

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

**UNITED STATES EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION; LaRETHA
DORTCH-LORD; KAYMI ELDER-MANNING;
TIFFANI BOWERS; and AISHA LARRY,**

Plaintiffs,

vs.

Case No. 8:05-CV-01832-T-SCB-EAJ

**CONSOLIDATION RESOURCE
CENTER, INC.; and VINCENT LAWRENCE,**

Defendants.

COMPLAINT AND DEMAND FOR JURY TRIAL

Plaintiff/Intervenor, AISHA LARRY, sues Defendants, CONSOLIDATION RESOURCE CENTER, INC.; and VINCENT LAWRENCE, and alleges the following:

GENERAL ALLEGATIONS

1. Plaintiff, Aisha Larry, resides in Pinellas County, Florida.
2. Defendant, Consolidation Resource Center, Inc. ["CRC"], is a Florida corporation, whose principal place of business is now located at 8800 49th Street North, Suite 412, Pinellas Park, Florida 33782.
3. At all times material hereto, CRC conducted business at 6251 34th Street North, Suite 201, Pinellas Park, Florida 33781.
4. At all times material hereto, Defendant, Vincent Lawrence, was either the President or a Co-President of CRC.
5. At all times material hereto, Defendant, Vincent Lawrence, was a Director of CRC.

EXHAUSTION OF ADMINISTRATIVE REMEDIES

6. All conditions precedent have been performed or have occurred.
7. On or about January 9, 2004, Aisha Larry filed a formal charge of employment discrimination with the Equal Employment Opportunity Commission [the "EEOC"], alleging violations of Title VII of the Civil Rights Act of 1964 ["Title VII"].
8. A true and correct copy of said charge is attached hereto as Plaintiff's Exhibit "1".
9. On or about February 4, 2004, Aisha Larry filed a second formal charge of employment discrimination with the Equal Employment Opportunity Commission [the "EEOC"], alleging violations of Title VII.
10. A true and correct copy of said charge is attached hereto as Plaintiff's Exhibit "2".
11. The EEOC issued letters of determination on both of the foregoing charges, finding reasonable cause to believe that Title VII had been violated.
12. The EEOC attempted to conciliate both of the foregoing charges both with Aisha Larry and with CRC.
13. After CRC refused to participate in conciliation, the EEOC filed this lawsuit.
14. Aisha Larry properly moved to intervene in this lawsuit within a reasonable time after it was filed, and the Court has granted intervention.

COUNT I: SEX DISCRIMINATION AGAINST CRC

15. Plaintiff incorporates the allegations in paragraphs 1-14 by reference.

16. This is a civil action for sex discrimination under 42 U.S.C. § 2000e-2(a) of Title VII.

17. This Court has subject matter jurisdiction over these federal questions under 42 U.S.C. § 2000e-5(f) of Title VII.

18. Aisha Larry is a member of the protected class, because she is female.

19. From October of 2002 until January of 2004, Aisha Larry was employed by CRC as a Loan Specialist Representative; then a Supervisor of Defaults; and then a Loan Specialist Representative.

20. During her employment, Vincent Lawrence was her ultimate supervisor, a President or Co-President of CRC, a Director of CRC, and the alter ego of CRC.

21. During her employment, Vincent Lawrence subjected Aisha Larry to the following unwelcome acts of sex discrimination:

a. Sexual advances in the form of sexual comments; sexual propositions in demanding that she have sex with him; touching her breasts; touching her buttocks; putting his hand down the front of her skirt; and showing pornographic movies and/or pictures to her in the office;

b. Sexual favoritism towards other female employees who succumbed to his sexual advances;

c. Denial of perks for refusing his sexual advances; and

d. Demotion from Supervisor of Defaults back to Loan Specialist Representative and the removal of fringe benefits when she did not succumb to his sexual advances.

22. CRC, by and through its agent and alter ego Vincent Lawrence, is liable for the foregoing sexual harassment of Aisha Larry, because said sexual harassment was sufficiently severe and pervasive to affect the terms, conditions, and/or privileges of her employment.

23. Aisha Larry reported the sexual harassment to CRC's human resources manager, who failed to remediate the violations.

24. Vincent Lawrence had sexually harassed female employees at CRC before Aisha Larry.

25. CRC showed reckless disregard for Aisha Larry's federally-protected rights under Title VII:

- a. by and through the illegal acts of its agent and alter ego Vincent Lawrence; and
- b. by permitting Vincent Lawrence to engage in a practice of sexually harassing women in its workplace.

