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7  
8 UNITED STATES DISTRICT COURT  
9 SOUTHERN DISTRICT OF CALIFORNIA  
10

11 RASEAN JOHNSON, an individual, ) CASE NO. '17CV410 L NLS  
12 )  
13 Plaintiff, ) **COMPLAINT FOR DAMAGES**  
14 ) **FOR:**  
15 v. )  
16 CITY OF SAN DIEGO; and DOES 1 ) (1) Religious Discrimination  
17 through 5, inclusive, ) (2) Hostile Work Environment  
18 Defendants. ) (3) Retaliation  
19 ) **DEMAND FOR JURY TRIAL**  
20 )

21 **PARTIES & CLAIMS OVERVIEW**

22 1. Plaintiff Rasean Johnson (“Johnson”) is a life-long resident of San Diego  
23 County and a third-generation San Diego City employee. Initially hired as a Records  
24 Stock Clerk in the City’s Downtown Government Administration Building in September  
25 2004, Johnson’s hard-work and consistently strong job performance quickly propelled  
26 him to a Supervisor position in the City Clerk’s Office. But, after he resisted and  
27 reported Deputy Director Shelia Beale’s efforts to inject her personal religious beliefs  
28 into the workplace, the City removed his Supervisor job-title, transferred him to the

1 Public Utilities Department, and assigned him to the City's Chollas Operations Yard in  
2 Southeast San Diego, an objectively less-desirable work environment.

3 2. Defendant City of San Diego ("City" or "the City") is a municipal entity  
4 established by Charter, pursuant to the California Constitution, Article XI, § 3. It  
5 employs more than 19,000 individuals, organized into approximately 32 Departments,  
6 and is an "employer" as defined by 42 USC § 2000e(b).

7 **VENUE**

8 3. Because the Defendant is the City of San Diego, and the acts giving rise to  
9 Johnson's claims arose in San Diego County, this judicial District is the proper venue  
10 under 28 U.S.C. § 1391(b)(1)-(3).

11 **JURISDICTION**

12 4. Johnson's claims arise from Defendant's violation of Federal law, including  
13 Title VII of the Civil Rights Act. Accordingly, this Court has original jurisdiction to hear  
14 this case under 28 U.S.C. § 1331.

15 5. Prior to filing this action, Johnson exhausted his administrative remedies,  
16 submitting a grievance to the City of San Diego's Equal Employment Investigations  
17 Office on September 9, 2015, in accordance with his union's collective bargaining  
18 agreement. The grievance alleged Johnson's supervisor, Deputy Director Sheila Beale,  
19 harassed and discriminated against him on the basis of religion, and that her conduct  
20 created a hostile working environment. The City's ensuing six-month-long investigation  
21 revealed "sufficient evidence" in support of Johnson's complaint. The City  
22 communicated this to Johnson in a letter dated March 28, 2016. It is not known who  
23 investigators interviewed or what other actions were undertaken as part of the months-  
24 long investigation.

25 6. Despite sustaining Johnson's internal complaint/grievance, the City did not  
26 take any disciplinary or other remedial action against Beale. Instead, the City reassigned  
27 Johnson from the City Clerk's Office to an objectively less-desirable position in the  
28

1 Public Utilities Department, resulting in diminished promotional opportunities and harm  
2 to his professional reputation, among other deleterious repercussions.

3 7. Dissatisfied with the City's response to its own investigatory findings,  
4 Johnson filed a charge of discrimination with the Equal Employment Opportunity  
5 Commission ("EEOC") on June 10, 2016. Johnson requested an immediate right-to-sue  
6 notice on January 17, 2017, which the EEOC is required to issue pursuant to 29 CFR  
7 1601.28(a)(1). EEOC Director Chris Green approved the request on January 25, 2017,  
8 instructing the Department of Justice to issue a right-to-sue notice. Johnson has thus  
9 fully exhausted his administrative remedies.

10 **GENERAL ALLEGATIONS**

11 8. Johnson commenced his City employment with the City in September 2004  
12 as a Records Stock Clerk in the City Records Management Department. A third-  
13 generation City employee, Johnson was proud to follow in the footsteps of his two  
14 uncles, three cousins, great-uncle, and great-grandfather, who dutifully served the City  
15 for 32 years.

