

IN THE CIRCUIT COURT OF THE FIRST JUDICIAL DISTRICT  
OF HINDS, COUNTY, MISSISSIPPI

BROWN DEBBIE

PLAINTIFF

VS.

NO. 251-09-000301-CIV

JACKSON CITY OF ET AL

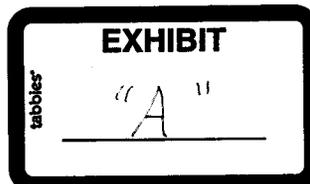
DEFENDANT

I, BARBARA DUNN, CIRCUIT CLERK, OF THE CIRCUIT COURT  
IN AND FOR THE SAID STATE AND COUNTY DO HEREBY CERTIFY THAT  
THE ATTACHED ARE TRUE AND CORRECT COPIES OF ALL THE PAPERS  
FILED IN THIS OFFICE IN THE ABOVE STYLED AND NUMBERED CAUSE,  
AS OF THIS DATE THE SAME IS OF RECORD IN THIS OFFICE IN DOCKET  
BOOK NO. 09 PAGE NO. 301 TO WIT:

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE 1ST  
DAY OF JULY, 2009.

BARBARA DUNN, CIRCUIT CLERK  
HINDS COUNTY, MISSISSIPPI

BY [Signature] D.C.



HINDS COUNTY, MISSISSIPPI 1ST JUDICIAL DISTRICT

PAGE NO. 1 CIRCUIT COURT DOCKET INFORMATION FOR CASE 09-000301

FILED: 03/24/0009 CASE TYPE: COMPLAINT JUDGE: WINSTON L. KID

BROWN DEBBIE

VS

JACKSON CITY OF ET AL  
JACKSON MUNICIPAL AIRPORT AUTHORITY BD OF COM  
JACKSON MUNICIPAL AIRPORT AUTHORITY

ATTORNEYS: WATSON LOUIS H JR

03/24/09 PAYMENT LOUIS H WATSON JR ATTY 1

04/01/09 SUMMONS EX ON JACKSON MUNICIPAL AIRPOR  
T AUTHORITY BD OF COMMISSIONER  
S ON GAIL GREEN 3-21-09

04/01/09 SUMMONS EX ON CITY OF JACKSON ON GAIL  
GREEN 3-27-09

04/01/09 SUMMONS EX ON JACKSON MUNICIPAL AIRPOR  
T AUTHORITY ON GAIL GREEN 3-27  
-09

05/04/09 ORDER DISMISSAL AS TO CITY OF JACKSO 658 336  
N

05/05/09 MISC ORD OF DISM MAILED TO ATTYS  
PIETER TEEUWISSEN/LOUIS WATSON  
JR

**FILED**

MAR 24 2009

BARBARA DUNN, CIRCUIT CLERK  
BY \_\_\_\_\_ D.C.

**IN THE CIRCUIT COURT OF HINDS COUNTY, MISSISSIPPI  
FIRST JUDICIAL DISTRICT**

**DEBBIE BROWN**

**PLAINTIFF**

**VS.**

**CIVIL ACTION NO. 25109-301 CIV**

**THE CITY OF JACKSON, MISSISSIPPI;  
JACKSON MUNICIPAL AIRPORT AUTHORITY  
BOARD OF COMMISSIONERS; AND JACKSON  
MUNICIPAL AIRPORT AUTHORITY**

**DEFENDANTS**

**COMPLAINT**

**JURY TRIAL DEMANDED**

**COMES NOW** Plaintiff Debbie Brown and brings this action against her former employer, Defendants, The City of Jackson, Mississippi, Jackson Municipal Airport Authority Board of Commissioners, and Jackson Municipal Airport Authority. Plaintiff is seeking monetary, declaratory relief and injunctive relief. As more specifically set forth below, Plaintiff has been subjected to race discrimination in the terms and conditions of her employment with Defendant. The actions of the Defendant described herein constitute violations of Title VII and 42 U.S.C. § 1981.