26. In permitting retaliation to occur and to escalate after detailed reports of sexual harassment by Aisha Larry and other women, CRC showed reckless disregard for Aisha Larry's federally-protected rights under Title VII.

27. As a proximate cause of CRC's sex discrimination, Aisha Larry has suffered both economic and non-economic damages.

WHEREFORE, Plaintiff/Intervenor, AISHA LARRY, demands judgment against Defendant, CONSOLIDATION RESOURCE CENTER, INC., for the following:

- a. back pay under 42 U.S.C. § 2000e-5(g);
- b. prejudgment interest;

- c. front pay in lieu of reinstatement;
- d. compensatory damages for emotional pain, suffering, inconvenience, humiliation, and loss of enjoyment of life under 42 U.S.C. § 1981a(a);
- e. punitive damages under 42 U.S.C. § 1981a(a);
- f. expert witness fees under 42 U.S.C. § 2000e-5(k);
- g. attorney's fees under 42 U.S.C. § 2000e-5(k); and
- h. taxable costs.

COUNT II: RETALIATION AGAINST CRC

- 28. Plaintiff incorporates the allegations in paragraphs 1-14 by reference.
- 29. This is a civil action for retaliation under 42 U.S.C. § 2000e-3(a) of Title VII.
- 30. This Court has subject matter jurisdiction over these federal questions under 42 U.S.C. § 2000e-5(f) of Title VII.
- 31. From October of 2002 until January of 2004, Aisha Larry was employed by CRC as a Loan Specialist Representative; then a Supervisor of Defaults; and then a Loan Specialist Representative.
- 32. During her employment, Vincent Lawrence was her ultimate supervisor, a President or Co-President of CRC, a Director of CRC, and the alter ego of CRC.
- 33. On or about December 15, 2003, Aisha Larry made verbal and written reports of sexual harassment by Vincent Lawrence at CRC to the human resources manager.
- 34. On or about January 9, 2004, Aisha Larry filed the EEOC charge at Plaintiff's Exhibit "1".

35. On or before January 20, 2004, CRC either knew of, or received said EEOC charge.

36. From December 15, 2003 through January 20, 2004, Aisha Larry continued to maintain her allegations of sexual harassment through her ongoing communications to CRC's human resources manager.

37. Aisha Larry is a member of the protected class, both because she participated in protected activity by filing a charge of employment discrimination with the EEOC, and because she opposed unlawful employment practices under Title VII by reporting sexual harassment to management.

38. In violation of 42 U.S.C. § 2000e-3(a), CRC took the following adverse employment actions against Aisha Larry because of her protected participation and/opposition under Title VII:

- a. Lowered her pay rate; and
- b. Changed her work schedule despite knowing her child care responsibilities, which resulted in her constructive discharge on or about January 19-20, 2004.

39. These allegations were memorialized in Aisha Larry's second EEOC charge for retaliation, which is attached hereto as Plaintiff's Exhibit "2".

40. In permitting the retaliation to occur and to escalate after detailed reports of sexual harassment by Aisha Larry and other women, CRC showed reckless disregard for Aisha Larry's federally-protected rights under Title VII.

41. As a proximate cause of CRC's retaliation, Aisha Larry has suffered both economic and non-economic damages.

WHEREFORE, Plaintiff/Intervenor, AISHA LARRY, demands judgment against Defendant, CONSOLIDATION RESOURCE CENTER, INC., for the following:

- a. back pay under 42 U.S.C. § 2000e-5(g);
- b. prejudgment interest;
- c. front pay in lieu of reinstatement;
- d. compensatory damages for emotional pain, suffering, inconvenience, humiliation, and loss of enjoyment of life under 42 U.S.C. § 1981a(a);
- e. punitive damages under 42 U.S.C. § 1981a(a);
- f. expert witness fees under 42 U.S.C. § 2000e-5(k);
- g. attorney's fees under 42 U.S.C. § 2000e-5(k); and
- h. taxable costs.