16 9. The Records Management Department supports the City Clerk and is  
17 responsible for keeping, handling, and maintaining official City records, which it has  
18 done for more than 100 years, as required by the City Charter and Municipal Code.

19 10. Based on Johnson's strong and consistent job performance, the City quickly  
20 promoted him from Records Clerk to Records Center Administrator in December 2005.  
21 Around this same time, the City hired Shelia Beale as Records Analyst, a position similar  
22 to Johnson's. Both reported to the then-Deputy Director, Kathryn Joy.

23 11. Johnson respected Beale's enthusiasm and they worked collaboratively on  
24 several major projects, helping make public documents more easily accessible and  
25 improving the efficiency with which records are archived and retrieved. His efforts  
26 earned him a promotion to Records Supervisor in 2007, which included oversight of the  
27 City Clerk's Imaging Center. But fostering cooperation between himself and Beale grew  
28 increasingly difficult amidst her consistently inappropriate comments about religion.

1           12. A devout and very demonstrative Christian, Beale routinely injected her  
2 religious beliefs into the workplace. In Fall 2008, California voters faced a ballot-  
3 initiative aimed at preventing same-sex marriage, commonly known as “Prop 8.” After  
4 raising this controversial topic in the office, Beale asked Johnson if he thought it was  
5 “okay if gays marry.” When Johnson replied that he had no problem with people  
6 marrying whomever they want, Beale told him he was “not a child of God.” Another  
7 employee overheard this exchange and reported it to Deputy Director Joy. She convened  
8 a ‘counseling session’ with Beale and Johnson, directed Beale to apologize, and told her  
9 that it was inappropriate to make such comments at work.

10           13. Kathryn Joy retired from her position as Deputy Director April of 2011. The  
11 City selected Beale as her replacement. As Deputy Director, Beale reported directly to  
12 the City Clerk and was responsible for supervising the records and imaging department  
13 staff, including Johnson.

14           14. But even after being promoted to Deputy Director, Beale continued to  
15 demonstrably and vocally profess her religious beliefs at work. She led ‘prayer sessions’  
16 during staff meetings, extolled her employees to attend church, and inquired about  
17 individuals’ religious affiliations. Although uncomfortable, Johnson bowed his head and  
18 sat quietly during Beale’s prayers, indulging her need for religious rituals as they tended  
19 to keep her in a positive frame of mind.

20           15. Johnson also did his best to ignore Beale’s derogatory comments about his  
21 own personal beliefs, or at least her perception of them. These comments, often made in  
22 front of his co-workers and subordinates, include telling him at a staff meeting in  
23 February 2009 that he and his significant other did not have a “blessed” relationship  
24 because they weren’t “married under the Lord.”

25           16. Johnson received another promotion to Records and Imaging Supervisor in  
26 2013. Though he received an increase in pay, and increased responsibilities, the other  
27 aspects of his job remained the same and he continued to report to Deputy Director Beale.  
28 Working out of the City’s Government Administration Building in Downtown San

1 Diego, Johnson oversaw a professional staff of approximately six employees, as well as  
2 everyone assigned to the City Clerk's office through the City's volunteer program.

3 17. But despite his professional success, Johnson felt increasingly marginalized  
4 and stigmatized by Beale's hostile comments about religion, prompting him to apply for a  
5 job with the City of Chula Vista in 2013. Chula Vista ranked his application 13<sup>th</sup> out of  
6 more than 500 applicants and invited him for an interview. To Johnson's surprise, Beale  
7 sat on Chula Vista's Civil Service Commission and was thus part of the hiring panel.  
8 Chula Vista did not offer Johnson the position. Following this interview process, Beale's  
9 derogatory comments toward Johnson regarding religion increased in both frequency and  
10 intensity.

11 18. In December 2013, while meeting with Johnson for his one-on-one  
12 performance review, Beale warned him that he better start reading his bible, because  
13 "even good people go to hell if they don't give their life to the word of God."

14 19. In November 2014, Beale told one of Johnson's direct reports not to follow  
15 Johnson's directives because he was a "non-believer." This undermined Johnson's  
16 ability to effectively lead his team and carry out his Supervisory duties. It also  
17 represented the first step in Beale's campaign to force him out of the City Clerk's office.