**THE PARTIES**

1. Plaintiff Debbie Brown is an adult Caucasian female resident of Rankin County, Mississippi residing at 1969 Carolyn Lane, Pearl, Mississippi 39208.
2. Defendant, The City of Jackson, Mississippi, is a political subdivision responsible for the Jackson Municipal Airport Authority Board of Commissioners and the Jackson Municipal Airport. The City of Jackson, Mississippi has a principal place of

business at 219 South President Street, Jackson, Mississippi 39205 and may be served with process through the Interim City Clerk Gail Green at: 219 South President Street, Jackson, Mississippi 39205.

3. Defendant, Jackson Municipal Airport Authority Board of Commissioners, is a subdivision of the City of Jackson and has a principal place of business at 100 International Drive, Suite 300, Jackson, Mississippi 39208 and may be served with process through the Interim City Clerk Gail Green at: 219 South President Street, Jackson, Mississippi 39205.

4. Defendant, Jackson Municipal Airport Authority, is a subdivision of the City of Jackson and has a principal place of business at 100 International Drive, Suite 300, Jackson, Mississippi 39208 and may be served with process through the Interim City Clerk Gail Green at: 219 South President Street, Jackson, Mississippi 39205.

#### **JURISDICTION**

5. This court has concurrent civil rights jurisdiction under 28 U.S.C. § 1343 for a cause of action arising under 42 U.S.C. § 1981 and Title VII of the Civil Rights Act of 1964.

6. This Court has concurrent federal question jurisdiction pursuant to 28 U.S.C. § 1331.

7. This Court has personal and subject matter jurisdiction over the Defendant and venue is proper in this Court.

8. Plaintiff timely filed a Charge of Discrimination with the EEOC, a true and correct copy of which is attached as Exhibit "A." The EEOC issued a Notice of Right to Sue on December 24 2008, a true and correct copy of which is attached as Exhibit "B."

Plaintiff timely files this cause of action within ninety (90) days of receipt of her Notice of Right to Sue.

### **STATEMENT OF FACTS**

9. Plaintiff was hired by Defendant in March 2003, as a Finance Technician.

10. On several occasions, and most recently in October of 2007, Plaintiff applied for the position of Revenue/Payroll, a position for which she was well-qualified.

11. During her employment with Defendant, Plaintiff had been required on more than one occasion to perform the payroll duties involved with the position of Revenue/Payroll when the position was vacated due to the termination or resignation of prior employees. Plaintiff was also required to train the individuals previously selected for the Revenue/Payroll position.

12. Although Plaintiff was well qualified for the said position, Plaintiff was not considered. Upon Plaintiff's application for the position, the position was re-advertised and the qualifications changed.

13. Management knew that Plaintiff did not have the degree in accounting as specified in the new advertisement, but that she did have over thirty years experience in payroll and accounting, which greatly exceeded the three year experience requirement in the advertisement.

14. Plaintiff's supervisor verbally stated to Plaintiff and a co-worker of Plaintiff that she wanted to hire a "brother" for this position. However, all African-American male applicants were out of the salary range wherein she could offer.

15. The position was offered to an African-American male in the accounting department that did not apply for the position, nor had any experience doing payroll.

However, this male declined the position and management hired an African-American female that had a degree, but not in accounting as specified in the position advertisement.

16. Upon learning that she would not be interviewed, much less hired for the position, Plaintiff was then informed by her supervisor that she would be required to continue the responsibility of payroll and all related functions, as well as train the newly-hired individual for the Revenue/Payroll position.

17. Plaintiff questioned the reasoning behind not being interviewed for the position to upper management. Plaintiff was informed by the Controller that she was not selected for the position because she did not have a degree in accounting, and was informed by the Chief Financial Officer that she was not considered for the position because she did not have any accounts receivable experience.

18. Although Plaintiff had substantial accounting and accounts receivable experience, and was well-qualified for the Revenue/Payroll position, Plaintiff was not considered nor interviewed.

19. Plaintiff was forced to resign on January 7, 2008, due to the Defendant wrongfully denying Plaintiff the opportunity for advancement. Plaintiff has been wrongfully discriminated against based upon her race.

