation of the mixed motive provision of Title VII, Falice has suffered monetary damages, including but not limited to back pay and front pay; loss of economic opportunity; and noneconomic damages including emotional distress and mental anguish.

COUNT II

(Race discrimination in violation of 42 U.S.C.A. § 1981)

35. Plaintiff Falice incorporates by reference the factual allegations in paragraphs 1–29 of this complaint as though set forth fully and separately herein.

36. Section 1981 prohibits race discrimination in the performance of contractual relationships including at-will employment, as well as race-based interference with any aspects of the terms and conditions of conditions of employment including promotions.

37. Falice’s race was a determinative, but-for cause of her non-selection for two separate openings as a branch manager in 2023 and 2024.

38. As a result of PNC’s violation of Section 1981, Falice has suffered monetary damages, including but not limited to back pay and front pay; loss of economic opportunity; and noneconomic damages including emotional distress and mental anguish.

COUNT III

(Mixed motive “sex plus” discrimination in violation of 42 U.S.C.A. § 2000e-2(m))

39. Plaintiff Falice incorporates by reference the factual allegations in paragraphs 1–29 of this complaint as though set forth fully and separately herein.

40. Title VII prohibits discrimination against female employees based on their inclusion in a specific subgroup including the category of unmarried mothers.

41. Falice’s non-selection as a manager at a PNC branch during the time period between November 2023 and April 2024 was at least partly motivated by “sex plus” discrimination.

42. As a result of PNC’s violation of the mixed motive provision of Title VII, Falice has suffered monetary damages, including but not limited to back pay

and front pay; loss of economic opportunity; and noneconomic damages including emotional distress and mental anguish.

COUNT IV

(Retaliation in violation of 42 U.S.C.A. § 2000e-3(a))

43. Plaintiff Falice incorporates by reference the factual allegations in paragraphs 1–29 of this complaint as though set forth fully and separately herein.

44. Falice engaged in protected activity in that she reported to management level officials that a hiring manager injected consideration of race and gender-based factors into a promotional process.

45. Because of her participation in statutorily protected activity under Title VII, Falice was precluded from a continuing promotional opportunity by her regional manager, who was aware of her reporting of his discriminatory conduct.

46. The retaliatory conduct directed at Falice would have dissuaded a reasonable employee from making or supporting a charge of discrimination.

47. As a result of PNC's retaliatory conduct, Falice has suffered monetary damages, including but not limited to back pay and front pay; loss of economic opportunity; and noneconomic damages including emotional distress and mental anguish.

PRAYER FOR RELIEF

Wherefore, based on the above-stated claims, Plaintiff demands a trial by jury and that the following relief be granted:

- Back pay, front pay, and lost benefits.
- Compensatory damages to the extent allowed by law under Title VII and §1981.
- Attorneys' fees and costs of litigation.
- Pre-judgment and post-judgment interest at the highest lawful rate.
- Such other equitable and monetary relief as the court deems just and proper.
- A declaratory judgment that Defendant's actions violated Plaintiff's statutory rights and that Defendant shall refrain from future unlawful discriminatory and retaliatory conduct in its employment practices.

Respectfully submitted the 9th day of December, 2024.

HKM Employment Attorneys LLP

s/Artur Davis

Artur Davis²

ASB-3672-D56A

² Artur Davis will promptly file for admission *pro hac vice* as an attorney of record in this action. Mr. Davis is licensed in the state of Alabama and the District of Columbia.