18 20. After Johnson took a brief bereavement leave in December 2014, Beale  
19 called him into her office, told him to "seek the word of God" and asked him to pray with  
20 her before resuming his job duties. Johnson told Beale he was uncomfortable and  
21 politely declined her request to pray.

22 21. Following this incident, Beale sought to reassert her dominance and control  
23 by assigning Johnson to perform menial tasks outside his job description. For example,  
24 on July 25, 2015, Beale directed Johnson to extract hundreds of archived records from the  
25 storage facility basement for scanning, even though this task is one historically performed  
26 by Records Stock Clerks, the same entry-level position Johnson held when first hired in  
27 2004.  
28



1           22. A few days later, on July 27, 2015, Beale announced the Department would  
2 be holding a “Christmas Celebration, not a winter celebration,” and anyone that didn’t  
3 like it, shouldn’t attend. Although she addressed her comment to a group of employees,  
4 it was meant for Johnson, which she confirmed the following day when she lashed out at  
5 him in front of his co-workers and subordinates, saying he was not “blessed” and had “no  
6 credibility.”

7           23. On August 20, 2015, Beale directed Johnson to perform physical labor,  
8 moving heavy cabinets, shelving units, boxes, tables, and wood pallets out of the City’s  
9 storage facility in preparation for painting. This required Johnson to use power tools and  
10 other equipment he had not been trained on, and resulted in him cutting his hand, tearing  
11 his dress pants, and inhaling significant amounts of dust. Based upon Beale’s  
12 increasingly hostile comments about Johnson, attempts to undermine his authority with  
13 his staff, and assignment of menial and/or dangerous tasks, Johnson decided he could not  
14 keep quiet any longer and sought assistance from his labor union, the San Diego  
15 Municipal Employees Association (“MEA”).

16           24. MEA filed a grievance on behalf of Johnson and two other employees, with  
17 the City’s Human Resources Department on September 9, 2015. The grievance alleged  
18 Beale had created a hostile work environment, harassed, and discriminated against  
19 Johnson and the other two employees. The City initiated a fact-finding process on  
20 September 27, 2015 and referred the alleged EEOC violations to its Equal Employment  
21 Investigation Department.

22           25. Although the City told Beale about Johnson’s grievance, it took no known,  
23 or meaningful measures, to protect Johnson from Beale’s retaliatory treatment. It did not  
24 place her on paid leave, offer Johnson a temporary assignment, or change his supervisor  
25 to someone other than Beale. Accordingly, in October 2015, while the investigation was  
26 still pending, Beale removed Johnson’s supervisory duties, reassigned his staff to another  
27 manager, and excluded him from projects that would normally fall within his job  
28 description.

1           26. For example, upon receiving complaints from the City Attorney's Office that  
2 inactive records were not being picked up, Johnson intervened – offering to process the  
3 backlog and ensure the records were properly scanned and copies delivered to the  
4 appropriate parties. Beale, however, told him the records center was no longer his  
5 responsibility and directed him not to process the inactive records. She also prohibited  
6 him from assisting with the City's electronic records database, directing employees to  
7 contact the independent software vendor even though Johnson was fully trained and  
8 capable of handling the technical issues in-house.

9           27. The City concluded its investigation of Johnson's grievance after a six-  
10 month investigation. It sent Johnson a letter dated March 28, 2016, which said the  
11 investigation had found sufficient evidence to support Johnson's allegations, confirming  
12 the veracity of his complaints regarding Beale's misconduct. The letter did not address  
13 what, if anything, the City would do to correct her conduct or protect Johnson from  
14 further retaliation.

15           28. On April 21, 2016, the City's Human Resources Director, Judy von  
16 Kalinowski, told Johnson's MEA representative, Kelley Cruz, that transferring Johnson  
17 to a different department was the only solution the City could offer. According to  
18 Kalinowski, this was being done as "a favor" to Johnson because, otherwise, he'd have to  
19 continue working for Beale.

20           29. Former Deputy Director Kathryn Joy unexpectedly called Johnson three  
21 days later. She said she had heard he was being forced out of the Clerk's Office and  
22 called to console and encourage him to give the new position a try.

