

FILED

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
OCALA DIVISION

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CLERK, US DISTRICT COURT
MIDDLE DISTRICT OF FL
OCALA FLORIDA

DAWN ALEXANDER, LISA VENTIMIGLIA and
MICHELE TEWELL, on behalf of themselves and
others similarly situated,

Plaintiffs,

v.

CASE NO.: 5:18-cv-519-oc-30PRL

MIKE PRENDERGRAST, as SHERIFF of
CITRUS COUNTY, FLORIDA,

Defendant

_____ /

CLASS ACTION COMPLAINT AND DEMAND FOR JURY TRIAL

Plaintiffs Dawn Alexander, Lisa Ventimiglia and Michele Tewell (“Plaintiffs”), on behalf of themselves and others similarly situated, file this class action complaint against Defendant, Mike Prendergrast, as Sheriff of Citrus County, Florida (“CCSO”) and allege as follows:

SUMMARY OF CLAIMS

1. This action is brought pursuant to the provisions of Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e *et seq.* (“Title VII”), the Age Discrimination in Employment Act (“ADEA”) and the Florida Civil Rights Act of 1992, Fla. Stat. § 760.01, *et seq.* (“FCRA”) to challenge the CCSO’s continuing policy, pattern and practice of sex discrimination against female employees with respect to mandatory physical abilities tests. CCSO has implemented these mandatory physical abilities tests despite knowing that they have a disparate impact upon female employees. CCSO also retaliates against female employees who complain about this discrimination.

2. As a result of CCSO’s policies, patterns and practices, female employees receive less compensation, are promoted less frequently and are discharged at greater rates than their male

counterparts. CCSO's agency-wide policies and practices systematically violate female employees' rights and result in gender bias that pervades CCSO's culture. The disadvantage to female employees in pay, promotion and employment is not isolated or exceptional, but rather the regular and predictable result of CCSO's policies and practices.

3. In addition to bringing this action on their own behalf, Plaintiffs also bring this action on behalf of a class of similarly situated current and former female employees who were subjected to mandatory physical abilities tests and, as a result, suffered adverse terms and conditions of employment (the "Class"), in order to end CCSO's discriminatory policies and practices and to make the Class whole.

JURISDICTION AND VENUE

4. This Court has subject matter jurisdiction over Title VII claims pursuant to 28 U.S.C. § 1331 and 28 U.S.C. § 1343, because they arise under the laws of the United States and are brought to recover damages for deprivation of equal rights.

5. This Court has supplemental jurisdiction pursuant to 28 U.S.C. § 1367(a) over the FCRA claims asserted herein which are so related to the federal claims that they form part of the same case or controversy.

6. Venue is proper in this Court because the unlawful discrimination and retaliation giving rise to the claims herein occurred within this judicial district.

7. The Court has personal jurisdiction over CCSO, which is a government agency with its principal place of business located at 1 Dr. Martin Luther King Junior Avenue, Inverness, Florida 34450.

PARTIES

8. Defendant CCSO was/is the primary law enforcement agency in Citrus County

Florida. Defendant Mike Prendergrast, serving in his official capacity as Sheriff of Citrus County, Florida is responsible for the personnel policies and practices of the agency, the Citrus County Sheriff's Office ("CSO"), and he exercises the requisite control over those policies and procedures as the agency head.

9. Plaintiff Dawn Alexander is a woman who resides in Citrus County. On April 24, 2018, Defendant terminated the employment of Plaintiff Alexander.

10. Plaintiff Lisa Ventimiglia is a woman who resides in Citrus County.

11. Plaintiff Michele Tewell is a woman who resides in Citrus County.

12. Plaintiffs have exhausted all administrative remedies and complied with all conditions precedent to filing this action.

13. Each Plaintiff timely filed charges of discrimination with the Equal Employment Opportunity Commission ("EEOC") and the Florida Commission on Human Rights ("FCHR") within the 300 days of the alleged unlawful employment actions.

14. On August 20, 2018, the U.S. Department of Justice Civil Rights Division ("DOJ") issued a notice of right to sue on Plaintiff Alexander's charge. On August 20, 2018, the DOJ issued notice of right to sue on Plaintiff Ventimiglia's charge. On July 19, 2018, the EEOC issued a notice of right to sue on Plaintiff Tewell's charge. The notices of right to sue are attached hereto as composite Exhibit "A."

15. Plaintiffs' charges have been pending with the FCHR for more than 180 days, and the FCHR has not issued a "no cause" finding. This action is being filed within four years of Defendant's discriminatory actions.

GENERAL ALLEGATIONS

16. Defendant is an employer within the meaning of Title VII and the FCRA.

17. Plaintiffs Alexander, Ventimiglia, and Tewell are employees within the meaning of Title VII and the FCRA.

Mandatory physical abilities tests

18. CCSO uses uniform, unvalidated and unreliable practices and procedures for testing and selecting employees for continued employment and promotion. Specifically, in approximately July 2008, Defendant instituted CCSO General Order 2015.00, Health and Fitness Program and CCSO General Order 215.10, Individual Physical Fitness Plan. The above-referenced policy change instituted a mandatory physical abilities test. Failure to complete the test within the arbitrary allotted time results in the employee being immediately relieved of duty for thirty days. Furthermore, the employee is ineligible for promotion and must forfeit all specialty pay.

20. Unlike the prior physical abilities test that was administered only to prospective new employees, the newly instituted test was required to be performed by all current employees quarterly. Prior to July 2008, physical abilities tests were not mandatory in order to retain employment as a sheriff's deputy with the Defendant.

21. The newly instituted physical abilities test consisted of the following:

- (1) Begin the course seated in a vehicle with the seat belt on and both hands on the steering wheel. When instructed, the member will exit the vehicle, removing a training rifle from the vehicle. While using the vehicle as cover, the member will: simulate charging or "racking" the weapon, pulling the trigger, and returning the rifle to the vehicle with the safety "on."
- (2) Sprint 40 yard.
- (3) Climb over a wall approximately four feet in height.
- (4) Run a serpentine, which will consist of 10 poles placed approximately three yards apart.
- (5) Jump over three hurdles of various heights (12", 18", and 24") spaced several

yards apart without knocking the hurdle off its stand.

- (6) Crawl under markers placed approximately 27 inches from the ground and eight feet long without knocking the marker off its stand.
- (7) Jump over a shallow ditch approximately three feet in length.
- (8) Proceed through a large concrete pipe approximately four to five feet high and six feet long.
- (9) Cross a balance beam consisting of three 10-foot logs, for a total of 30 feet. In Length. The member must touch the red mark (or beyond) with at least one foot.
- (10) Climb a ladder approximately two stories high (15 feet) and touch a bell at the top. When climbing down the member must touch the next-to-last rung (marked with red) with at least one foot.
- (11) Climb a flight of stairs to a simulated one-story landing. When climbing down, the member must touch the next-to-last rung (marked with red) with at least one foot.
- (12) Climb a six-foot wall.
- (13) Proceed through a door with a training weapon drawn, properly identify a suspect, then holster the weapon. A description of the suspects will be provided at the beginning of the course.
- (14) Climb through a window opening with training weapon drawn then holster - or- approach the window with the weapon drawn, look through the window, then holster and proceed through the window.
- (15) Drag or pull a sled weighing approximately 150 pounds a distance of seventy feet.
- (16) Return to the vehicle and “dry fire” a training handgun six times with each hand.
- (17) Indicate that the assignment has been completed over the radio microphone.

22. The newly instituted physical abilities test must be completed within eight minutes and thirty seconds.

23. Although physical abilities tests are used by most law enforcement agencies in

Florida, the majority of those agencies use a test dramatically different from that of the Defendant. To the extent that physical abilities tests are required in Florida, the majority of Florida law enforcement agencies use a materially different PAT course.

24. Upon information and belief, female employees tend to have lower pass rates and receive lower scores on the physical abilities tests than their male peers, despite having had equal or better performance during the same performance period.