2024 3rd Ave. North, Suite 212
Birmingham, AL 35203
Direct: 205-881-0935
adavis@hkm.com

s/Jerilyn Gardner
Jerilyn Gardner
Georgia Bar No. 139779
3344 Peachtree Rd. NE, Suite 800
Office #35
Atlanta, GA 30326
Direct: 404-446-9544
jgardner@hkm.com

Counsels for Plaintiff Brandie Falice

EEOC Form 5 (11/09)

<p style="text-align: center;">CHARGE OF DISCRIMINATION</p> <p style="font-size: small;">This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.</p>	<p>Charge Presented To: Agency(ies) Charge No(s):</p> <p><input type="checkbox"/> FEPA</p> <p><input checked="" type="checkbox"/> EEOC</p>
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_____ NA _____ and EEOC
State or local Agency, if any

Name (indicate Mr., Ms., Mrs.) Ms. Brandie Falice	Home Phone (Incl. Area Code) (470-406-9406)	Date of Birth [REDACTED]
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Street Address City, State and ZIP Code
2037 Weems Rd. #14104 Tucker, GA 30084

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)

Name PNC Bank	No. Employees, Members 500+	Phone No. (Include Area Code) 770-367-5368
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Street Address City, State and ZIP Code
1075 Peachtree St. NE Suite 1800 Atlanta GA 30309

Name	No. Employees, Members	Phone No. (Include Area Code)
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Street Address City, State and ZIP Code

<p>DISCRIMINATION BASED ON (Check appropriate box(es).)</p> <p><input checked="" type="checkbox"/> RACE <input type="checkbox"/> COLOR <input checked="" type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN</p> <p><input checked="" type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> GENETIC INFORMATION</p> <p><input type="checkbox"/> OTHER (Specify)</p>	<p>DATE(S) DISCRIMINATION TOOK PLACE</p> <table style="width: 100%; border: none;"> <tr> <td style="text-align: center; font-size: small;">Earliest</td> <td style="text-align: center; font-size: small;">Latest</td> </tr> <tr> <td style="text-align: center;">03/2023</td> <td style="text-align: center;">03/2024</td> </tr> <tr> <td colspan="2" style="text-align: center; padding-top: 10px;"><input type="checkbox"/> CONTINUING ACTION</td> </tr> </table>	Earliest	Latest	03/2023	03/2024	<input type="checkbox"/> CONTINUING ACTION	
Earliest	Latest						
03/2023	03/2024						
<input type="checkbox"/> CONTINUING ACTION							

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):

My name is Brandie Falice. I am an African-American woman who was employed with PNC Bank from 2018 to April 2024. I file this charge regarding the denial of a promotion for which I was qualified because of my race and status as a single mother.

I began my career with PNC in 2018 and rose through the ranks of the company according to the bank’s professional development plan. In March 2022, I was promoted to the position of Assistant Branch Manager (ABM) at the Norcross, GA branch. In this role, I was responsible for the day-to-day operations of the branch, including hiring/firing team members, managing cash logistics and cash audits, ensuring client success, and handling small scale business deals such as the establishment of LLCs, etc. The Norcross branch was designated a business banking center model, which meant that the ABM is designed to have nearly full administrative authority over the branch, while the branch’s vice president focuses on bringing in new business and furthering commercial relationships. The ABM position is commensurate with a branch manager position in PNC’s other models.

Given the fact that I had performed the equivalent of the role, I believed I was a natural candidate for a branch manager opening in March of 2023, which I communicated to my regional manager Dave Nunez. But Nunez discouraged me from applying to this branch, on the grounds that the bank had a majority Hispanic customer base and that I should not bother applying. PNC in fact hired a Hispanic candidate for the role.

Later in 2023, I applied for a branch manager position at the Peachtree Corners, GA location. On November 22, 2023, Nunez interviewed me for this position. He made several pejorative comments about whether as a divorced single mother, I would have the time and commitment to assume the responsibilities of a manager's role. He also remarked that I would not be a good fit for the Peachtree Corners location because I did not fit the demographics of that branch, an apparent reference to the fact that the Peachtree Corners branch has a mostly Caucasian client base. He suggested instead that I apply to the Decatur, GA branch, where he said that I could keep the customers at that bank "in line": Decatur has a mostly African-American client base.

On January 11, 2024, Nunez informed me that I would not be promoted to the Peachtree Corners manager's position. He claimed that the job had been given to another manager, who is not Black, who had been displaced when his branch closed. I raised internal concerns about being passed over for the manager's job, and was later admonished by Nunez for doing so.

