

FILED

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

04/25/01 11:29
U.S. DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO, FLORIDA

UNITED STATES EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,

Plaintiff,

Case No.: 6:01-CV-179-ORL-31-JGG

PO

v.

FUGLEBERG KOCH ARCHITECTS, INC.,

Defendant,

HECTOR HOCSMAN,

Intervenor.

_____ /

INTERVENOR HECTOR HOCSMAN'S AMENDED COMPLAINT

Plaintiff, HECTOR HOCSMAN ("HOCSMAN"), by and through his undersigned counsel, hereby sues Defendant, FUGLEBERG KOCH ARCHITECTS, INC. ("FKA"), a Florida corporation, for employment discrimination and retaliation pursuant to Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e, et seq., as amended by the Civil Rights Act of 1991, 42 U.S.C. 1981a (collectively, "Title VII"), and the Florida Civil Rights Act of 1992, Florida Statutes § 760.01, et seq. (the "FCRA"), and for violation of Florida's Private Sector Whistleblower Act, §§448.101, et. seq., Florida Statutes (2000) and in support thereof alleges the following:

INTRODUCTION

1. This action is brought to remedy unlawful discrimination in employment based

on HOCSMAN's religion, Jewish, and because HOCSMAN was retaliated against by FKA in response to HOCSMAN's complaints of religious discrimination. The legal basis for this action is Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e, et seq., as amended by the Civil Rights Act of 1991, 42 U.S.C. 1981a (collectively, "Title VII"), and the Florida Civil Rights Act of 1992, Florida Statutes § 760.01, et seq.(the "FCRA"). Plaintiff, HOCSMAN, seeks equitable relief and damages. This action is also brought to remedy unlawful retaliation taken against HOCSMAN for his objection to and/or refusal to participate in what he believed in good faith to have constituted discriminatory and illegal employment practices on the part of DEFENDANT, FKA, in violation of Florida's Private Sector Whistleblower Act, §§448.101, et. seq., Florida Statutes (2000).

JURISDICTION, VENUE AND PARTIES

2. This action arises, in part, under Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000, et seq., as amended by the Civil Rights Act of 1991 ("Title VII"). This Court has original jurisdiction to grant relief pursuant to 28 U.S.C. §§ 1331, 1332(a)(1) and 1343 (3) and (4). This Court is vested with jurisdiction to order an injunction, front pay, back pay or any other equitable relief as may be proper, and compensatory and punitive damages, attorneys' fees and costs pursuant to 42 U.S.C. §§ 1981a and 2000e-5(g). This action also arises, in part, under the Florida Civil Rights Act of 1992, Florida Statutes § 760.01, et seq.(the "FCRA"). This action also arises, in part, under Florida's Private Sector Whistleblower Act, §§448.101, et. seq., Florida Statutes (2000). This Court has jurisdiction over all state law claims pursuant to 28 U.S.C. §1331 and §1367. The state claims herein are

for damages in excess of \$75,000.00 and are therefore also within the jurisdiction of this Court.

3. Plaintiff, U.S. Equal Employment Opportunity Commission (“EEOC”), made a finding of discrimination and retaliation against FKA, and filed suit in its own right on behalf of HOCSMAN, giving him the right to intervene as a plaintiff. HOCSMAN brings his claims herein as an intervening plaintiff.

4. Venue is proper in the Orlando Division of the Middle District of Florida pursuant to 28 U.S.C. § 1391(a) and (c) because the unlawful employment practices were committed within this judicial district.

5. Plaintiff, HOCSMAN, is an individual who at all times material resided in Orange County, Florida, during the time of his employment with FKA. His religion is Jewish, and he is protected from discrimination in employment under Title VII and the FCRA. At all times material herein, HOCSMAN, was employed by FKA as a Project Designer.

6. At all relevant times concerning this action, FKA, a Florida corporation, has been continuously doing business in the State of Florida, City of Winter Park, and has continuously had at least fifteen (15) employees. At all times material, FKA was and is engaged in providing architectural designs and related professional services to its customers and clients.

7. At all times relevant to this action, FKA is an “employer,” continuously engaged in an industry affecting commerce within the meaning of Sections 701(b), (g) and (h) of Title VII, 42 U.S.C. §§ 2000e-5(b), (g) and (h), and Fla. Stat. § 760.02(7).