25. CCSO's physical abilities tests is not properly validated. At no time has CCSO conducted research to demonstrate why the CCSO is unique among all law enforcement agencies in Florida such that it requires its employees to be subjected to a more rigorous, non-standard physical abilities test. Furthermore, Defendant has never adjusted its test following injuries to multiple employees taking the test, nor has it accounted for differences in age, height, weight or gender.

26. All branches of the United States Military use a tiered system to account for gender and age disparity. Likewise, agencies like the New York Police Department and the City of Miami Police Department apply a tiered approach to physical fitness.

27. CCSO's unvalidated and unresearched physical abilities test is not designed to establish an employee's physical fitness but rather is used as a weapon to discriminate against older employees and females.

28. Compounding its discriminatory use of the physical abilities test, the CCSO requires deputies assigned to clerical, administrative or non-hazardous positions to take the test and complete it within the same time constraints as all other deputies. Defendant has imposed a "one-size-fits-all" test despite the fact Defendant's employees perform a vast array of law enforcement tasks for which a physical abilities test is completely irrelevant to the successful

performance of their assigned duties.

CLASS ACTION ALLEGATIONS

29. Plaintiffs bring this class action pursuant to Federal Rules of Civil Procedure 23(a), (b)(2), and (c)(4) seeking liability-phase injunctive and declaratory relief on behalf of a Class of all female employees employed by CCSO who were subjected to, and failed, mandatory physical abilities tests at any time from the implementation of the mandatory physical abilities test in July 2008 through the resolution of this action for claims under Title VII. Plaintiffs also bring this class action pursuant to Federal Rules of Civil Procedure 23(a) and (b)(3) seeking backpay, monetary damages and other make-whole relief on behalf of a Class of all female employees employed by CCSO who were subjected to, and failed, mandatory physical abilities tests at any time from the implementation of the mandatory physical abilities test in July 2008 through the resolution of this action for claims under Title VII. Plaintiffs reserve the right to amend the definition of the Class based on discovery or legal developments.

30. Plaintiffs also bring this class action pursuant to Federal Rules of Civil Procedure 23(a), (b)(2), and (c)(4) seeking liability-phase injunctive and declaratory relief on behalf of a Class of all female employees employed by CCSO who were subjected to, and failed, mandatory physical abilities tests at any time from the implementation of the mandatory physical abilities test in July 2008 through the resolution of this action for claims under the FCRA. Plaintiffs also bring this class action pursuant to Federal Rules of Civil Procedure 23(a) and (b)(3) seeking backpay, monetary damages and other make-whole relief on behalf of a Class of all female employees employed by CCSO who were subjected to, and failed, mandatory physical abilities tests at any time from the implementation of the mandatory physical abilities test in July 2008 through the resolution of this action for claims under the FCRA. Plaintiffs reserve the right to amend the

definition of the Class based on discovery or legal developments.

31. Plaintiffs are members of the Class they seek to represent.

32. The members of the Class identified herein are so numerous that joinder of all members is impracticable. Although Plaintiffs do not know the precise number of current or former female employees at CCSO during the relevant time frame, the number is far greater than can be feasibly addressed through joinder.

33. There are questions of law and fact common to the Class, and these questions predominate over any questions affecting only individual members. Common questions include:

a. whether CCSO's policies and practices discriminate against female employees;

b. whether CCSO's policies and practices violate Title VII and/or the FCRA;

c. whether CCSO's mandatory physical abilities test discriminates against female employees;

d. whether the discriminatory results of CCSO's mandatory physical abilities test result in female employees suffering inferior terms and conditions of employment;

e. whether CCSO has failed to implement policies and procedures to prevent retaliation against employees who challenge gender discrimination in the workplace, has failed to address complaints of gender discrimination in the workplace, and has failed to conduct proper investigations of same; and

f. whether equitable remedies, injunctive relief, compensatory damages, and punitive damages for the Class are warranted.

34. Plaintiffs' claims are typical of the claims of the Class.

35. Plaintiffs will fairly and adequately represent and protect the interests of the Class.

36. Plaintiffs have retained counsel competent and experienced in complex class actions and employment discrimination litigation.

37. Class certification is appropriate pursuant to Federal Rule of Civil Procedure 23(b)(2) because CCSO has acted and/or refused to act on grounds generally applicable to the Class, making appropriate declaratory and injunctive relief with respect to Plaintiff and the Class as a whole. The Class Members are entitled to injunctive relief to end CCSO's common, uniform, unfair, and discriminatory policies and practices.

38. Class certification is also appropriate pursuant to Federal Rule of Civil Procedure 23(b)(3) because common questions of fact and law predominate over any questions affecting only individual members of the Class, and because a class action is superior to other available methods for the fair and efficient adjudication of this litigation. The Class Members have been damaged and are entitled to recovery as a result of CCSO's common, unfair, and discriminatory policies and practices. CCSO has computerized account data, payroll data, and personnel data that will make calculation of damages for specific Class Members relatively simple. The propriety and amount of punitive damages are based on CCSO's common conduct, making these issues common to the Class.

CLAIMS OF NAMED PLAINTIFFS

Plaintiff Alexander

39. Plaintiff Alexander is a 49 year old female who was hired by Defendant as a deputy sheriff on March 29, 2007.

40. Plaintiff Alexander took and passed all Defendant's Physical Abilities since it was instituted approximately a year and a half after she was hired. However, in in September 2016 Plaintiff Alexander broke her foot while taking the physical abilities test.

41. Due to her on-duty foot injury, Plaintiff Alexander tripped and fell, breaking her hand in an off-duty accident in late 2017. Pursuant to her injury she requested, and was granted an extension in order to comply with the time constraints associated with quarterly administration of the physical abilities test.

42. Plaintiff Alexander broke the hand with which she shoots a gun, an exercise required for his position as a deputy sheriff. As she was unable to perform duties that would potentially require her to manipulate a firearm, Plaintiff Alexander requested a “light duty” assignment.

43. Defendant denied Plaintiff Alexander a light duty assignment. Rather, Defendant forced Plaintiff Alexander to exhaust all her accumulated sick and vacation time to order for her to recover from the foot injury caused by the PAT and subsequent hand injury.

44. On or about the same time multiple male deputies also suffered injuries. Unlike Plaintiff Alexander, the male deputies were granted “light duty” assignments. Specifically, male deputy Eldridge cut off his hand in an airboat accident. The injury rendered male deputy Eldridge incapable of taking and passing Defendant’s PAT. Male deputy Eldridge requested, and was granted a light duty assignment. Male deputy Patterson broke his collar bone in an off-duty accident. Male deputy Patterson was temporarily unable to take and pass Defendant’s PAT. Male deputy Patterson requested, and was granted a “light duty” assignment. Male deputy Blotz cut off several fingers in a motorcycle accident. Male deputy Blotz was rendered incapable of taking and passing Defendant’s PAT. Male deputy Blotz requested, and was granted, a “light duty” assignment.

45. On December 26, 2017 Plaintiff Alexander suffered a head injury while on duty. Plaintiff was searching for drugs that may have been hidden in the stairwell of a hotel when she

hit her head on a metal pipe. Following the injury Plaintiff Alexander continued to suffer symptoms associated with the injury. She experienced numerous headaches. Numerous colleagues observed other symptoms that included looks of confusion and a blank affect.

46. On January 3, 2018 Plaintiff Alexander requested an additional extension for the physical abilities test. On January 10, 2018 Defendant denied Plaintiff's request for an extension.

47. On January 12, 2018 Plaintiff Alexander, while continuing to recover from her on-duty head injury took the physical abilities test.

48. Pursuant to Defendant's General Order 215, Plaintiff Alexander's physical abilities test was to be administered, and timed by two individuals who were certified to do so. On January 12, 2018 Plaintiff Alexander's physical abilities test was administered and timed by Sergeant Paul Viggano and Deputy Carlos Fernandez. Although both initially indicated Plaintiff Alexander completed the obstacle course within the prescribed time of 8:30, specifically 8:28, both later reported Plaintiff Alexander completed the test in 8:46, thus she failed. Both Viggano and Fernandez claimed they recorded a passing time for Plaintiff Alexander at her request claiming she "begged" both to record a passing time.