COUNT III: BATTERY AGAINST VINCENT LAWRENCE

- 42. Plaintiff incorporates the allegations in paragraphs 1-14 by reference.
- 43. This is a civil action for battery under Florida common law.
- 44. This court has subject matter jurisdiction over this pendent state claim under 28 U.S.C. § 1367(a), because this claim arose from the same series of alleged transactions and/or occurrences which support the federal questions above.
- 45. From October of 2002 until January of 2004, Aisha Larry was employed by CRC as a Loan Specialist Representative; then a Supervisor of Defaults; and then a Loan Specialist Representative.
- 46. During her employment, Aisha Larry suffered the following offensive contacts by Vincent Lawrence:
 - a. Touching her breasts;

- b. Touching her buttocks; and
- c. Putting his hand down the front of her skirt.

47. Vincent Lawrence intended to cause said offensive contacts.

48. In committing said batteries upon Aisha Larry, Vincent Lawrence acted with malice, moral turpitude, willfulness, and/or reckless disregard for her common law rights.

49. As a direct and proximate cause of Vincent Lawrence's offensive contacts, Aisha Larry suffered emotional pain, humiliation, and is entitled to punitive damages.

WHEREFORE, Plaintiff/Intervenor, AISHA LARRY, demands judgment against Defendant, VINCENT LAWRENCE, for the following:

- a. compensatory damages for emotional pain and humiliation;
- b. punitive damages; and
- c. taxable costs.

DEMAND FOR JURY TRIAL

Plaintiff/Intervenor, AISHA LARRY, demands a trial by jury as to all issues under 42 U.S.C. § 1981a(c)(1) of the Civil Rights Act of 1991.

s/ Theodore "Ted" E. Karatinos
THEODORE "TED" E. KARATINOS
PRUGH, HOLLIDAY & KARATINOS, P.L.
1009 West Platt Street
Tampa, Florida 33606
(813) 251-3548 (Voice)
(813) 251-5809 (Telefax)
Florida Bar No. 0983209
tkaratinos@prughlaw.com
Counsel for Intervenor, Aisha Larry

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on January 13, 2006, I electronically filed the foregoing "Complaint and Demand for Jury Trial" with the Clerk of Court by using the CM/ECF system which will send a notice of electronic filing to the following: Carla J. Von Greiff, Esq., Senior Trial Attorney, for the United States Equal Employment Opportunity Commission, Tampa Area Office, 501 East Polk Street, Suite 1000, Tampa, Florida 33602; Christie D. Arkovich, Esq., 1520 West Cleveland Street, Tampa, Florida 33606; and Patrica A. Pucci, Esq., 2719 First Avenue North, St. Petersburg, Florida 33713.

s/ Theodore "Ted" E. Karatinos
THEODORE "TED" E. KARATINOS

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act, 5 U.S.C. § 552a; see Privacy Act Statement on page 2 of this form.

ENTER CHARGE NUMBER

(✓) FEPA 0401-046
(✓) EEOC 15HA400041

Pinellas County Office of Human Rights and EEOC

(State or Local Agency, if any)

NAME (Indicate Mr., Ms., Mrs.)

Miss Aisha S. Larry

HOME TELEPHONE NO. (Include Area Code)

727 864-3238

STREET ADDRESS

2175 62nd Place Apt. #1

CITY, STATE AND ZIP CODE

St. Petersburg, FL 33712

COUNTY

Pinellas

NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one list below.)

NAME

Consolidation Resource Center

NO. OF EMPLOYEES/MEMBERS

15+

TELEPHONE NUMBER (Include Area Code)

727 528-9829

STREET ADDRESS

6251 34th St. N Suite #201

CITY, STATE AND ZIP CODE

Pinellas Park, FL 33712

NAME

TELEPHONE NUMBER (Include Area Code)

STREET ADDRESS

CITY, STATE AND ZIP CODE

CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es))

☐ RACE ☐ COLOR ☒ SEX ☐ RELIGION ☐ NATIONAL ORIGIN
☐ AGE ☐ RETALIATION ☐ DISABILITY ☐ OTHER (Specify)

DATE MOST RECENT OR CONTINUING DISCRIMINATION TOOK PLACE (Month, Day, Year)

November 15, 2003

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

I. STATEMENT OF HARM:

I've been subjected to verbal as well as physical sexual harassment over a five-month period. My employment began at Consolidation Resource Center as a Loan Specialist Representative in October 2002.

II. RESPONDENT'S REASON FOR ADVERSE ACTION:

No reason given.