Later in March 2024, after the individual initially selected chose to decline the job, PNC's talent and acquisition department informed me that the company had decided to forgo hiring anyone for the position. Despite this representation, PNC ended up appointing a Caucasian male who was not even native to the Atlanta metro market; normally PNC prioritizes filling manager openings with persons who have a demonstrated familiarity with the market.

On April 12, 2024, I decided to end my six years-long relationship with PNC Bank out of frustration at being denied promotional opportunities at least partly because of my race and status as a single mother in violation of Title VII of the Civil Rights Act of 1964. I also believe that my opportunity for a promotion was thwarted when I raised internal complaints about being passed over for the Peachtree Corners opening, in violation of the retaliation clause of Title VII.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

NOTARY – *When necessary for State and Local Agency Requirements*

I declare under penalty of perjury that the above is true and correct.

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

05 / 14 / 2024

Brandie Falice





SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(month, day, year)

Date

Charging Party Signature

Title	EEOC Charge Brandie Falice
File name	EEOC_charge_-_Brandie_Falice__2_.pdf
Document ID	86e48a63ea65d7fc98334370e9fef3e5d885ded4
Audit trail date format	MM / DD / YYYY
Status	● Signed

Document History

 SENT	05 / 14 / 2024 21:14:38 UTC-4	Sent for signature to Brandie Falice (brandiefalice@icloud.com) from jwalker@hkm.com IP: 76.97.141.204
 VIEWED	05 / 14 / 2024 21:15:01 UTC-4	Viewed by Brandie Falice (brandiefalice@icloud.com) IP: 166.198.157.90
 SIGNED	05 / 14 / 2024 21:16:37 UTC-4	Signed by Brandie Falice (brandiefalice@icloud.com) IP: 166.198.157.90
 COMPLETED	05 / 14 / 2024 21:16:37 UTC-4	The document has been completed.



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Atlanta District Office
100 Alabama Street, SW, Suite 4R30
Atlanta, GA 30303
1-800-669-4000
Website: www.eeoc.gov

DISMISSAL AND NOTICE OF RIGHTS (This Notice replaces EEOC FORMS 161, 161-A & 161-B)

Issued On: 10/01/2024

To: Ms. Brandie Falice
2037 Weems Rd. #14104
Tucker, GA 30084
Charge No: 410-2024-08518

EEOC Representative and email: Serena Curry
Investigator
serena.curry@eeoc.gov

DISMISSAL OF CHARGE

The EEOC has granted your request that the agency issue a Notice of Right to Sue, where it is unlikely that EEOC will be able to complete its investigation within 180 days from the date the charge was filed.

The EEOC is terminating its processing of 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 410-2024-08518.

On behalf of the Commission,
D. Daniel Digitally signed by I. Daniel-Edward Anance

Edward Anance

Date: 2024.10.02

10:54:51 -04'00'

Ariketokana D-Edward Anance For
Darrell E. Graham
District Director

Cc:

Rachel O'Driscoll
PNC Bank
One PNC Plaza
249 Fifth Ave.
Pittsburgh, PA 15222

Artur Davis Esq.
HKM Employment Attorneys
2024 3rd Ave. N Suite 212
Birmingham, AL 35203

Please retain this notice for your records.

Enclosure with EEOC Notice of Closure and Rights (01/22)

INFORMATION RELATED TO FILING SUIT UNDER THE LAWS ENFORCED BY THE EEOC

*(This information relates to filing suit in Federal or State court **under Federal law**. If you also plan to sue claiming violations of State law, please be aware that time limits may be shorter and other provisions of State law may be different than those described below.)*

IMPORTANT TIME LIMITS – 90 DAYS TO FILE A LAWSUIT

If you choose to file a lawsuit against the respondent(s) named in the charge of discrimination, you must file a complaint in court **within 90 days of the date you receive this Notice**. Receipt generally means the date when you (or your representative) opened this email or mail. You should **keep a record of the date you received this notice**. Once this 90-day period has passed, your right to sue based on the charge referred to in this Notice will be lost. If you intend to consult an attorney, you should do so promptly. Give your attorney a copy of this Notice, and the record of your receiving it (email or envelope).