49. Pursuant to Defendant's internal affairs investigation of Plaintiff Alexander's physical abilities test it was determined Sgt. Viggano was not appropriately certified to time Plaintiff Alexander's physical abilities test.

50. On April 23, 2018 Defendant terminated Plaintiff Alexander's employment.

51. Plaintiff Alexander was routinely denied "light-duty" assignments afforded similarly-situated male employees.

52. By information and belief similarly situated male employees were not subject to the discriminatory employment practices associated with the PAT as its female staff. Specifically,

male Captain Bob Wesh was allowed to avoid taking the PAT due to his morbid obesity. Instead, Defendant simply reclassified Captian Wesh's position from that of a sworn deputy, required to take the PAT, to that of a civilian employee not subjected to the test. Equally as important, male employee Wesh suffered no reduction in pay and benefits.

53. By information and belief male Lieutenant Chris Evans suffered an injury while taking the PAT. As in the case of male employee Wesh, Lieutenant Evans was also allowed to transfer to a civilian position thus allowing him to avoid the PAT. Likewise, male employee Evans suffered no reduction in pay and benefits.

54. Plaintiff Alexander was terminated for allegedly being dishonest regarding her performance on the physical abilities test despite the fact it was administered by at least one, non-certified male employee.

Plaintiff Ventimiglia

55. Plaintiff Lisa Ventimiglia is a 58 year old female who was hired by Defendant as a deputy sheriff in June of 2007.

56. After its impositon in 2008 Plaintiff Ventimiglia never failed the PAT.

57. On February 15, 2017 Plaintiff Ventimiglia suffered a knee injury while practicing for the the PAT. As such, Plaintiff Ventimiglia submitted a note from her physician that confirmed the injury and directed Defendant to place Plaintiff Ventimiglia on light duty.

58. Unlike similarly situated male employees Plaintiff Ventimiglia was advised by Defendant's then Commander Buddy Grant, despite her on-the-job injury that Plaintiff Ventimiglia would be terminated should she fail complete the PAT.

59. Defendant's Commander Grant, prior to his resignation amid a corruption scandal, further discriminated against Plaintiff Ventimiglia in that he rejected Plaintiff Ventimiglia's

physician's note regarding light duty. The later-to-be-disgraced Commander Grant effectively suspended Plaintiff Ventimiglia by forcing her to use her personal vacation time to seek a physician's note acceptable to Commander Grant.

60. Unlike similarly situated male employees, Commander Grant demanded Plaintiff Ventimiglia's medical authorization for light duty specifically detail the duties to which Plaintiff Ventimiglia would be assigned. No similarly situated male employees were subjected to such punitive treatment and

61. By information and belief, and as set forth in the preceding paragraphs of this Complaint, similarly situated male employees were not subject to the discriminatory employment practices associated with the PAT as its female staff.

Plaintiff Tewell

62. Plaintiff Michele Tewell is a 53 year-old female who was hired by the Defendant as a sheriff's deputy in approximately August 2006.

63. From approximately the summer of 2013 until Plaintiff Tewell's forced retirement in July of 2018, Plaintiff was assigned to the Community Relations Section of the Defendant. The position was primarily administrative in nature. Plaintiff Tewell's position was that of a liaison between Defendant and the City of Inverness and other organizations throughout Defendant's patrol jurisdiction.

64. Plaintiff Tewell experienced persistent difficulties passing the PAT. Due to her inability to pass Defendant's test, and the likelihood that continued failures would end her law enforcement career, Plaintiff Tewell began to suffer significant job-related stress.

65. The ongoing stress prompted Plaintiff Tewell to avail herself of resources through Defendant's employee assistance program. The employee assistance program is primarily

designed aid employees who are subjected to the death, destruction, odd work hours and risks associated with the work of law enforcement. Plaintiff Tewell experienced stress completely unrelated to her work in law enforcement, rather it was stress imposed on her by Defendant's non-standard and unresearched physical abilities test.

66. Despite the fact that no other law enforcement agency in the State of Florida subjects its employees to the test mandated by Defendant, Plaintiff Tewell made a concerted effort to meet the demands of the non-standard PAT. She trained on a daily basis. Plaintiff Tewell requested the assistance of Defendant's command staff to focus her training on tasks specifically related to the PAT. Her efforts were not successful.

67. Stress imposed by Defendant on Plaintiff Tewell alarmed her physician to the extent he prescribed Xanax.

68. In September of 2016, as another PAT loomed, Plaintiff Tewell was rushed to an emergency room due to chest pains. There she was prescribed Valium.

69. Defendant Prendergrast assured Plaintiff Tewell he would address issues related to the unresearched and non-standard physical abilities test should he win election to Sheriff of Citrus County. In fact Defendant Prendergrast indicated he would appoint a review board to evaluate the PAT and allow Plaintiff Tewell to be a member of the board.

70. In November 2016 Defendant Prendergrast was elected Citrus County Sheriff. Demonstrating the skills of a seasoned political veteran, Defendant Prendergrast promptly broke his campaign promise to Plaintiff Tewell. Defendant Prendergrast refused to evaluate the discriminatory PAT and refused to appoint a review board to do so.

71. Unlike similarly situated male employees, Plaintiff Tewell's position remained that of a sworn deputy. Although her position was administrative, not one requiring the physical fitness

level of a “field officer,” Plaintiff Tewell had no choice but to retire early given the likelihood of failure on the PAT.

72. On June 4, 2018 Plaintiff Tewell submitted her retirement to Defendant. Per Defendant’s policy Plaintiff Tewell would have still been required to take the PAT on June 30, 2018. In order to avoid failure of the PAT Plaintiff Tewell was forced to make the effective date of her retirement June 29, 2018.

COUNT I
Disparate Impact Gender Discrimination
Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e et seq.
(On Behalf of Plaintiffs and the Class)

73. Plaintiffs Alexander, Ventimiglia and Tewell repeat and reallege the allegations set forth in Paragraphs 1 through 72 as through fully set forth herein.

74. This claim is brought by Plaintiffs on behalf of themselves and the Class they seek to represent.

75. CCSO’s reliance on illegitimate and unvalidated policies and practices, including the mandatory physical abilities test, has an adverse impact on female employees in violation of Title VII and are not, and cannot be, justified by business necessity. Even if such policy or practice could be justified by business necessity, less discriminatory alternatives exist and would equally serve any alleged necessity.

76. CCSO has maintained these discriminatory policies, patterns and/or practices both within and outside the liability period in this case.

77. As a direct result of CCSO’s discriminatory policies, patterns and/or practices as described above, Plaintiffs and the Class have suffered damages including, but not limited to, lost pay and future income, compensation and benefits.

78. The foregoing policies, patterns and/or practices have an unlawful disparate impact

on women in violation of 42 U.S.C. §2000e *et seq.*

79. Plaintiffs request relief as described in the Prayer for Relief below.

COUNT II
Disparate Impact Gender Discrimination
Florida Civil Rights Act
(On Behalf of Plaintiffs and the Class)

80. Plaintiffs Alexander, Ventimiglia and Tewell repeat and reallege the allegations set forth in Paragraphs 1 through 72 as through fully set forth herein.

81. This claim is brought by Plaintiffs on behalf of themselves and the Class they seek to represent.

82. CCSO's reliance on illegitimate and unvalidated policies and practices, including the mandatory physical abilities test, has an adverse impact on female employees in violation of the FCRA and are not, and cannot be, justified by business necessity. Even if such policy or practice could be justified by business necessity, less discriminatory alternatives exist and would equally serve any alleged necessity.

83. CCSO has maintained these discriminatory policies, patterns and/or practices both within and outside the liability period in this case.