23           30. Johnson heeded Joy's advice and excelled in his new role, despite the  
24 undesirable conditions in which he now had to work. As Records and Imaging  
25 Supervisor, Johnson managed a team of employees and worked in an air-conditioned,  
26 professional office in downtown San Diego among a diverse group of City employees,  
27 including the City Clerk and other high-ranking City Officials. He now has no job title,  
28 reports to a Program Manager instead of a Deputy Director, and works in a hot, dirty,



1 industrial yard in East San Diego with approximately 100 other men and dangerous  
2 materials, including canisters of methane.

3 31. Johnson used to look at the City's official seal as a source of pride and  
4 inspiration but now its maxim, *Semper Vigilans* ("ever vigilant"), seems ironic and  
5 hypocritical. Johnson had done everything in his power to stem Beale's inappropriate  
6 conduct: participating in mediation, ignoring her derogatory comments, and avoiding  
7 unnecessary interactions. But Beale persisted. Even after the City's investigation  
8 confirmed Beale had engaged in unlawful conduct, it took no action against her and,  
9 instead, stripped Johnson of his Supervisor job title and transferred him to a remote job-  
10 site.

11 32. Ms. Beale continues to make derogatory comments about Johnson to City  
12 officials and he has been directed not to discuss the reasons for his transfer to the Public  
13 Utilities Department. As a result, his new supervisor and other City managers believe he  
14 was transferred for disciplinary purposes. Despite Johnson's more than 12-years' of  
15 outstanding job performance he now struggles under a tarnished reputation to salvage his  
16 once promising career.

17 **First Cause of Action**

18 **Religious Discrimination [42 U.S.C. § 2000e-2]**

19 33. Plaintiff incorporates paragraphs 1 through 32 by reference, as if fully set  
20 forth herein.

21 34. Title VII of the Civil Rights Act of 1964 ("Title VII") prohibits employers  
22 from discriminating against an individual "with respect to his compensation, terms,  
23 conditions, or privileges of employment, because of his . . . religion." 42 U.S.C. § 2000e-  
24 2(a)(1). It is also unlawful for employers to "limit, segregate, or classify . . . employees .  
25 . . in any way which would deprive or tend to deprive any individual of employment  
26 opportunities or otherwise adversely affect his status as an employee." 42 U.S.C. §  
27 2000e-2(a)(2).

1           35. The City of San Diego is engaged in an industry affecting commerce and  
2 employs more than fifteen persons. Accordingly, it is an “employer” under Title VII. 42  
3 U.S.C. § 2000e(b). Deputy Director Beale acted as The City’s agent with regard to the  
4 events and circumstances relevant to this complaint.

5           36. Johnson has maintained an exemplary employment record over his 12+  
6 years as a City Employee, including positive job performance assessments, promotions,  
7 and raises.

8           37. Beale’s repeated questions, comments, and derogatory remarks about  
9 Johnson and his religious beliefs evidence her perception that Johnson is a “non-  
10 believer,” or at least does not share her faith. Based on this perception, Beale initiated a  
11 series of escalating adverse employment actions against him - encouraging subordinates  
12 to refuse to follow his directives, telling co-workers he is not a “man of God” and lacks  
13 credibility, assigning him to perform menial tasks outside his job description, stripping  
14 him of all supervisory duties, and marginalizing his role in the Department.

15           38. Despite its investigative findings, which confirmed Beale had engaged in the  
16 alleged misconduct, the City took no disciplinary action against her and, instead, gave  
17 Beale what she wanted by transferring Johnson out of her Department, removing him  
18 from a management position, and requiring him to work in a hot, dirty, industrial yard on  
19 the city’s eastern boundary with Lemon Grove.

20           39. As a result of Defendant’s conduct, Johnson has suffered and continues to  
21 suffer economic losses, including harm to his professional reputation, lost earning  
22 capacity, and impaired chances for advancement. He has also suffered non-pecuniary  
23 harm, including emotional pain, suffering, inconvenience, mental anguish, and loss of  
24 enjoyment of life. Johnson also seeks to recover legal fees and costs incurred in  
25 attempting to remedy Defendant’s unlawful conduct pursuant to 42 U.S.C. § 2000e-5(k).