COMPLIANCE WITH PROCEDURAL REQUIREMENTS

8. HOCSMAN timely filed a charge of discrimination with the Equal Employment Opportunity Commission (“EEOC”) and Florida Commission of Human Relations (“FCHR”) alleging discrimination and harassment based on his religion, Jewish, as well as retaliation in response to his complaints of same to FKA.

9. HOCSMAN has exhausted his administrative remedies required under 42 U.S.C. 2000e, and has otherwise fulfilled all applicable administrative prerequisites to bringing this action. Additionally, for purposes of Count V of this Amended Complaint, this action is filed within two (2) years of Plaintiff’s discovery of the retaliatory personnel actions taken by FKA as more fully described herein. Upon information and belief, Defendant has not yet filed an Answer to HOCSMAN’s Intervenor Complaint.

GENERAL ALLEGATIONS APPLICABLE TO ALL COUNTS

10. HOCSMAN was employed with FKA as Project Designer from at or around June 1, 1998, until June 15, 1999, when he was constructively discharged in retaliation for his complaints of religious discrimination.

11. On numerous occasions during his employment, HOCSMAN was subjected to derogatory jokes and other hostile statements regarding his religion. These discriminatory and anti-Semitic statements were made by supervisors and/or managers of FKA; specifically by Mr. Robert Koch, one of FKA’s senior shareholders and a principal of the firm, and by Mr. Joe Sistler, who served as a Project Architect and was a supervisor over HOCSMAN.

12. For example, at or around June 11, 1998, Mr. Robert Koch, drew a swastika on an architectural design plan that HOCSMAN was working on. Mr. Koch’s action was

performed while he was ostensibly supervising HOCSMAN in Koch's role as Chief Designer at FKA. This incident, and others disturbed HOCSMAN, and caused him to be emotionally upset at work.

13. On or about July 8, 1998, Mr. Robert Koch approached HOCSMAN at a workstation and stated that: "Your family name doesn't sound Jewish." This statement was made in a derogatory manner, and made HOCSMAN feel extremely uncomfortable.

14. On or about January 9, 1999, Mr. Koch asked HOCSMAN, "Are you really Jewish?" Mr. Koch further commented that he had grown up "in a very Jewish neighborhood" in New York, and then stated "how different Jewish people are," and that all Jewish people "care about is money."

15. While acting as Project Director, and as HOCSMAN's direct supervisor in connection with certain projects, including FKA's "Crown Plaza" project, Mr. Joe Sistler frequently made anti-Semitic comments in HOCSMAN's presence. For example, within the first week of Mr. Sistler's employment at FKA, and while he was critiquing HOCSMAN's work, Mr. Sistler stated that his former employer was a "money hungry Jew," and that he could "understand the reasons" behind the Nazi Holocaust. In making this statement, it was clear that Mr. Sistler was expressing a belief that the extermination of Jewish people by the Nazi regime was somehow understandable or justified.

16. On or about February 16, 1999, during a meeting with HOCSMAN and other FKA employees, Mr. Koch stated that: "Jewish people since Biblical times were bankers. We all know that bankers have money and suck owners' pockets, and we all hate bankers." At this same meeting, Mr. Koch also turned to HOCSMAN and stated: "You don't behave

annoying like the Jews; they have all this annoying talk.” Mr. Koch’s statements were humiliating and highly offensive to HOCSMAN.

17. The frequent harassment and numerous anti-Semitic statements to which HOCSMAN was subjected during his employment at FKA were sufficiently severe and pervasive to affect the terms and conditions of his employment and to create an intimidating, hostile and offensive work environment. Mr. HOCSMAN made it clear to FKA that this discriminatory conduct was unwelcome.

18. At or around the morning of June 10, 1999, HOCSMAN complained to FKA’s Director of Human Resources, Ms. Lana Biondi, detailing the discriminatory and anti-Semitic statements to that had been so frequently directed toward him by Mr. Koch and Mr. Sistler. HOCSMAN made his complaints to Ms. Biondi in good faith, believing that he was objecting to and/or refusing to participate in illegal and discriminatory employment practices being conducted by FKA in violation of Title VII and the FCRA.

19. In retaliation for HOCSMAN’s complaints of religious discrimination made to FKA’s Director of Human Resources, Mr. Sistler began to aggressively criticize HOCSMAN’s job performance, demeanor and attitude to other members of FKA’s management team in a deliberate attempt to terminate HOCSMAN’s employment. Mr. Sistler’s retaliatory abuse also included frequent statements to HOCSMAN asking him if he had “looked for a new job yet?”

20. On or about the afternoon of June 10, 1999, HOCSMAN was called into a meeting with FKA’s Director of Human Resources (Ms. Biondi), and with two other members of FKA’s management team, Mr. Fred Pauzer and Mr. Jim Kelley. This meeting

was held in response to HOCSMAN's complaint of discrimination, made to FKA's Director of Human Resources.

21. During this meeting of at or around the afternoon of June 10, 1999, Mr. Pauzer stated to HOCSMAN that: "I have a business to run and have no time for these matters. We can't control what people said." Additionally, HOCSMAN was presented with an extremely negative performance evaluation. The "Overall Performance Rating" given to HOCSMAN on this particular evaluation was the lowest possible rating according to FKA's rating scale; "Needs Significant Improvement."

22. This performance evaluation was completely inconsistent with HOCSMAN's previous written evaluation, executed by Mr. Pauzer and Mr. Kelley on or about February 16, 1999, and which documented HOCSMAN's "good" and even "excellent" performance during the first nine (9) months of his employment with FKA. Significantly, HOCSMAN's "Overall Performance Rating" on this February 16, 1999 evaluation, received prior to his complaining of discrimination, was the second-highest possible rating according to FKA's rating scale; that of "Consistently Exceeds Standards."

23. When HOCSMAN challenged the negative performance evaluation proffered by Mr. Kelley and Mr. Pauzer, as well as other oral criticisms of HOCSMAN's work, Mr. Pauzer presented an ultimatum to HOCSMAN. Namely, that HOCSMAN "could either quit or be fired." Mr. Pauzer also stated that "it wouldn't look good on your resume" if HOCSMAN were to be fired by FKA. Mr. Pauzer further stated that he would provide HOCSMAN with a positive letter of reference if he would simply resign or agree to a "lay-off." FKA's actions in connection with HOCSMAN's termination were taken in retaliation

for his good-faith complaints of religious discrimination.

24. As a result of DEFENDANT, FKA's, wrongful acts alleged herein, HOCSMAN has suffered economic and emotional damages.

25. The acts of DEFENDANT, FKA, alleged herein were intentional and done with malice or with reckless indifference to HOCSMAN's rights protected under Title VII and the FCRA, as well as under Florida's Private Sector Whistleblower Protection statute, §§448.101, et. seq., Florida Statutes (2000).

26. All conditions precedent to filing this action have been performed, have occurred or have been waived.

27. HOCSMAN has engaged the services of legal counsel and is obligated to pay legal counsel their fees and costs incurred in the prosecution of this action.

COUNT I
VIOLATION OF THE FLORIDA CIVIL RIGHTS ACT
RELIGIOUS DISCRIMINATION & HARASSMENT

28. HOCSMAN repeats and realleges allegations contained in paragraphs 1 through 27 herein.

29. The discrimination and harassment to which HOCSMAN was subjected was based upon his religion, Jewish.

30. DEFENDANT, FKA, violated Fla. Stat. § 760, *et seq.*, by intentionally discriminating against HOCSMAN and subjecting him to different terms and conditions of employment on the basis of his religion as more specifically alleged in the General Allegations

section of this Amended Complaint.

31. The offensive, anti-Semitic language of DEFENDANT's agents, managers, supervisors and/or shareholders, created a hostile and offensive work environment and negatively affected HOCSMAN's physical and psychological well being.

32. The conduct of DEFENDANT, by and through its agents, managers, supervisors and/or shareholders, and DEFENDANT's failure to take prompt remedial action to prevent continued harassment of HOCSMAN deprived HOCSMAN of his statutory rights under the FCRA.

33. There was no legitimate non-discriminatory reason to justify DEFENDANT's intentional disparate treatment of HOCSMAN.

34. The actions of DEFENDANT and/or its agents, managers, supervisors and/or shareholders were willful, wanton, intentional and were performed with malice or with reckless indifference to HOCSMAN's legally protected rights, entitling HOCSMAN to damages in the form of compensatory and punitive damages pursuant to Florida Statutes Chapter 760.11(5) to punish FKA for its actions and to deter it, and others, from taking such actions in the future.

35. The actions of DEFENDANT make reinstatement ineffective as a make whole remedy, entitling HOCSMAN to front pay in lieu of reinstatement.

