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Bay Area Rapid Transit District  
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8  
9 IN THE UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA

11 Case No. C 10-4316 EMC

12 WESLEY SAMUEL RANDOLPH, III,

13 Plaintiff,

14 vs.

15 SAN FRANCISCO BAY AREA RAPID  
TRANSIT DISTRICT

16 Defendant.  
17

STIPULATION AND ORDER  
GRANTING LEAVE TO FILE  
AMENDED COMPLAINT



1 Wesley Samuel Randolph III  
2 2537 East 29<sup>th</sup> Street  
3 Oakland, CA 94602-1501  
4 (510) 908-8204  
5 E-mail: WesleyRandolphIII@Yahoo.Com

6 Pro Se

7 UNITED STATES DISTRICT COURT  
8 Northern District of California

9 Wesley Samuel Randolph III )

10 Plaintiff, )

11 vs. )

12 San Francisco Bay Area Rapid Transit )

13 District )

14 Defendant )

Case No.: CV10 – 4316 EMC

2<sup>nd</sup>

- AMENDED -

Employment Discrimination Complaint

15  
16  
17 Item # 1. Plaintiff, Wesley Samuel Randolph III resides at 2537 East 29<sup>th</sup> Street,  
18 Oakland, CA 94602 – Home Phone # (510) 532-7547 / Cell Phone # (510) 908-8204 /  
19 Work Phone # (510) 464-6328

20  
21 Item # 2. Defendant, San Francisco Bay Area Rapid Transit District is located at  
22 300 Lakeside Drive, Oakland, CA 94612 – Telephone (510) 464-6000

23  
24 Item # 3. This action is brought pursuant to Title VII of the Civil Rights Act of 1964  
25 for employment discrimination. Jurisdiction is conferred on this court by 42 U.S.C.  
26 Section 2000e-5. Equitable and other relief is sought under 42 U.S.C. Section 2000e-  
27 5(g).  
28

1 Item # 4. The acts complained of in this suit concern:

- 2 a.  Failure to employ me.  
3 b.  Termination of my employment.  
4 c.  Failure to promote me.  
5 d.  Other acts as specified below.

6 Retaliation for filing a previous employment discrimination complaint  
7 (April 2003)

8  
9 Item # 5. Defendant's conduct is discriminatory with respect to the following:

- 10 a.  My race or color.  
11 b.  My religion.  
12 c.  My sex.  
13 d.  My national origin.  
14 e.  Other as specified below.  
15 \_\_\_\_\_

16  
17 Item # 6. The basic facts surrounding my claim of discrimination are:

18 I am African-American, a member of a protected class; I filed a previous employment  
19 discrimination complaint April 2003 with the Equal Employment Opportunity  
20 Commission (EEOC No. 376-2003-00229); I applied for and was qualified for  
21 Information System Manger-09/06; Senior Electronic and Communications Engineer-  
22 07/08; Information Technology Department Manager-03/09 & Information System  
23 Manager-12/09 positions at the San Francisco Bay Area Rapid Transit District. I was  
24 not promoted because of my race, African-American, despite my credentials, degrees,  
25 experience and qualifications. The positions were either filled with persons of similar  
26 qualifications who were not members of my protected class or the positions remained  
27 open and the District continued to seek applicants having my qualifications after I was  
28 rejected. The District has promoted persons outside my class who were not better  
qualified than me.

1 Item # 7. The alleged discrimination occurred on or about February 23, 2010

2  
3 Item # 8. I filed charges with the California Department of Fair Employment Housing  
4 and the Federal Employment Opportunity Commission regarding defendant's alleged  
5 employment discriminatory conduct on or about March 23, 2010.

6  
7 Item # 9. The California Department of Fair Employment and Housing issued a  
8 Notice-of-Right-to-Sue letter (copy attached), which was received by me on or about  
9 September 21, 2010. The Equal Employment Opportunity Commission issued a Notice-  
10 of-Right-to-Sue letter (copy attached), which was received by me on or about October  
11 12, 2010.

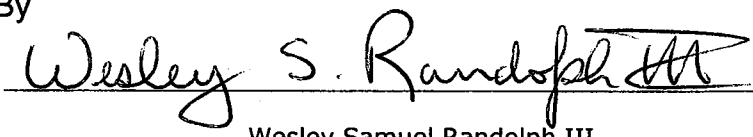
12  
13 Item # 10. Plaintiff hereby demands a jury for all claims for which a jury permitted.

14 Yes  NO

15  
16 Item # 11. WHEREFORE, plaintiff prays that the Court grant such relief as may be  
17 appropriate, including injunctive orders, damages, costs, and attorney fees.

18  
19 DATED: April 11, 2011

20 And  
21 Respectfully Submitted  
22 By

23 

24 Wesley Samuel Randolph III  
25 Pro Se