If your lawsuit includes a claim under the Equal Pay Act (EPA), you must file your complaint in court within 2 years (3 years for willful violations) of the date you did not receive equal pay. This time limit for filing an EPA lawsuit is separate from the 90-day filing period under Title VII, the ADA, GINA, the ADEA, or the PWFA referred to above. Therefore, if you also plan to sue under Title VII, the ADA, GINA, the ADEA or the PWFA, in addition to suing on the EPA claim, your lawsuit must be filed within 90 days of this Notice and within the 2- or 3-year EPA period.

Your lawsuit may be filed in U.S. District Court or a State court of competent jurisdiction. Whether you file in Federal or State court is a matter for you to decide after talking to your attorney. You must file a "complaint" that contains a short statement of the facts of your case which shows that you are entitled to relief. Filing this Notice is not enough. For more information about filing a lawsuit, go to <https://www.eeoc.gov/employees/lawsuit.cfm>.

ATTORNEY REPRESENTATION

For information about locating an attorney to represent you, go to:
<https://www.eeoc.gov/employees/lawsuit.cfm>.

In very limited circumstances, a U.S. District Court may appoint an attorney to represent individuals who demonstrate that they are financially unable to afford an attorney.

HOW TO REQUEST YOUR CHARGE FILE AND 90-DAY TIME LIMIT FOR REQUESTS

There are two ways to request a charge file: 1) a Freedom of Information Act (FOIA) request or 2) a "Section 83" request. You may request your charge file under either or both procedures. EEOC can generally respond to Section 83 requests more promptly than FOIA requests.

Since a lawsuit must be filed within 90 days of this notice, please submit your FOIA and/or Section 83 request for the charge file promptly to allow sufficient time for EEOC to respond and for your review.

To make a FOIA request for your charge file, submit your request online at <https://eeoc.arkcase.com/foia/portal/login> (this is the preferred method). You may also submit a FOIA request for your charge file by U.S. Mail by submitting a signed, written request identifying your request as a "FOIA Request" for Charge Number 410-2024-08518 to the

Enclosure with EEOC Notice of Closure and Rights (01/22)

District Director at Darrell E. Graham, 100 Alabama Street, SW Suite 4R30, Atlanta, GA 30303.

To make a Section 83 request for your charge file, submit a signed written request stating it is a "Section 83 Request" for Charge Number 410-2024-08518 to the District Director at Darrell E. Graham, 100 Alabama Street, SW Suite 4R30, Atlanta, GA 30303.

You may request the charge file up to 90 days after receiving this Notice of Right to Sue. After the 90 days have passed, you may request the charge file only if you have filed a lawsuit in court and provide a copy of the court complaint to EEOC.

For more information on submitting FOIA requests, go to <https://www.eeoc.gov/eeoc/foia/index.cfm>.

For more information on submitted Section 83 requests, go to <https://www.eeoc.gov/foia/section-83-disclosure-information-charge-files>.

CIVIL COVER SHEET

1:24-cv-5630 SDG/RGV 442 42:2000ra

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

Brandie Falice

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

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

Jerilyn Gardner, Artur Davis, HKM Employment Attorneys, 3344 Peachtree Rd. NE, Suite 800, Office

DEFENDANTS

PNC Financial Services, LLC

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, 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, CIVIL RIGHTS, PRISONER PETITIONS, TORTS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, INTELLECTUAL PROPERTY RIGHTS, 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 (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.A. Section 20003-2(m), 2003-3(a), Section 1981

Brief description of cause: Plaintiff was denied promotional opportunities because of her race and gender, and in retaliation for complaints of 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: [X] Yes [] No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE DOCKET NUMBER

DATE

12/9/2024

SIGNATURE OF ATTORNEY OF RECORD

Jerilyn E. Gardner

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE