

**FILED**

UNITED STATES DISTRICT COURT 2015 FEB 12 AM 10: 52  
MIDDLE DISTRICT OF FLORIDA  
OCALA DIVISION

CLERK, US DISTRICT COURT  
MIDDLE DISTRICT OF FL  
OCALA, FLORIDA

ALANA K. WILSON, )  
)  
Plaintiff, )  
)  
v. )  
)  
CITY OF MASCOTTE, )  
A political subdivision of the State )  
of Florida, )  
Defendant. )  
)  
\_\_\_\_\_ )

CIVIL ACTION

CASE NO. S:15-CV-70-OC-39PRC

JURY TRIAL DEMANDED

INJUNCTIVE RELIEF SOUGHT

**COMPLAINT WITH INJUNCTIVE RELIEF SOUGHT  
AND DEMAND FOR JURY TRIAL**

Plaintiff, Alana K. Wilson, by and through the undersigned counsel, sues the City of Mascotte, a political subdivision of the State of Florida, and alleges:

1. This is an action for declaratory, injunctive and equitable relief, as well as monetary damages, to redress the City’s harassment against Ms. Wilson due to her race in violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§2000e, *et seq.*, as amended (“Title VII”).

**JURISDICTION AND VENUE**

2. The Court has jurisdiction over this action under 42 U.S.C. §2000e-5(f) and 28 U.S.C. §§1331 and 1343.

3. Pursuant to 28 U.S.C. §1391, venue is proper in the Ocala Division of the United States District Court for the Middle District of Florida because the alleged acts occurred in Lake County, Florida.

PARTIES

4. Alana K. Wilson (“Ms. Wilson”) is a black female African-American and Native Hawaiian/Pacific Islander. Ms. Wilson is currently employed by the City of Mascotte as a Utility Accountant.
5. Defendant, the City of Mascotte (“City”), is a political subdivision of the State of Florida.
6. The City is a “person” within the meaning of 42 U.S.C. §2000e(a), and an “employer” within the meaning of 42 U.S.C. §2000e(b).
7. The Equal Employment Opportunity Commission (“EEOC”) received a timely charge of discrimination (EEOC Charge No. 846-2014-16627) filed by Ms. Wilson on or about April 8, 2014. In her EEOC charge, Ms. Wilson alleged, *inter alia*, that the City subjected her to a racially hostile work environment.
8. Pursuant to Section 706(b) of Title VII, the EEOC investigated the charge, found reasonable cause to believe that the City subjected Ms. Wilson to racial discrimination, in violation of Title VII. The EEOC attempted unsuccessfully to achieve a voluntary resolution of the charge through conciliation and subsequently referred the charge to the United States Department of Justice.
9. All conditions precedent to the filing of suit have been performed or have occurred.

CAUSE OF ACTION

10. On January 22, 2008, Ms. Wilson began her employment with the City as an Accounting Technician for the Finance Department. Due to her excellent work performance, in December 2009, Ms. Wilson was promoted to her current position of Utility Accountant.
11. At all times relevant, Jim Gleason, a white male, was employed as the City Manager (“City Manager”).
12. At all times relevant, Dolly Miller, a white female, was employed as Deputy City Manager/Finance Director and was Ms. Wilson’s direct supervisor (“Supervisor”).
13. Beginning in November 2013, the City Manager harassed Ms. Wilson and subjected her to racial harassment in the workplace.
14. On or about November 2013, Ms. Wilson had problems logging into her work computer. The City Manager, loudly and without inquiry, told Ms. Wilson her login name for the City computer should be “token black person.” The City Manager made the comment twice and in the presence of others, including Ms. Wilson’s Supervisor. The City took no remedial action.
15. On or about November 2013, the City Manager told Ms. Wilson she should ask her black Jamaican mother-in-law about the term “pickaninny.” The City Manager made the comment in the presence of others, including Ms. Wilson’s Supervisor. The City took no remedial action.
16. On or about December 2013, the City received gift donations including various dolls. Some dolls resembled City employees. The City Manager, in reference to Ms. Wilson

said, "all we need now is a nappy-headed doll for Alana." The City Manager made the comment in the presence of others, including Ms. Wilson's Supervisor. The City took no remedial action.

17. On or about December 2013, before the start of a staff meeting, the City Manager, while looking at Ms. Wilson, referenced the term "jam boy." Based on the City Manager's description, a "jam boy" was a decoy for mosquitos during special events for white people. According to the City Manager, a black person was covered with jam and the mosquitos would be attracted to the "jam boy" and stay away from the white people at the special event. In the presence of others, including Ms. Wilson's Supervisor, the City Manager also stated: "I wonder if they eat it off them afterwards." The City took no remedial action.
18. The City manager made these and other racially offensive comments and epithets towards and in reference to Ms. Wilson.
19. The City Manager made these comments in the presence of the City's supervisory personnel who took no action to stop them.
20. As a direct and proximate cause of the harassment the City failed to remedy, Ms. Wilson has suffered damages, including but not limited to emotional distress, embarrassment, humiliation, stress, anxiety and loss of enjoyment of life.
21. The City discriminated against Ms. Wilson in violation of Section 703(a)(1) of Title VII, 42 U.S.C. §2000e-2(a)(1) because:
  - a. The City subjected Ms. Wilson to unwelcomed racial harassment;

- b. The City permitted the City Manager to make derogatory and offensive racial comments and epithets in the workplace; and
  - c. The City Manager's comments were both subjectively and objectively hostile and abusive.
22. Since the filing of Ms. Wilson's harassment claim with the EEOC, the City has retaliated against her. Ms. Wilson subsequently filed a retaliation charge with the EEOC, which is currently pending. Ms. Wilson reserves the right to bring an action against the City for retaliation.

PRAYER FOR RELIEF

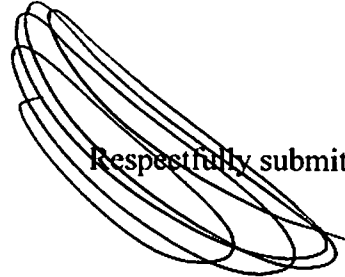
**WHEREFORE**, Plaintiff, Alana K. Wilson, requests this Court enter judgment in her favor and against Defendant, the City of Mascotte, for:

- A. A declaratory judgment declaring the actions, conduct and practices of the City complained of herein violate the laws of the United States (42 U.S.C §2000e-5);
- B. An injunction and order permanently restraining the City from engaging in such unlawful conduct (42 U.S.C §2000e-5);
- C. An award of damages to compensate Ms. Wilson for compensatory harm, including but not limited to emotional distress, embarrassment, humiliation, stress, anxiety and loss of enjoyment of life (42 U.S.C. §1981a);
- D. An award of costs and reasonable attorneys' fees (42 U.S.C §2000e-5); and
- E. Such other and further relief as the Court may deem just and proper.

JURY DEMAND

Plaintiff, Alana K. Wilson, hereby demands a trial by jury of all issues so triable, pursuant to Rule 38 of the Federal Rules of Civil Procedure and Section 102 of the Civil Rights Act of 1991, 42 U.S.C. §1981a.

Dated: February 11, 2015.



Respectfully submitted,

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