36. As a direct, proximate and foreseeable result of DEFENDANT's actions, HOCSMAN has suffered past and future pecuniary losses, emotional pain, suffering, inconvenience and mental anguish, loss of enjoyment of life, loss of dignity, emotional distress, humiliation and other nonpecuniary losses and intangible injuries.

DEMAND FOR RELIEF

WHEREFORE, Plaintiff, HECTOR HOCSMAN, demands judgment against DEFENDANT, FUGLEBERG KOCH ARCHITECTS, INC., for back pay, front pay in lieu of reinstatement, compensatory damages, prejudgment interest, punitive damages, attorneys' fees, costs of this action and such other relief as this Court deems just and proper.

COUNT II
VIOLATION OF THE FLORIDA CIVIL RIGHTS ACT - RETALIATION

37. HOCSMAN repeats and realleges the allegations contained in paragraphs 1 through 27 herein.

38. DEFENDANT, FKA, violated Fla. Stat. § 760, *et seq.*, by retaliating against HOCSMAN for complaining about and opposing what he reasonably believed to be unlawful discrimination and harassment based on his religion, as more fully described in the General Allegations section of this Amended Complaint.

39. The adverse employment actions suffered by HOCSMAN in retaliation for his good-faith complaints of religious discrimination and harassment included, but were not limited to, increased hostile remarks directed at HOCSMAN by Mr. Joe Sistler and Mr. Sistler's efforts to disparage HOCSMAN's performance, as more fully described above in Paragraph 19 of the General Allegations Section of this Amended Complaint; the unwarranted negative performance evaluation that was presented to HOCSMAN as more fully described in Paragraphs 21, 22 and 23 of the General Allegations Section of this Amended Complaint, and the ultimate employment action resulting in the termination of HOCSMAN's employment relationship with FKA as more fully described in Paragraph 23 of the General Allegations

Section of this Amended Complaint.

40. The adverse employment actions suffered by HOCSMAN were causally related to and in retaliation for HOCSMAN's having engaged in the protected activity of complaining about religious discrimination and harassment in the workplace at FKA.

41. The actions of DEFENDANT and/or its agents, managers, supervisors and/or shareholders were willful, wanton, intentional and were performed with malice or with reckless indifference to HOCSMAN's legally protected rights, entitling HOCSMAN to damages in the form of compensatory and punitive damages pursuant to Florida Statutes Chapter 760.11(5) to punish FKA for its actions and to deter it, and others, from taking such actions in the future.

42. The actions of DEFENDANT make reinstatement ineffective as a make whole remedy, entitling HOCSMAN to front pay in lieu of reinstatement.

43. As a direct, proximate and foreseeable result of DEFENDANT's actions, HOCSMAN has suffered past and future pecuniary losses, emotional pain, suffering, inconvenience and mental anguish, loss of enjoyment of life, loss of dignity, emotional distress, humiliation and other nonpecuniary losses and intangible injuries.

DEMAND FOR RELIEF

WHEREFORE, Plaintiff, HECTOR HOCSMAN, demands judgment against DEFENDANT, FUGLEBERG KOCH ARCHITECTS, INC., for back pay, front pay in lieu of reinstatement, compensatory damages, prejudgment interest, punitive damages, attorneys' fees, costs of this action and such other relief as this Court deems just and proper.

COUNT III
VIOLATION OF TITLE VII OF THE CIVIL RIGHTS ACT OF 1964, AS
AMENDED - RELIGIOUS DISCRIMINATION & HARASSMENT

44. HOCSMAN repeats and realleges the allegations contained in paragraphs 1 through 27 herein.

45. The discrimination and harassment to which HOCSMAN was subjected was based upon his religion, Jewish

46. DEFENDANT violated Title VII by intentionally discriminating against HOCSMAN on the basis of his religion as more specifically alleged in the General Allegations section of this Amended Complaint. DEFENDANT intentionally discriminated and interfered with the terms and conditions of HOCSMAN's employment under 42 U.S.C. § 2000e-2(a)(1).

47. There was no legitimate non-discriminatory reason to justify DEFENDANT's intentional disparate treatment of HOCSMAN.

48. The offensive language and conduct of DEFENDANT's agents, managers, supervisors and/or shareholders created a hostile and offensive work environment and negatively affected HOCSMAN's physical and psychological well-being.

49. The conduct of DEFENDANT by and through its agents, managers, supervisors and/or shareholders, and DEFENDANT's failure to take prompt remedial action to prevent continued discrimination and harassment of HOCSMAN, deprived HOCSMAN of his statutory rights under 42 U.S.C. § 2000, *et seq.*

50. The actions of DEFENDANT and/or its agents, managers, supervisors and/or shareholders were willful, wanton, intentional and performed with malice or with reckless indifference to HOCSMAN's legally protected rights, were willful, wanton, intentional and

were performed with malice or with reckless indifference to HOCSMAN's federally protected rights, entitling HOCSMAN to compensatory and punitive damages pursuant to 42 U.S.C. §§ 1981a and 2000e-5(g) to punish FKA for its actions and to deter it, and others, from taking such actions in the future.

51. The actions of DEFENDANT make reinstatement ineffective as a make whole remedy, entitling HOCSMAN to front pay in lieu of reinstatement.

52. As a direct, proximate and foreseeable result of the actions of DEFENDANT, FKA, HOCSMAN has suffered past and future pecuniary losses, emotional pain, suffering, inconvenience and mental anguish, loss of enjoyment of life, loss of dignity, emotional distress, humiliation and other nonpecuniary losses and intangible injuries.

DEMAND FOR RELIEF

WHEREFORE, Plaintiff, HECTOR HOCSMAN, demands judgment against DEFENDANT, FUGLEBERG KOCH ARCHITECTS, INC., for back pay, front pay in lieu of reinstatement, compensatory damages, prejudgment interest, punitive damages, attorneys' fees, costs of this action and such other relief as this Court deems just and proper.

COUNT IV **VIOLATION OF TITLE VII OF THE CIVIL RIGHTS ACT OF 1964,** **AS AMENDED - RETALIATION**

53. HOCSMAN repeats and realleges the allegations contained in paragraphs 1 through 27 herein.

54. DEFENDANT, FKA, violated Title VII of the Civil Rights Act of 1964, as amended, by retaliating against HOCSMAN for complaining about and opposing what he

reasonably believed to be unlawful discrimination and harassment based on his religion, as more fully described in the General Allegations section of this Amended Complaint.

55. The adverse employment actions suffered by HOCSMAN in retaliation for his good-faith complaints of religious discrimination and harassment included, but were not limited to, increased hostile remarks directed at HOCSMAN by Mr. Joe Sistler and Mr. Sistler's efforts to disparage HOCSMAN's performance, as more fully described above in Paragraph 19 of the General Allegations Section of this Amended Complaint; the unwarranted negative performance evaluation that was presented to HOCSMAN as more fully described in Paragraphs 21, 22 and 23 of the General Allegations Section of this Amended Complaint; and the ultimate employment action resulting in the termination of HOCSMAN's employment relationship with FKA as more fully described in Paragraph 23 of the General Allegations Section of this Amended Complaint.

56. The adverse employment actions suffered by HOCSMAN were causally related to and in retaliation for HOCSMAN's having engaged in the protected activity of complaining about religious discrimination and harassment in the workplace at FKA.

57. The actions of DEFENDANT and/or its agents, managers, supervisors and/or shareholders were willful, wanton, intentional and performed with malice or with reckless indifference to HOCSMAN's legally protected rights, were willful, wanton, intentional and were performed with malice or with reckless indifference to HOCSMAN's federally protected rights, entitling HOCSMAN to compensatory and punitive damages pursuant to 42 U.S.C. §§ 1981a and 2000e-5(g) to punish FKA for its actions and to deter it, and others, from taking such actions in the future.

58. The actions of DEFENDANT make reinstatement ineffective as a make whole remedy, entitling HOCSMAN to front pay in lieu of reinstatement.

59. As a direct, proximate and foreseeable result of the actions of DEFENDANT, FKA, HOCSMAN has suffered past and future pecuniary losses, emotional pain, suffering, inconvenience and mental anguish, loss of enjoyment of life, loss of dignity, emotional distress, humiliation and other nonpecuniary losses and intangible injuries.

DEMAND FOR RELIEF

WHEREFORE, Plaintiff, HECTOR HOCSMAN, demands judgment against DEFENDANT, FUGLEBERG KOCH ARCHITECTS, INC., for back pay, front pay in lieu of reinstatement, compensatory damages, prejudgment interest, punitive damages, attorneys' fees, costs of this action and such other relief as this Court deems just and proper.