84. As a direct result of CCSO's discriminatory policies, patterns and/or practices as described above, Plaintiffs and the Class have suffered damages including, but not limited to, lost pay and future income, compensation and benefits.

85. The foregoing policies, patterns and/or practices have an unlawful disparate impact on women in violation of the FCRA.

86. Plaintiffs request relief as described in the Prayer for Relief below

COUNT III
Intentional Gender Discrimination
Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e et seq.

(On Behalf of Plaintiffs and the Class)

87. Plaintiffs Alexander, Ventimiglia and Tewell repeat and reallege the allegations set forth in Paragraphs 1 through 72 as through fully set forth herein.

88. This claim is brought by Plaintiffs on behalf of themselves and the Class they seek to represent. Plaintiffs have filed timely charges with the EEOC and thus have exhausted their administrative remedies.

89. CCSO has engaged in an intentional, agency-wide, and systemic policy, pattern and/or practice of discrimination against its female employees. CCSO has intentionally discriminated against Plaintiff and the Class in violation of Title VII by, among other things:

a. Utilizing a biased mandatory physical abilities test that discriminates against female employees;

b. Utilizing the results of CCSO's biased mandatory physical abilities test results to intentionally subject female employees to inferior terms and conditions of employment; and

c. Failing to take reasonable and adequate steps to prevent and correct the use of the standardless, unvalidated and/or illegitimate criteria to determine the terms and conditions of employment.

90. These agency-wide policies are intended to and do have the effect of:

a. Denying and/or terminating Plaintiffs and the Class Members employment because of their gender;

b. Compensating them less because of their gender;

c. Failing to promote them because of their gender;

d. Evaluating their performance more negatively because of their gender; and

e. Proving them with inferior terms and conditions of employment because of their gender.

91. The discriminatory acts that constitute CCSO's pattern and/or practice of discrimination have occurred both within and outside the liability period in this case.

92. As a direct result of CCSO's discriminatory policies and/or practices as described above, Plaintiffs and the Class have suffered damages including, but not limited to, lost past and future income, compensation and benefits.

93. The foregoing conduct constitutes illegal, intentional discrimination and unjustified disparate treatment prohibited by Title VII.

94. Plaintiffs request relief as described in the Prayer for Relief below.

COUNT IV
Intentional Gender Discrimination
Florida Civil Rights Act
(On Behalf of Plaintiffs and the Class)

95. Plaintiffs Alexander, Ventimiglia and Tewell repeat and reallege the allegations set forth in Paragraphs 1 through 72 as through fully set forth herein.

96. This claim is brought by Plaintiffs on behalf of themselves and the Class they seek to represent. Plaintiffs have filed timely charges with the FCHR and thus have exhausted their administrative remedies.

97. CCSO has engaged in an intentional, agency-wide, and systemic policy, pattern and/or practice of discrimination against its female employees. CCSO has intentionally discriminated against Plaintiff and the Class in violation of the FCRA by, among other things:

- a. Utilizing a biased mandatory physical abilities test that discriminates against female employees;
- b. Utilizing the results of CCSO's biased mandatory physical abilities test

results to intentionally subject female employees to inferior terms and conditions of employment;
and

c. Failing to take reasonable and adequate steps to prevent and correct the use of the standardless, unvalidated and/or illegitimate criteria to determine the terms and conditions of employment.

98. These agency-wide policies are intended to and do have the effect of:

a. Denying and/or terminating Plaintiffs and the Class Members employment because of their gender;

b. Compensating them less because of their gender;

c. Failing to promote them because of their gender;

d. Evaluating their performance more negatively because of their gender; and

e. Proving them with inferior terms and conditions of employment because of their gender.

99. The discriminatory acts that constitute CCSO's pattern and/or practice of discrimination have occurred both within and outside the liability period in this case.

100. As a direct result of CCSO's discriminatory policies and/or practices as described above, Plaintiffs and the Class have suffered damages including, but not limited to, lost past and future income, compensation and benefits.

101. The foregoing conduct constitutes illegal, intentional discrimination and unjustified disparate treatment prohibited by FCRA.

102. Plaintiffs request relief as described in the Prayer for Relief below.

COUNT V
Retaliation

Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e et seq.
(On Behalf of Plaintiffs Individually)

103. Plaintiffs Alexander, Ventimiglia and Tewell repeat and reallege the allegations set forth in Paragraphs 1 through 72 as through fully set forth herein.

104. This claim is brought by Plaintiffs individually. Plaintiffs have filed timely charges with the EEOC alleging unlawful retaliation and thus have exhausted their administrative remedies.

105. Plaintiffs engaged in protected activities, including making internal complaints of unlawful discrimination and filing charges with the EEOC complaining of CCSO's discriminatory policies and practices.

106. CCSO took adverse actions against Plaintiffs with the purpose of retaliating against them because of their participation in protected activities, and Plaintiffs suffered damages as a result.

107. The foregoing conduct constitutes illegal, intentional retaliation prohibited by Title VII.

108. Plaintiffs request relief as described in the Prayer for Relief below.

COUNT VI
Retaliation
Florida Civil Rights Act
(On Behalf of Plaintiffs Individually)

109. Plaintiffs Alexander, Ventimiglia and Tewell repeat and reallege the allegations set forth in Paragraphs 1 through 72 as through fully set forth herein.

110. This claim is brought by Plaintiffs individually. Plaintiffs have filed timely charges with the FCHR alleging unlawful retaliation and thus have exhausted their administrative remedies.

111. Plaintiffs engaged in protected activities, including making internal complaints of

unlawful discrimination and filing charges with the FCHR complaining of CCSO's discriminatory policies and practices.

112. CCSO took adverse actions against Plaintiffs with the purpose of retaliating against them because of their participation in protected activities, and Plaintiffs suffered damages as a result.

113. The foregoing conduct constitutes illegal, intentional retaliation prohibited by FCRA.

114. Plaintiffs request relief as described in the Prayer for Relief below.

COUNT VII
Disparate Impact Age Discrimination
Age Discrimination Employment Act
(On Behalf of Plaintiffs and Those Siliarly Situated)

115. Plaintiffs Alexander, Ventimiglia and Tewell repeat and reallege the allegations set forth in Paragraphs 1 through 72 as through fully set forth herein.

116. Defendant is an employer within the meaning of Age Discrimination in Employment Act ("ADEA").

117. Plaintiffs Alexander, Ventimiglia, and Tewell are employees within the meaning of ADEA.

118. As a result of CCSO's policies, patterns and practices stated above, including the mandatory physical abilities test, employees over the age of 40 receive less compensation, are promoted less frequently and are discharged at greater rates than their male counterparts. CCSO's agency-wide policies and practices systematically violate older employees' rights and result in age bias that pervades CCSO's culture. The disadvantage to older employees in pay, promotion and employment is not isolated or exceptional, but rather the regular and predictable result of CCSO's policies and practices.

119. CCSO's reliance on illegitimate and unvalidated policies and practices, including the mandatory physical abilities test, has an adverse impact on older employees in violation of the ADEA and are not, and cannot be, justified by business necessity. Even if such policy or practice could be justified by business necessity, less discriminatory alternatives exist and would equally serve any alleged necessity.

120. Plaintiffs bring this collective action on behalf of themselves and other similarly situated former employees over the age of 40 who suffered inferior terms or conditions of employment as a result of the discriminatory policies or practices (the "Age Class").

121. Defendant's conduct as alleged herein violated the ADEA, which prohibits age discrimination.

122. CCSO has maintained these discriminatory policies, patterns and/or practices both within and outside the liability period in this case.

123. As a direct result of CCSO's discriminatory policies, patterns and/or practices as described above, Plaintiffs and the Age Class have suffered damages including, but not limited to, lost pay and future income, compensation and benefits.

124. The foregoing policies, patterns and/or practices have an unlawful disparate impact on older workers in violation of the ADEA.

125. Plaintiffs request relief as described in the Prayer for Relief below.

COUNT VIII
Disparate Impact Age Discrimination
Florida Civil Rights Act
(On Behalf of Plaintiffs and Those Siliarly Situated)

126. Plaintiffs Alexander, Ventimiglia and Tewell repeat and reallege the allegations set forth in Paragraphs 1 through 72 as through fully set forth herein.

127. As a result of CCSO's policies, patterns and practices stated above, including the

mandatory physical abilities test, employees over the age of 40 receive less compensation, are promoted less frequently and are discharged at greater rates than their male counterparts. CCSO's agency-wide policies and practices systematically violate older employees' rights and result in age bias that pervades CCSO's culture. The disadvantage to older employees in pay, promotion and employment is not isolated or exceptional, but rather the regular and predictable result of CCSO's policies and practices.

128. CCSO's reliance on illegitimate and unvalidated policies and practices, including the mandatory physical abilities test, has an adverse impact on older employees in violation of the FCRA and are not, and cannot be, justified by business necessity. Even if such policy or practice could be justified by business necessity, less discriminatory alternatives exist and would equally serve any alleged necessity.

129. Plaintiffs bring this collective action on behalf of themselves and other similarly situated former employees over the age of 40 who suffered inferior terms or conditions of employment as a result of the discriminatory policies or practices (the "Age Class").

130. Defendant's conduct as alleged herein violated the FCRA, which prohibits age discrimination.

131. CCSO has maintained these discriminatory policies, patterns and/or practices both within and outside the liability period in this case.

132. As a direct result of CCSO's discriminatory policies, patterns and/or practices as described above, Plaintiffs and the Age Class have suffered damages including, but not limited to, lost pay and future income, compensation and benefits.

133. The foregoing policies, patterns and/or practices have an unlawful disparate impact on older workers in violation of the ADEA.

134. Plaintiffs request relief as described in the Prayer for Relief below

PRAYER FOR RELIEF

WHEREFORE, Plaintiff requests that this Court:

- a. Certification of the case as a class action on behalf of the proposed Class and as a collective action on behalf of the Age Class;
- b. Designation of Plaintiffs Alexander, Ventimiglia and Tewell as representatives of the Class and Age Class;
- c. Designation of Plaintiffs' counsel of record as Class Counsel;
- d. Enter a declaratory judgment that the practices complained of in this complaint are unlawful and violate Title VII, the ADEA and the FCRA;
- e. Grant all injunctive relief necessary to bring Defendant into compliance with Title VII, the ADEA and the FCRA;
- f. Order Defendant to pay the wages, salary, employment benefits, and other compensation denied or lost to Plaintiffs Alexander, Ventimiglia and Tewell and others similarly situated by reason of Defendant' unlawful actions, in amounts to be proven at trial;
- g. Order Defendant to pay liquidated damages pursuant to the ADEA;
- h. Order Defendant to pay compensatory damages for Plaintiffs' emotional pain and suffering, in an amount to be proven at trial;
- i. Order Defendant to pay exemplary and punitive damages;
- j. Order Defendant to pay attorneys' fees and costs of the action pursuant to Title VII, the ADEA and the FCRA;
- k. Order Defendant to pay interest at the legal rate on such damages as appropriate,

including pre- and post-judgment interest; and

1. Grant any further relief that the Court deems just and proper.

JURY DEMAND

135. Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, Plaintiffs demand a trial by jury in this action.

Dated this 2nd day of October, 2018.

Respectfully submitted,

WHITTEL & MELTON, LLC

/s/ Jay P. Lechner

Jay P. Lechner, Esq.

Florida Bar No.: 0504351

William J. Sheslow, Esq.

Florida Bar No.: 924042

One Progress Plaza

200 Central Avenue, #400

St. Petersburg, Florida 33701

Telephone: (727) 822-1111

Facsimile: (727) 898-2001

lechnerj@theFLlawfirm.com

will@theFLlawfirm.com

pls@theFLlawfirm.com

Attorneys for Plaintiffs

EXHIBIT A



U.S. Department of Justice
Civil Rights Division
NOTICE OF RIGHT TO SUE WITHIN 90 DAYS

CERTIFIED MAIL
7016 2140 0000 5580 7891

950 Pennsylvania Avenue, N.W.
Karen Ferguson, EMP, PHB, Room 470J
Washington, DC 20530

August 20, 2018

Ms. Dawn Alexander
c/o Jay P. Lechner, Esquire
Law Offices of Whittel & Melton
One Progress Plaza
200 Central Ave., Suite 400
St. Petersburg, FL 33701

Re: EEOC Charge Against Citrus County Sheriff's Office
No. 511201804102

Dear Ms. Alexander:

Because you filed the above charge with the Equal Employment Opportunity Commission, and the Commission has determined that it will not be able to investigate and conciliate that charge within 180 days of the date the Commission assumed jurisdiction over the charge and the Department has determined that it will not file any lawsuit(s) based thereon within that time, and because you through your attorney have specifically requested this Notice, you are hereby notified that you have the right to institute a civil action under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e, et seq., against the above-named respondent.


If you choose to commence a civil action, such suit must be filed in the appropriate Court within 90 days of your receipt of this Notice.

The investigative file pertaining to your case is located in the EEOC Tampa Area Office, Tampa, FL.

This Notice should not be taken to mean that the Department of Justice has made a judgment as to whether or not your case is meritorious.

Sincerely,

John M. Gore
Acting Assistant Attorney General
Civil Rights Division

by 
Karen L. Ferguson
Supervisory Civil Rights Analyst
Employment Litigation Section

cc: Tampa Area Office, EEOC
Citrus County Sheriff's Office

EEOC Form 161-8 (11/16)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To: Dawn Alexander
9785 E. Goldfinch Lane
Inverness, FL 34450

From: Tampa Field Office
501 East Polk Street
Room 1000
Tampa, FL 33602

On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

7017 2400 0000 4105 3231

EEOC Charge No.
511-2018-04102

EEOC Representative
Beverly Collins, Investigator

Telephone No.
(813) 202-7917

(See also the additional information enclosed with this form.)

NOTICE TO THE PERSON AGGRIEVED:

Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA), or the Genetic Information Nondiscrimination Act (GINA): This is your Notice of Right to Sue, issued under Title VII, the ADA or GINA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII, the ADA or GINA must be filed in a federal or state court WITHIN 90 DAYS of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

- More than 180 days have passed since the filing of this charge.
Less than 180 days have passed since the filing of this charge, but I have determined that it is unlikely that the EEOC will be able to complete its administrative processing within 180 days from the filing of this charge.
The EEOC is terminating its processing of this charge.
The EEOC will continue to process this charge.

Age Discrimination in Employment Act (ADEA): You may sue under the ADEA at any time from 60 days after the charge was filed until 90 days after you receive notice that we have completed action on the charge. In this regard, the paragraph marked below applies to your case:

- The EEOC is closing your case. Therefore, your lawsuit under the ADEA must be filed in federal or state court WITHIN 90 DAYS of your receipt of this Notice. Otherwise, your right to sue based on the above-numbered charge will be lost.
The EEOC is continuing its handling of your ADEA case. However, if 60 days have passed since the filing of the charge, you may file suit in federal or state court under the ADEA at this time.

Equal Pay Act (EPA): You already have the right to sue under the EPA (filing an EEOC charge is not required.) EPA suits must be brought in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.

If you file suit, based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission

Evangeline Hawthorne

Evangeline Hawthorne, Director

AUG 14 2018

(Date Mailed)

Enclosures(s)

cc: Terri Rocket, HR Assistant
CITRUS COUNTY SHERIFF'S OFFICE
1 Dr. Martin Luther King, Jr. Ave
Inverness, FL 34450

Jay P. Lechner, Esq.
WHITTEL & MELTON
One Progress Plaza
200 Central Avenue, Suite 400
St. Petersburg, FL 33701

Brian Koji
ALLEN NORTON & BLUE, P.A.
324 S. Hyde Park Avenue, Suite 225
Tampa, FL 33608

Enclosure with EEOC
Form 161-B (11/16)

**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 and other
provisions of State law may be shorter or more limited than those described below.)*

**PRIVATE SUIT RIGHTS -- Title VII of the Civil Rights Act, the Americans with Disabilities Act (ADA),
the Genetic Information Nondiscrimination Act (GINA), or the Age
Discrimination in Employment Act (ADEA):**

In order to pursue this matter further, you must file a lawsuit against the respondent(s) named in the charge within 90 days of the date you receive this Notice. Therefore, you should keep a record of this date. Once this 90-day period is over, 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 its envelope, and tell him or her the date you received it. Furthermore, in order to avoid any question that you did not act in a timely manner, it is prudent that your suit be filed within 90 days of the date this Notice was *mailed* to you (as indicated where the Notice is signed) or the date of the postmark, if later.

Your lawsuit may be filed in U.S. District Court or a State court of competent jurisdiction. (Usually, the appropriate State court is the general civil trial court.) Whether you file in Federal or State court is a matter for you to decide after talking to your attorney. Filing this Notice is not enough. You must file a "complaint" that contains a short statement of the facts of your case which shows that you are entitled to relief. Courts often require that a copy of your charge must be attached to the complaint you file in court. If so, you should remove your birth date from the charge. Some courts will not accept your complaint where the charge includes a date of birth. Your suit may include any matter alleged in the charge or, to the extent permitted by court decisions, matters like or related to the matters alleged in the charge. Generally, suits are brought in the State where the alleged unlawful practice occurred, but in some cases can be brought where relevant employment records are kept, where the employment would have been, or where the respondent has its main office. If you have simple questions, you usually can get answers from the office of the clerk of the court where you are bringing suit, but do not expect that office to write your complaint or make legal strategy decisions for you.

PRIVATE SUIT RIGHTS -- Equal Pay Act (EPA):

EPA suits must be filed in court within 2 years (3 years for willful violations) of the alleged EPA underpayment: back pay due for violations that occurred more than 2 years (3 years) before you file suit may not be collectible. For example, if you were underpaid under the EPA for work performed from 7/1/08 to 12/1/08, you should file suit before 7/1/10 – not 12/1/10 – in order to recover unpaid wages due for July 2008. This time limit for filing an EPA suit is separate from the 90-day filing period under Title VII, the ADA, GINA or the ADEA referred to above. Therefore, if you also plan to sue under Title VII, the ADA, GINA or the ADEA, in addition to suing on the EPA claim, suit must be filed within 90 days of this Notice and within the 2- or 3-year EPA back pay recovery period.

ATTORNEY REPRESENTATION -- Title VII, the ADA or GINA:

If you cannot afford or have been unable to obtain a lawyer to represent you, the U.S. District Court having jurisdiction in your case may, in limited circumstances, assist you in obtaining a lawyer. Requests for such assistance must be made to the U.S. District Court in the form and manner it requires (you should be prepared to explain in detail your efforts to retain an attorney). Requests should be made well before the end of the 90-day period mentioned above, because such requests do not relieve you of the requirement to bring suit within 90 days.

ATTORNEY REFERRAL AND EEOC ASSISTANCE -- All Statutes:

You may contact the EEOC representative shown on your Notice if you need help in finding a lawyer or if you have any questions about your legal rights, including advice on which U.S. District Court can hear your case. If you need to inspect or obtain a copy of information in EEOC's file on the charge, please request it promptly in writing and provide your charge number (as shown on your Notice). While EEOC destroys charge files after a certain time, all charge files are kept for at least 6 months after our last action on the case. Therefore, if you file suit and want to review the charge file, please make your review request within 6 months of this Notice. (Before filing suit, any request should be made within the next 90 days.)

IF YOU FILE SUIT, PLEASE SEND A COPY OF YOUR COURT COMPLAINT TO THIS OFFICE.



**U.S. Equal Employment Opportunity Commission
Tampa Field Office**

501 East Polk Street
Room 1000
Tampa, FL 33602
(813) 228-2310
TTY (813) 228-2003
FAX (813) 228-2841
1-800-689-4000

EEOC Charge No.: 511-2018-04102

Dawn Alexander
9785 E. Goldfinch Lane
Inverness, FL 34450

Charging Party

CITRUS COUNTY SHERIFF'S OFFICE
1 Dr. Martin Luther King, Jr. Ave,
Inverness, FL 34450

Respondent

NOTICE OF REVOCATION

Pursuant to Section 1601.19(a) and (b) of the Commission's Procedural Regulations and under the authority vested in me, on August 2, 2018, I issued a Notice of Right to Sue to the Charging Party in the above styled matter. The Right to Sue was inadvertently issued with administrative errors due to Title VII issues being checked. To more fully effectuate the purposes of Title VII, as amended, this is to notify the parties that the notice issued in the above cited charge dated August 2, 2018, has been revoked and is replaced with the attached Dismissal and Notice of Rights dated August 14, 2018.

If you have any questions, please call this office at (813) 228-2310.

On behalf of the Commission:

AUG 14 2018

Date

A handwritten signature in cursive script that reads "Evangeline Hawthorne".

Evangeline Hawthorne
Director

cc:

Jay P. Lechner
WHITTEL & MELTON
One Progress Plaza
200 Central Ave, #400
Saint Petersburg, FL 33701

Brian Koji
ALLEN NORTON & BLUE, P.A.
324 S. Hyde Park Avenue
Suite 225
Tampa, FL 33606

EEOC Form 161-B (11/16)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To: Dawn Alexander
9785 E. Goldfinch Lane
Inverness, FL 34450

From: Tampa Field Office
501 East Poik Street
Room 1000
Tampa, FL 33602

On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR 51601.7(a))

EEOC Charge No.
511-2018-04102

EEOC Representative
Beverly Collins, Investigator

Telephone No.
(813) 202-7917

(See also the additional information enclosed with this form.)

NOTICE TO THE PERSON AGGRIEVED:

Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA), or the Genetic Information Nondiscrimination Act (GINA): This is your Notice of Right to Sue, issued under Title VII, the ADA or GINA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII, the ADA or GINA must be filed in a federal or state court **WITHIN 90 DAYS** of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

- More than 180 days have passed since the filing of this charge.
- Less than 180 days have passed since the filing of this charge, but I have determined that it is unlikely that the EEOC will be able to complete its administrative processing within 180 days from the filing of this charge.
- The EEOC is terminating its processing of this charge.
- The EEOC will continue to process this charge.

Age Discrimination in Employment Act (ADEA): You may sue under the ADEA at any time from 60 days after the charge was filed until 90 days after you receive notice that we have completed action on the charge. In this regard, the paragraph marked below applies to your case:

- The EEOC is closing your case. Therefore, your lawsuit under the ADEA must be filed in federal or state court **WITHIN 90 DAYS** of your receipt of this Notice. Otherwise, your right to sue based on the above-numbered charge will be lost.
- The EEOC is continuing its handling of your ADEA case. However, if 60 days have passed since the filing of the charge, you may file suit in federal or state court under the ADEA at this time.

Equal Pay Act (EPA): You already have the right to sue under the EPA (filing an EEOC charge is not required.) EPA suits must be brought in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that backpay due for any violations that occurred **more than 2 years (3 years)** before you file suit may not be collectible.