III. STATEMENT OF DISCRIMINATION:

I believe that I have been discriminated against in violation of Title VII of the Civil Rights Act of 1964, as amended; the Florida Civil Rights Act of 1992; Chapter 70 of the Pinellas County Code, as amended on the basis of my sex for the following reasons:

- The CEO has verbally as well as physically sexually harassed me.
- I was promoted to Supervisor of the Default Department at the end of August 2003. After I rejected the CEO's advances, I was demoted to a Loan Specialist Representative. This occurred at the end of November 2003.
- After reporting the sexual harassment, the Human Resources Manager conducted an investigation and later informed me that nothing could be done about my claim because my harasser is the CEO.

RECEIVED BY

JAN 09 2004

OFFICE OF HUMAN RIGHTS

PLAINTIFF'S EXHIBIT

LEANN M CALVERT
Notary Public, State of Florida
My comm. expires 04/30/2007
No. DD 207821

✓ I also want this charge filed with the EEOC. I will advise the agencies if I change my address or telephone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

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

NOTARY (When necessary to meet State and Local Requirements)

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

SUBSCRIBED AND SWORN TO ME BEFORE THIS DATE
(Day, Month, Year)

Date Charging Party (Signature)

EEOC FORM 5

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974; see Privacy Act Statement on page 2 before completing this form.

ENTER CHARGE NUMBER

☒ FEPA 0402-055☒ EEOC 15HA400049**Pinellas County Office of Human Rights and EEOC**

(State or Local Agency, if any)

NAME (Indicate Mr., Ms., Mrs.)

Miss Aisha S. Larry

HOME TELEPHONE NO. (Include Area Code)

727 864-3238

STREET ADDRESS

2175 62nd Place Apt. #1

CITY, STATE AND ZIP CODE

St. Petersburg, FL 33712

COUNTY

Pinellas**NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one list below.)**

NAME

Consolidation Resource Center

NO. OF EMPLOYEES/MEMBERS

15+

TELEPHONE NUMBER (Include Area Code)

727 528-9829

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6251 34th St. N Suite #201

CITY, STATE AND ZIP CODE

Pinellas Park, FL 33712

NAME

TELEPHONE NUMBER (Include Area Code)

STREET ADDRESS

CITY, STATE AND ZIP CODE

CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es))

☐ RACE ☐ COLOR ☐ SEX ☐ RELIGION ☐ NATIONAL ORIGIN☐ AGE ☒ RETALIATION ☐ DISABILITY ☐ OTHER (Specify)

DATE MOST RECENT OR CONTINUING DISCRIMINATION TOOK PLACE (Month, Day, Year)

January 20, 2004

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

I. STATEMENT OF HARM:

I was subjected to verbal as well as physical sexual harassment over a five-month period. My employment began at Consolidation Resource Center as a Loan Specialist Representative in October 2002 and I was forced to resign on January 20, 2004.

II. RESPONDENT'S REASON FOR ADVERSE ACTION:

No reason given.

III. STATEMENT OF DISCRIMINATION:

I believe that I have been discriminated against in violation of Title VII of the Civil Rights Act of 1964, as amended; the Florida Civil Rights Act of 1992; Chapter 70 of the Pinellas County Code, as amended on the basis of ~~my sex~~ **retaliation** for the following reasons:

- Women who were willing to participate in the CEO's advancements were given better jobs at a higher rate of pay.
- Because I didn't accept the advances, I was demoted, which therefore resulted in a pay cut.
- After reporting the sexual harassment in December 2003 with my Human Resources Department, I was forced to resign on January 20, 2004 due to the retaliatory change in my work schedule.

RECEIVED BY

FEB 06 2004

OFFICE OF HUMAN RIGHTS

**PLAINTIFF'S
EXHIBIT
"2"****JENNIFER MAGGARD**
MY COMMISSION # DD 066954
EXPIRES: October 23, 2005

1-800-3-NOTARY FL Notary Service & Bonding, Inc.

☒ I also want this charge filed with the EEOC. I will advise the agencies if I change my address or telephone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

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

NOTARY - (When necessary to meet State and Local Requirements)

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**SUBSCRIBED AND SWORN TO ME BEFORE THIS DATE**

(Day, Month, Year)

2/4/04

Date

Charging Party (Signature)