26 ///

27 ///

28 ///

**Second Cause of Action**

**Hostile Work Environment [42 U.S.C. § 2000e-2]**

1  
2  
3 40. Plaintiff incorporates paragraphs 1 through 39 by reference, as if fully set  
4 forth herein.

5 41. Under Title VII, an employer has an affirmative obligation to maintain a  
6 work environment free of harassment, intimidation and repeated insult. This includes  
7 quid pro quo and hostile work environment harassment.

8 42. Beale’s persistent questions, comments, and discussion of religion, including  
9 leading group prayer at staff meetings and making derogatory remarks about Johnson  
10 being a “non-believer,” and thus untrustworthy, are not only offensive and inappropriate  
11 for the workplace, they have deleteriously impacted Johnson’ job, career, and  
12 professional reputation.

13 43. Beale’s comments about religion occurred on an almost daily basis from  
14 2008 until the City transferred Johnson from the City Clerk’s office to the Chollas  
15 Operations Yard in April 2016 due to the severity and pervasiveness of her harassment.

16 44. Because Beale was Johnson’s direct supervisor, the City is vicariously liable  
17 for the harassment and resulting tangible employment actions taken against Johnson,  
18 including her undermining his authority with subordinates, removing his supervisory  
19 duties, and assigning him to perform manual labor and menial tasks outside his job  
20 description. Moreover, after Johnson reported the harassment and the City’s  
21 investigation confirmed Beale had engaged in the alleged misconduct, it refused to  
22 restore his Supervisor job-title, reassigned him to a remote worksite, and directed him to  
23 keep the reason for his transfer a secret, even from his new manager.

24 45. As a result of Defendant’s conduct, Johnson has suffered and continues to  
25 suffer economic losses, including harm to his professional reputation, lost earning  
26 capacity, and impaired chances for advancement. He has also suffered non-pecuniary  
27 harm, including emotional pain, suffering, inconvenience, mental anguish, and loss of  
28

1 enjoyment of life. Johnson also seeks to recover legal fees and costs incurred in  
2 attempting to remedy Defendant's unlawful conduct pursuant to 42 U.S.C. § 2000e-5(k).

3 **Third Cause of Action**

4 **Retaliation [42 U.S.C. § 2000e-3]**

5 46. Plaintiff incorporates herein by reference paragraphs 1 through 45, as if fully  
6 set forth herein.

7 47. Title VII also prohibits employers from retaliating against an employee for  
8 engaging in protected conduct. (42 U.S.C. § 2000e-3(a).)

9 48. Johnson engaged in protected conduct when he opposed Beale's efforts to  
10 inject her religious beliefs into the workplace by refusing to pray with her or follow her  
11 directive to "get back to church." He also engaged in protected conduct when he filed the  
12 grievance regarding Beale's discriminatory and harassing behavior, and participated in  
13 the ensuing investigation.

14 49. Less than a month after Johnson filed his September 9, 2015 grievance, and  
15 despite his consistently positive job performance, Beale removed his supervisory duties,  
16 reassigned his staff to other managers, and directed him to perform menial tasks and  
17 physical labor, including cleaning up bags of shredded records and preparing the storage  
18 facility for painting.

19 50. Although Beale told Johnson his changed role was the result of  
20 "restructuring," she was unable to provide any reason why such restructuring was  
21 necessary, or why it only impacted Johnson. In reality, Beale took these actions in  
22 retaliation for Johnson's grievance, in an effort to marginalize, ostracize, and force his  
23 resignation.

24 51. As a result of Defendant's conduct, Johnson has suffered and continues to  
25 suffer economic losses, including harm to his professional reputation, lost earning  
26 capacity, and impaired chances for advancement. He has also suffered non-pecuniary  
27 harm, including emotional pain, suffering, inconvenience, mental anguish, and loss of  
28

1 enjoyment of life. Johnson also seeks to recover legal fees and costs incurred in  
2 attempting to remedy Defendant's unlawful conduct pursuant to 42 U.S.C. § 2000e-5(k).