If you file suit, based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission

Evangeline Hawthorne

Evangeline Hawthorne, Director

8/2/18
(Date Mailed)

Enclosures(s)

cc: Terri Rocket, HR Assistant
CITRUS COUNTY SHERIFF'S OFFICE
1 Dr. Martin Luther King, Jr. Ave
Inverness, FL 34450

Jay P. Lechner, Esq.
WHITTEL & MELTON
One Progress Plaza
200 Central Avenue, Suite 400
St. Petersburg, FL 33701

Brian Kojl
ALLEN NORTON & BLUE, P.A.
324 S. Hyde Park Avenue, Suite 225
Tampa, FL 33608



U.S. Department of Justice
Civil Rights Division
NOTICE OF RIGHT TO SUE WITHIN 90 DAYS

CERTIFIED MAIL
7016 2140 0000 5581 7609

950 Pennsylvania Avenue, N.W.
Karen Ferguson, EMP, PHB, Room 4701
Washington, DC 20530

August 20, 2018

Ms. Lisa Ventimiglia
c/o Jay P. Lechner, Esquire
Law Offices of Whittel & Melton
One Progress Plaza
200 Central Ave., #400
St. Petersburg, FL 33701

Re: EEOC Charge Against Citrus County Sheriff's Office
No. 511201702710

Dear Ms. Ventimiglia:

Because you filed the above charge with the Equal Employment Opportunity Commission, and more than 180 days have elapsed since the date the Commission assumed jurisdiction over the charge, and no suit based thereon has been filed by this Department, and because you through your attorney have specifically requested this Notice, you are hereby notified that you have the right to institute a civil action under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e, et seq., against the above-named respondent.

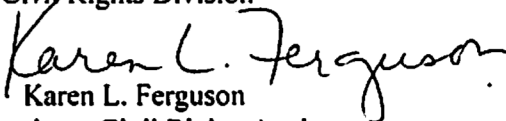
If you choose to commence a civil action, such suit must be filed in the appropriate Court within 90 days of your receipt of this Notice.

The investigative file pertaining to your case is located in the EEOC Tampa Area Office, Tampa, FL.

This Notice should not be taken to mean that the Department of Justice has made a judgment as to whether or not your case is meritorious.

Sincerely,

John M. Gore
Acting Assistant Attorney General
Civil Rights Division

by 
Karen L. Ferguson
Supervisory Civil Rights Analyst
Employment Litigation Section

cc: Tampa Area Office, EEOC
Citrus County Sheriff's Office

EEOC Form 161-B (11/16)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To: Lisa Ventimiglia
2224 W. Howard Place
Citrus Springs, FL 34434

From: Tampa Field Office
501 East Poik Street
Room 1000
Tampa, FL 33602

On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

7017 2400 0000 4105 3248

EEOC Charge No.	EEOC Representative	Telephone No.
511-2017-02710	Beverly Collins, Investigator	(813) 202-7917

(See also the additional information enclosed with this form.)

NOTICE TO THE PERSON AGGRIEVED:

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If you file suit, based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission

Evangeline Hawthorne

Evangeline Hawthorne, Director

AUG 14 2018

(Date Mailed)

Enclosures(s)

cc: Terri Rocket, HR Assistant
CITRUS COUNTY SHERIFF'S OFFICE
1 Dr. Martin Luther King, Jr. Ave
Inverness, FL 34450

Jay P. Lechner, Esq.
WHITTEL & MELTON
One Progress Plaza
200 Central Avenue, Suite 400
St. Petersburg, FL 33701

Brian Kojl
ALLEN NORTON & BLUE, P.A.
324 S. Hyde Park Avenue, Suite 225
Tampa, FL 33606

Enclosure with EEOC
Form 161-B (11/16)

**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 and other
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If you cannot afford or have been unable to obtain a lawyer to represent you, the U.S. District Court having jurisdiction in your case may, in limited circumstances, assist you in obtaining a lawyer. Requests for such assistance must be made to the U.S. District Court in the form and manner it requires (you should be prepared to explain in detail your efforts to retain an attorney). Requests should be made well before the end of the 90-day period mentioned above, because such requests do not relieve you of the requirement to bring suit within 90 days.

ATTORNEY REFERRAL AND EEOC ASSISTANCE -- All Statutes:

You may contact the EEOC representative shown on your Notice if you need help in finding a lawyer or if you have any questions about your legal rights, including advice on which U.S. District Court can hear your case. If you need to inspect or obtain a copy of information in EEOC's file on the charge, please request it promptly in writing and provide your charge number (as shown on your Notice). While EEOC destroys charge files after a certain time, all charge files are kept for at least 6 months after our last action on the case. Therefore, if you file suit and want to review the charge file, please make your review request within 6 months of this Notice. (Before filing suit, any request should be made within the next 90 days.)

IF YOU FILE SUIT, PLEASE SEND A COPY OF YOUR COURT COMPLAINT TO THIS OFFICE.



**U.S. Equal Employment Opportunity Commission
Tampa Field Office**

501 East Polk Street
Room 1000
Tampa, FL 33602
(813) 228-2310
TTY (813) 228-2003
FAX (813) 228-2841
1-800-668-4000

EEOC Charge No.: 511-2017-02710

Lisa Ventimiglia
2224 W. Howard Pl.
Citrus Springs, FL 34434

Charging Party

CITRUS COUNTY SHERIFF'S OFFICE
1 Dr. Martin Luther King, Jr. Ave,
Inverness, FL 34450

Respondent

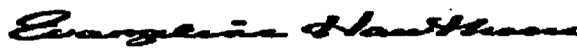
NOTICE OF REVOCATION

Pursuant to Section 1601.19(a) and (b) of the Commission's Procedural Regulations and under the authority vested in me, on August 2, 2018, I issued a Notice of Right to Sue to the Charging Party in the above styled matter. The Right to Sue was inadvertently issued with administrative errors due to Title VII issues being checked. To more fully effectuate the purposes of Title VII, as amended, this is to notify the parties that the notice issued in the above cited charge dated August 2, 2018, has been revoked and is replaced with the attached Dismissal and Notice of Rights dated August 14, 2018.

If you have any questions, please call this office at (813) 228-2310.

On behalf of the Commission:

AUG 14 2018
Date



Evangeline Hawthorne
Director

cc:
Jay P. Lechner
WHITTEL & MELTON
One Progress Plaza
200 Central Ave, #400
Saint Petersburg, FL 33701

Brian Koji
ALLEN NORTON & BLUE, P.A.
324 S. Hyde Park Avenue
Suite 225
Tampa, FL 33606

EEOC Form 181-B (11/16)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To: Lisa Ventimiglia
2224 W. Howard Place
Citrus Springs, FL 34434

From: Tampa Field Office
501 East Polk Street
Room 1000
Tampa, FL 33602

On behalf of person(s) aggrieved whose identity is CONFIDENTIAL (29 CFR §1601.7(a))

Table with 3 columns: EEOC Charge No. (511-2017-02710), EEOC Representative (Beverly Collins, Investigator), Telephone No. ((813) 202-7917)

(See also the additional information enclosed with this form.)

NOTICE TO THE PERSON AGGRIEVED:

Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA), or the Genetic Information Nondiscrimination Act (GINA): This is your Notice of Right to Sue, issued under Title VII, the ADA or GINA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII, the ADA or GINA must be filed in a federal or state court WITHIN 90 DAYS of your receipt of this notice; or your right to sue based on this charge will be lost.

- More than 180 days have passed since the filing of this charge.
Less than 180 days have passed since the filing of this charge, but I have determined that it is unlikely that the EEOC will be able to complete its administrative processing within 180 days from the filing of this charge.
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Age Discrimination in Employment Act (ADEA): You may sue under the ADEA at any time from 60 days after the charge was filed until 90 days after you receive notice that we have completed action on the charge. In this regard, the paragraph marked below applies to your case:

- The EEOC is closing your case. Therefore, your lawsuit under the ADEA must be filed in federal or state court WITHIN 90 DAYS of your receipt of this Notice. Otherwise, your right to sue based on the above-numbered charge will be lost.
The EEOC is continuing its handling of your ADEA case. However, if 60 days have passed since the filing of the charge, you may file suit in federal or state court under the ADEA at this time.

Equal Pay Act (EPA): You already have the right to sue under the EPA (filing an EEOC charge is not required.) EPA suits must be brought in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.