### **CAUSES OF ACTION**

#### **COUNT I**

#### **RACE DISCRIMINATION-VIOLATION OF TITLE VII & 42 U.S.C. § 1981**

20. Plaintiff re-alleges and incorporates all averments set forth in paragraphs 1 through 19 above as if fully incorporated herein.

21. Defendant's actions constitute unlawful discrimination on the basis of race

in violation of Title VII and 42 U.S.C. § 1981.

22. As a direct and proximate result of Defendant's unlawful, discriminatory conduct toward Plaintiff, Plaintiff has lost wages and benefits and has sustained other pecuniary loss.

23. The unlawful actions of the Defendant complained of above were intentional, malicious and taken in reckless disregard of the statutory rights of Plaintiff.

## **COUNT II**

### **PUNITIVE DAMAGES**

24. Plaintiff re-alleges and incorporates all averments set forth in paragraphs 1 through 23 above as if fully incorporated herein.

25. Plaintiff is entitled to punitive damages against Defendant as a result of Defendant's intentional acts and as a result of its extreme and outrageous conduct. Alternatively, Plaintiff is entitled to damages because Defendant's unlawful acts against Plaintiff were committed maliciously and/or in reckless disregard of Plaintiff's rights.

### **PRAYER FOR RELIEF**

**WHEREFORE, PREMISES CONSIDERED, PLAINTIFF RESPECTFULLY PRAYS** that the Court cause service to issue in this cause upon the Defendant and that this matter be set for trial. Upon trial by jury thereon, Plaintiff prays that the following relief be granted:

- a. Reinstatement or front pay in lieu of reinstatement, back pay, lost benefits, and other pecuniary losses proximately caused by Defendant's unlawful conduct;
- b. Compensatory damages against Defendant in an amount to be determined by the jury;

- c. Punitive damages against Defendant in an amount to be determined by the jury;
- d. All costs, disbursements, pre-judgment interest, post-judgment interest, expert witness fees and reasonable attorney's fees allowed under actions brought pursuant to Title VII and 42 U.S.C. § 1981; and
- e. Such further relief as is deemed just and proper.

THIS the 23<sup>rd</sup> day of March, 2009.

Respectfully submitted,

DEBBIE BROWN, PLAINTIFF

By:   
Louis H. Watson, Jr. (MB# 9053)  
Nick Norris (MB# 101574)  
Attorneys for Plaintiff

OF COUNSEL:

LOUIS H. WATSON, JR., P.A.  
520 East Capitol Street  
Jackson, Mississippi 39201  
Telephone: (601) 968-0000  
Facsimile: (601) 968-0010  
louis@louiswatson.com



Rx No.: 234 P.004

Rx time: 02/11/2009 09:28

EEOC Form E (5/01)

### CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To:

Agency(ies) Charge No(s):

FEPA

EEOC

423-2008-01687

and EEOC

State or local Agency, if any

THE PARTICULARS ARE (if additional papers needed, attach extra sheet(s)):

Though I have Accounting and accounts receivable experience, I was not considered for the Revenue/Payroll position. A Black female was selected for the position and to my knowledge she has a degree in Business Management and not a BS in Accounting as advertised; and 3-5 years of experience in payroll. Furthermore, the position was offered to a less qualified Black male coworker who did not even apply for the position and was not qualified for the position. Since quitting, I have been replaced by a Black female. To my knowledge, the Revenue/Payroll position has always been occupied by a Black individual. I was the only White non-management employee in my department.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

3-26-08

Date

Debbie Brown

Charging Party Signature

NOTARY - When necessary for State and Local Agency Requirements

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE  
(month, day, year)

Rx No.: 234 P.002

Rx time: 02/11/2009 09:27

EEOC Form 161 (2008)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: Debbie D. Brown  
1969 Carolyn Drive  
Pearl, MS 39208

From: Jackson Area Office  
100 West Capitol Street  
Suite 207  
Jackson, MS 39269

On behalf of person(s) aggrieved whose identity is  
CONFIDENTIAL (39 CFR §1601.7(a))