COUNT V **VIOLATION OF THE FLORIDA PRIVATE SECTOR WHISTLEBLOWER** **PROTECTION ACT, FLORIDA STATUTES §448.101, et seq.**

60. HOCSMAN repeats and realleges the allegations contained in paragraphs 1 through 27 herein.

61. Florida Statutes §448.102(3) provides a cause of action for any employee who has been the object of a retaliatory personnel action for objecting to or refusing to participate in any activity, policy, or practice of the employer which is in violation of a law, rule, or regulation.

62. At all times material to this action, HOCSMAN was an employee within the meaning of Florida Statutes §448.101(2).

63. FKA is an employer within the meaning of Florida Statutes §448.101(3) and regularly employs more than 10 persons.

64. FKA violated Florida Statutes § 448.102(3) by taking retaliatory personnel actions against HOCSMAN due to his good faith objections to, and/or his refusal to participate in, FKA's violation of federal and state laws prohibiting workplace discrimination based upon religion, as has been more thoroughly described in the General Allegations section of this Amended Complaint herein.

65. FKA retaliated against HOCSMAN in violation of Florida's Private Sector Whistleblower Statute, as has been more thoroughly described in the General Allegations section to this Amended Complaint herein, including, but not limited to, Paragraphs 18 through 25 of this Amended Complaint. FKA's retaliatory actions were the result of HOCSMAN's having in good faith objected to and/or his refusal to participate in FKA's illegal and discriminatory employment practices in violation of Title VII and the FCRA, as has been more fully described herein.

66. FKA and its agents, employees, partners, officers and/or directors actively and knowingly participated in the retaliatory personnel actions against HOCSMAN, including, but not limited to, terminating HOCSMAN's employment, having actual knowledge and/or constructive knowledge of the wrongfulness of their conduct and the high probability that injury or damage to HOCSMAN would result, and/or acted with such reckless disregard or absence of reasonable care as to constitute a conscious disregard or indifference to the rights of HOCSMAN, and/or acted with such gross negligence that they contributed to HOCSMAN's damages, injuries and losses.

67. As a consequence of these actions, HOCSMAN suffered damages including loss of income, lost wages and benefits, damage to reputation, standing in his profession and community, emotional distress damages, and other damages which have yet to be determined.

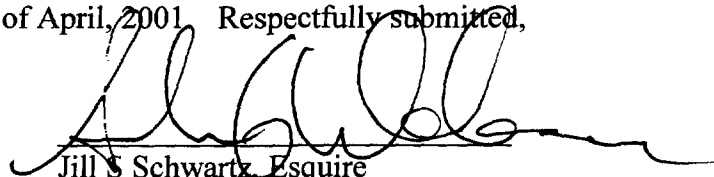
DEMAND FOR RELIEF

WHEREFORE, Plaintiff, HECTOR HOCSMAN, demands judgment against DEFENDANT, FUGLEBERG KOCH ARCHITECTS, INC., for compensation for lost wages, benefits and any other applicable remuneration, prejudgment interest, and all monetary awards, attorneys' fees, court costs and expenses incurred in this action, all other compensatory and punitive damages allowable at law, and any other such relief as this Court deems just and proper. To the extent that Plaintiff is required under applicable law to present a proffer to the Court prior to making a plea for relief under this Count V that includes a claim for punitive damages against Defendant, Plaintiff expressly reserves the right to present same at such a time as deemed reasonable and appropriate by the Court.

DEMAND FOR JURY TRIAL

Plaintiff, HECTOR HOCSMAN, demands a trial by jury for each Count of this Amended Complaint on all issues so triable.

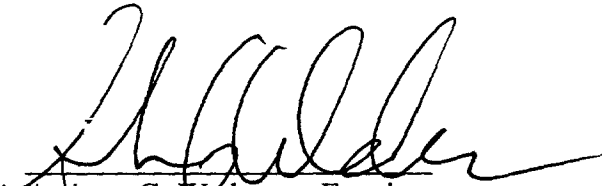
DATED this 23rd day of April, 2001. Respectfully submitted,



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail and facsimile to: Paul Scheck, Esquire, Allen, Norton & Blue, P.A., Attorneys for Defendant, Fugleberg Koch Architects, Inc., at (407) 422-7368 (facsimile) Signature Plaza, Suite 900, 201 South Orange Avenue, Orlando, Florida 32801, and Rachel Shonfield, Esquire, U.S. Equal Employment Opportunity Commission, Miami District Office, at (305) 536-4494 (facsimile) Two South Biscayne Blvd., One Biscayne Tower, Miami, Florida 33131, this 23RD day of April, 2001.


Andrew G. Wedmore, Esquire