3  
4 **PRAYER FOR RELIEF**

5 WHEREFORE, Plaintiff Rasean Johnson requests a jury trial and entry of  
6 judgment against Defendant as follows:

- 7 1. For back-pay and front-pay, according to proof;
- 8 2. For damages to plaintiff's professional reputation;
- 9 3. For compensatory damages, including emotional pain and suffering, mental  
10 anguish, and loss of enjoyment;
- 11 4. For injunctive and declaratory relief;
- 12 5. For attorney fees and costs;
- 13 6. For prejudgment interest on all amounts claimed; and
- 14 7. For any other and further relief that the court considers proper.

15  
16 Dated: February 28, 2017

SMITH, STEINER, VANDERPOOL  
& WAX, APC

17  
18  
19 By: /s Jon Vanderpool

Jon Y. Vanderpool  
Email: [jvanderpool@ssvwlaw.com](mailto:jvanderpool@ssvwlaw.com)  
Jon Cadieux  
Attorneys for Plaintiff

JS 44 (Rev. 12/12)

### 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.)

<p><b>I. (a) PLAINTIFFS</b>                  RASEAN JOHNSON</p> <p>(b) County of Residence of First Listed Plaintiff <u>San Diego</u>                  (EXCEPT IN U.S. PLAINTIFF CASES)</p> <p>(c) Attorneys (Firm Name, Address, and Telephone Number)                  Jon Y. Vanderpool, Esq. / Jon Cadieux, Esq.                  Smith, Steiner, Vanderpool &amp; Wax (619) 239-7200                  401 West A Street, Suite 320, San Diego, CA 92101</p>	<p><b>DEFENDANTS</b>                  CITY OF SAN DIEGO, and DOES 1 through 5, inclusive</p> <p>County of Residence of First Listed Defendant <u>San Diego</u>                  (IN U.S. PLAINTIFF CASES ONLY)</p> <p>NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.</p> <p>Attorneys (If Known)</p>
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<p><b>II. BASIS OF JURISDICTION</b> (Place an "X" in One Box Only)</p> <p><input type="checkbox"/> 1 U.S. Government Plaintiff</p> <p><input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)</p> <p><input type="checkbox"/> 2 U.S. Government Defendant</p> <p><input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)</p>	<p><b>III. CITIZENSHIP OF PRINCIPAL PARTIES</b> (Place an "X" in One Box for Plaintiff and One Box for Defendant)</p> <p>(For Diversity Cases Only)</p> <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:30%;"></td> <td style="width:10%; text-align: center;"><b>PTF</b></td> <td style="width:10%; text-align: center;"><b>DEF</b></td> <td style="width:40%;"></td> <td style="width:10%; text-align: center;"><b>PTF</b></td> <td style="width:10%; text-align: center;"><b>DEF</b></td> </tr> <tr> <td>Citizen of This State</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business In This State</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business In Another State</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> </tr> </table>		<b>PTF</b>	<b>DEF</b>		<b>PTF</b>	<b>DEF</b>	Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
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**IV. NATURE OF SUIT** (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<p><b>PERSONAL INJURY</b></p> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<p><b>PERSONAL INJURY</b></p> <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <p><b>PERSONAL PROPERTY</b></p> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157
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			<input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act	<input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark
				SOCIAL SECURITY
				<input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DJWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))
				FEDERAL TAX SUITS
				<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609
				IMMIGRATION
				<input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions
				PRISONER PETITIONS
				<p><b>Habeas Corpus:</b></p> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <p><b>Other:</b></p> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement

**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

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  
42 USC 2000e

Brief description of cause:  
Religious Discrimination; Hostile Work Environment; Retaliation

**VII. REQUESTED IN COMPLAINT:**

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.    DEMAND \$ \_\_\_\_\_    CHECK YES only if demanded in complaint:  
 JURY DEMAND:  Yes     No

**VIII. RELATED CASE(S) IF ANY** (See instructions):

JUDGE \_\_\_\_\_ DOCKET NUMBER \_\_\_\_\_

DATE: 02/28/2017    SIGNATURE OF ATTORNEY OF RECORD: /s/ Jon Y. Vanderpool

**FOR OFFICE USE ONLY**

RECEIPT # \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPLYING IFP \_\_\_\_\_ JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_