

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

HARRIET THOMPKINS,

Plaintiff,

vs.

Case No.

**GULF BEACHES PUBLIC LIBRARY, INC.,
a Florida Non-Profit Corporation**

Defendant.

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COMPLAINT AND DEMAND FOR JURY TRIAL

Plaintiff, HARRIET THOMPKINS (“Plaintiff”), hereby sues Defendant, GULF BEACHES PUBLIC LIBRARY, INC., a Florida Non-Profit Corporation (“Defendant”) and alleges as follows:

INTRODUCTION

1. This action is brought under Title VII of the Civil Rights Act of 1964 and 42 U.S.C. § 1981 to redress discrimination in Plaintiff’s discharge from employment and failure to re-hire by Defendant.

JURISDICTION AND VENUE

2. Plaintiff has exhausted her administrative remedies under Title VII of the Civil Rights Act of 1964 by timely filing a charge of race discrimination with the U.S. Equal Employment Opportunity Commission (“EEOC”).
3. Plaintiff is not required to exhaust administrative remedies under § 1981.
4. Jurisdiction of this Court is invoked pursuant to 28 U.S.C. § 1331.

PARTIES

5. Plaintiff was a resident of Pinellas County, Florida at all times material to this action. Defendant is a non-profit Florida corporation conducting business in Pinellas County, Florida within the Middle District of Florida.
6. Defendant is a covered employer under Title VII based on its control and funding by cities which are also covered by Title VII.

FACTUAL BACKGROUND

7. Plaintiff is an African-American female.
8. Plaintiff was employed by Defendant commencing June 26, 2006.
9. On November 6, 2008, Nick Simon, Board of Trustees Chairman, told Plaintiff that her position as Assistant Director/Reference Librarian was being eliminated effective December 1, 2008.
10. Plaintiff was replaced by a white subordinate, Travis Sherman, as Acting Director.
11. Stan Silverstein, a white male, lacks a Masters in Library Science and survived the layoffs.
12. Plaintiff never received anything but positive evaluations of her work by the Director.
13. Plaintiff was discharged based on her race.

COUNT I - RACE DISCRIMINATION

14. Plaintiff realleges paragraphs 1 through 13 as if fully set forth herein.
15. Plaintiff was discharged by Defendant and not re-hired in any capacity because of race in violation of Title VII and § 1981.
16. Defendant's purported legitimate non-discriminatory explanation for Plaintiff's discharge and non-rehire are mere pretexts for race discrimination.
17. Plaintiff has been damaged by the conduct of Defendant.

WHEREFORE, Plaintiff requests this Honorable Court to:

- A. Grant Plaintiff an award of actual and compensatory damages, punitive damages, back-pay, front-pay, and attorney's fees and costs.
- B. Grant Plaintiff a trial by jury and such further relief as the Court deems just and equitable.

DEMAND FOR TRIAL BY JURY

Plaintiff demands trial by jury as to all issues so triable.

Respectfully submitted,

Craig L. Berman

Craig L. Berman, Esquire
BERMAN LAW FIRM, P.A.
Fla. Bar No. 068977
Plaza Tower
111 Second Avenue N.E., Suite 706
St. Petersburg, FL 33701
Telephone: (727) 550-8989
Facsimile: (727) 894-6251
cberman@tampabay.rr.com

ATTORNEY FOR PLAINTIFF