If you file suit, based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission

Handwritten signature of Evangelina Hawthorne

Evangelina Hawthorne, Director

Handwritten date 8/2/18

(Date Mailed)

Enclosures(s)

cc: Terri Rocket, HR Assistant
CITRUS COUNTY SHERIFF'S OFFICE
1 Dr. Martin Luther King, Jr. Ave
Inverness, FL 34450

Jay P. Lechner, Esq.
WHITTEL & MELTON
One Progress Plaza
200 Central Avenue, Suite 400
St. Petersburg, FL 33701

Brian Koji
ALLEN NORTON & BLUE, P.A.
324 S. Hyde Park Avenue, Suite 225
Tampa, FL 33606

Enclosure with EEOC
Form 181-B (11/16)

**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 and other
provisions of State law may be shorter or more limited than those described below.)*

**PRIVATE SUIT RIGHTS -- Title VII of the Civil Rights Act, the Americans with Disabilities Act (ADA),
the Genetic Information Nondiscrimination Act (GINA), or the Age
Discrimination in Employment Act (ADEA):**

In order to pursue this matter further, you must file a lawsuit against the respondent(s) named in the charge within 90 days of the date you receive this Notice. Therefore, you should keep a record of this date. Once this 90-day period is over, 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 its envelope, and tell him or her the date you received it. Furthermore, in order to avoid any question that you did not act in a timely manner, it is prudent that your suit be filed within 90 days of the date this Notice was mailed to you (as indicated where the Notice is signed) or the date of the postmark, if later.

Your lawsuit may be filed in U.S. District Court or a State court of competent jurisdiction. (Usually, the appropriate State court is the general civil trial court.) Whether you file in Federal or State court is a matter for you to decide after talking to your attorney. Filing this Notice is not enough. You must file a "complaint" that contains a short statement of the facts of your case which shows that you are entitled to relief. Courts often require that a copy of your charge must be attached to the complaint you file in court. If so, you should remove your birth date from the charge. Some courts will not accept your complaint where the charge includes a date of birth. Your suit may include any matter alleged in the charge or, to the extent permitted by court decisions, matters like or related to the matters alleged in the charge. Generally, suits are brought in the State where the alleged unlawful practice occurred, but in some cases can be brought where relevant employment records are kept, where the employment would have been, or where the respondent has its main office. If you have simple questions, you usually can get answers from the office of the clerk of the court where you are bringing suit, but do not expect that office to write your complaint or make legal strategy decisions for you.

PRIVATE SUIT RIGHTS -- Equal Pay Act (EPA):

EPA suits must be filed in court within 2 years (3 years for willful violations) of the alleged EPA underpayment: back pay due for violations that occurred more than 2 years (3 years) before you file suit may not be collectible. For example, if you were underpaid under the EPA for work performed from 7/1/08 to 12/1/08, you should file suit before 7/1/10 -- not 12/1/10 -- in order to recover unpaid wages due for July 2008. This time limit for filing an EPA suit is separate from the 90-day filing period under Title VII, the ADA, GINA or the ADEA referred to above. Therefore, if you also plan to sue under Title VII, the ADA, GINA or the ADEA, in addition to suing on the EPA claim, suit must be filed within 90 days of this Notice and within the 2- or 3-year EPA back pay recovery period.

ATTORNEY REPRESENTATION -- Title VII, the ADA or GINA:

If you cannot afford or have been unable to obtain a lawyer to represent you, the U.S. District Court having jurisdiction in your case may, in limited circumstances, assist you in obtaining a lawyer. Requests for such assistance must be made to the U.S. District Court in the form and manner it requires (you should be prepared to explain in detail your efforts to retain an attorney). Requests should be made well before the end of the 90-day period mentioned above, because such requests do not relieve you of the requirement to bring suit within 90 days.

ATTORNEY REFERRAL AND EEOC ASSISTANCE -- All Statutes:

You may contact the EEOC representative shown on your Notice if you need help in finding a lawyer or if you have any questions about your legal rights, including advice on which U.S. District Court can hear your case. If you need to inspect or obtain a copy of information in EEOC's file on the charge, please request it promptly in writing and provide your charge number (as shown on your Notice). While EEOC destroys charge files after a certain time, all charge files are kept for at least 6 months after our last action on the case. Therefore, if you file suit and want to review the charge file, please make your review request within 6 months of this Notice. (Before filing suit, any request should be made within the next 90 days.)

IF YOU FILE SUIT, PLEASE SEND A COPY OF YOUR COURT COMPLAINT TO THIS OFFICE.

EEOC Form 161 (11/15)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Michele Tewell**
4390 S. Tom Ave
Inverness, FL 34452

From: **Tampa Field Office**
501 East Polk Street
Room 1000
Tampa, FL 33602

On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.	EEOC Representative	Telephone No.
511-2018-03597	Scott M. Kelley, Investigator	(813) 202-7906

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

- The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.
- Your allegations did not involve a disability as defined by the Americans With Disabilities Act.
- The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.
- Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge
- The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.
- The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.
- Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.

On behalf of the Commission

Evangeline Hawthorne

JUL 19 2018

Enclosures(s)

**Evangeline Hawthorne,
Director**

(Date Mailed)

cc: **Terri Rockett**
HR Manager
1 Dr Martin Luther King Jr Ave
Inverness, FL 34450

JS 44 (Rev. 08/16)

CIVIL COVER SHEET 5:18 cv. 519-oc-30 PRL

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>I. (a) PLAINTIFFS Dawn Alexander, Lisa Ventimiglia, Michele Tewell one behalf of themselves and others similarly situated</p> <p>(b) County of Residence of First Listed Plaintiff (EXCEPT IN U.S. PLAINTIFF CASES)</p> <p>(c) Attorneys (Firm Name, Address, and Telephone Number) Jay P. Lechner, Esq. and William J. Sheslow, Esq. 200 Central Avenue Suite 400 St. Petersburg, FL 33701 727-822-1111</p>	<p>DEFENDANTS Mike Prendergrast, as Sheriff of Citrus County, Florida</p> <p>County of Residence of First Listed Defendant Citrus (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>II. BASIS OF JURISDICTION (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>III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td></td> <td>PTF</td> <td>DEF</td> <td></td> <td>PTF</td> <td>DEF</td> </tr> <tr> <td>Citizen of This State</td> <td><input checked="" type="checkbox"/> 1</td> <td><input checked="" type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business In This State</td> <td><input type="checkbox"/> 4</td> <td><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td><input type="checkbox"/> 2</td> <td><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business In Another State</td> <td><input type="checkbox"/> 5</td> <td><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td><input type="checkbox"/> 3</td> <td><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td><input type="checkbox"/> 6</td> <td><input type="checkbox"/> 6</td> </tr> </table>		PTF	DEF		PTF	DEF	Citizen of This State	<input checked="" type="checkbox"/> 1	<input checked="" 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
	PTF	DEF		PTF	DEF																				
Citizen of This State	<input checked="" type="checkbox"/> 1	<input checked="" 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																				

IV. NATURE OF SUIT (Place an "X" in One Box Only) Click here for: Nature of Suit Code Descriptions.

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>PERSONAL INJURY</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>PERSONAL INJURY</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>PERSONAL PROPERTY</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
			PROPERTY RIGHTS	
			<input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	LABOR	SOCIAL SECURITY
<input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input checked="" type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<p>Habeas Corpus:</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>Other:</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	<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"/> 861 HIA (1395m) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))
			IMMIGRATION	FEDERAL TAX SUITS
			<input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609

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):
 Title VII Civil Rights Act of 1964; Age Discrimination in Employment Act and the Florida Civil Rights Act

Brief description of cause:
 Discriminatory use of a physical abilities test causing disparate impact on females and older employees.

VII. REQUESTED IN COMPLAINT:

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

VIII. RELATED CASE(S) IF ANY (See instructions): JUDGE DOCKET NUMBER

DATE: October 2, 2018 SIGNATURE OF ATTORNEY OF RECORD: /s/ Jay P. Lechner Florida Bar No.: 504351

FOR OFFICE USE ONLY

RECEIPT # 00A AMOUNT 400.00 APPLYING IFP JUDGE MAG. JUDGE

9681

ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [Class Action Lawsuit Alleges Citrus County \(FL\) Sheriff's Physical Abilities Test Is Discriminatory Toward Women](#)