EEOC Charge No.	EEOC Representative	Telephone No.
423-2008-01687	Eszean S. McDuffey, Investigator	(601) 948-8417

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, and/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 state claim 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

*Wilma J. Scott*

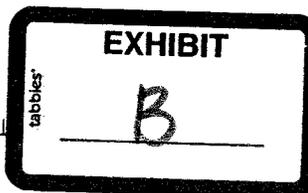
12/24/08  
(Date Mailed)

Enclosures(s)

Wilma Scott,  
Director

cc: JACKSON MUNICIPAL AIRPORT AUTHORITY  
c/o Human Resource Manager  
Post Office Box 98109  
Jackson, MS 39298

Jennifer G. Hall, Esq.  
Baker Donelson Bearman Caldwell &  
Berkowitz, P.C.  
P. O. Box 14167  
Jackson, MS 39236



**LOUIS H. WATSON, JR., P.A.**

ATTORNEY AT LAW

520 EAST CAPITOL STREET  
JACKSON, MISSISSIPPI 39201-2703

TELEPHONE: 601.968.0000  
FACSIMILE: 601.968.0010  
EMAIL: LOUIS@LOUISWATSON.COM

March 30, 2009

**VIA US MAIL**

Ms. Barbara Dunn, Clerk  
Hinds County Circuit Court  
407 East Pascagoula Street  
Post Office Box 327  
Jackson, Mississippi 39205-0327

Re: *Debbie Brown v. City of Jackson, et al.*  
Civil Action No. 251-09-301CIV

Dear Ms. Dunn,

Enclosed please find the originals and one copy each of the return of service in the above-referenced case. Please file the originals and return the stamped filed copies to our office in the self-addressed, stamped envelope enclosed for your convenience.

Thank you for your assistance with this matter. Should you have any questions, please let me know.

Sincerely,

LOUIS H. WATSON, JR., P.A.



Laura Dees  
Assistant to Louis H. Watson, Jr.

/ld  
Enclosures

**FILED**

APR - 1 2009

**IN THE CIRCUIT COURT OF HINDS COUNTY, MISSISSIPPI  
FIRST JUDICIAL DISTRICT**

BARBARA DUNN, CIRCUIT CLERK

BY \_\_\_\_\_ D.C.

**DEBBIE BROWN**

**PLAINTIFF**

**VS.**

**CIVIL ACTION NO.:** 251-09-301CW

**THE CITY OF JACKSON, MISSISSIPPI;  
JACKSON MUNICIPAL AIRPORT AUTHORITY  
BOARD OF COMMISSIONERS; AND JACKSON  
MUNICIPAL AIRPORT AUTHORITY**

**DEFENDANTS**

**SUMMONS**

**TO: JACKSON MUNICIPAL AIRPORT AUTHORITY BOARD OF COMMISSIONERS  
c/o Interim Clerk Gail Green  
219 South President Street  
Jackson, MS 39205**

**NOTICE TO DEFENDANT**

**The Complaint which is attached to this summons is important and you must take immediate action to protect your rights.**

You are required to mail or hand-deliver a copy of a written response to the Complaint to **Louis H. Watson, Jr., Louis H. Watson, Jr., P.A., 520 East Capitol Street, Jackson, Mississippi 39201-2703**, the attorney for the Plaintiff. Your response must be mailed or delivered **within thirty (30) days** from the date of delivery of this Summons and Complaint or a judgment by default will be entered against you for the money or other things demanded in the Complaint

You must also file the original of your response with the Clerk of this Court within a reasonable time afterward.

ISSUED under my hand and the seal of said Court, this the 25 day of March, 2009.

Honorable Barbara Dunn  
Circuit Clerk of Hinds County, MS

By: \_\_\_\_\_  
Deputy Clerk

**ATTEST A TRUE COPY**

**MAR 25 2009**  
BARBARA DUNN, CIRCUIT CLERK  
BY \_\_\_\_\_ D.C.

**FILED**

APR - 1 2009

BARBARA DUNN, CIRCUIT CLERK

BY \_\_\_\_\_ D.C.

RETURN OF PROCESS SERVER

STATE OF MISSISSIPPI

COUNTY OF \_\_\_\_\_

( ) I personally delivered copies of the summons on the 27<sup>th</sup> day of March, 2009  
to: Bail Green

( ) After exercising reasonable diligence I was unable to deliver copies of the summons to \_\_\_\_\_ within \_\_\_\_\_ County, \_\_\_\_\_. I served the summons on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at the usual place of abode of said \_\_\_\_\_ by leaving a true copy of the summons with \_\_\_\_\_, who is the \_\_\_\_\_ (here insert wife, husband, son, daughter or other person as the case may be), a member of the family of the person served, above the age of sixteen years and, unwilling to receive the summons, and thereafter on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, I mailed (by first class mail, postage prepaid) copies to the person served at his or her usual place of abode where the copies were left.

( ) I was unable to serve the summons.

This the 27<sup>th</sup> day of March, 2009  
Laura Dees  
PROCESS SERVER

RETURN TO:  
Louis H. Watson, Jr.  
LOUIS H. WATSON, JR., P.A.  
520 East Capitol Street  
Jackson, MS 39201-2703

The above-signed Laura Dees did personally appear before me on the 27 day of MARCH, 2009, and after being duly sworn, affirmed that the above information is true and correct.

THIS the 27 day of March, 2009.

April Dayton  
NOTARY PUBLIC



**FILED**

**IN THE CIRCUIT COURT OF HINDS COUNTY, MISSISSIPPI  
FIRST JUDICIAL DISTRICT**

APR - 1 2009

BARBARA DUNN, CIRCUIT CLERK

BY \_\_\_\_\_ D.C.

**DEBBIE BROWN**

**PLAINTIFF**

**VS.**

**CIVIL ACTION NO.:** 2009-301CW

**THE CITY OF JACKSON, MISSISSIPPI;  
JACKSON MUNICIPAL AIRPORT AUTHORITY  
BOARD OF COMMISSIONERS; AND JACKSON  
MUNICIPAL AIRPORT AUTHORITY**

**DEFENDANTS**

**SUMMONS**

**TO: THE CITY OF JACKSON, MISSISSIPPI  
c/o Interim Clerk Gail Green  
219 South President Street  
Jackson, MS 39205**

**NOTICE TO DEFENDANT**

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You are required to mail or hand-deliver a copy of a written response to the Complaint to **Louis H. Watson, Jr., Louis H. Watson, Jr., P.A., 520 East Capitol Street, Jackson, Mississippi 39201-2703**, the attorney for the Plaintiff. Your response must be mailed or delivered **within thirty (30) days** from the date of delivery of this Summons and Complaint or a judgment by default will be entered against you for the money or other things demanded in the Complaint

You must also file the original of your response with the Clerk of this Court within a reasonable time afterward.

ISSUED under my hand and the seal of said Court, this the 25 day of March, 2009.

Honorable Barbara Dunn  
Circuit Clerk of Hinds County, MS

By: \_\_\_\_\_

Deputy Clerk

**ATTEST A TRUE COPY**

**MAR 25 2009**  
BARBARA DUNN, CIRCUIT CLERK

**FILED**  
APR - 1 2009  
BARBARA DUNN, CIRCUIT CLERK  
BY \_\_\_\_\_ D.C.

RETURN OF PROCESS SERVER

STATE OF MISSISSIPPI

COUNTY OF \_\_\_\_\_

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served the summons on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at the usual  
place of abode of said \_\_\_\_\_ by leaving a true copy of the summons  
with \_\_\_\_\_, who is the \_\_\_\_\_ (here  
insert wife, husband, son, daughter or other person as the case may be), a member of the family  
of the person served, above the age of sixteen years and, unwilling to receive the summons, and  
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postage prepaid) copies to the person served at his or her usual place of abode where the copies  
were left.

( ) I was unable to serve the summons.

This the 27<sup>th</sup> day of March, 2009  
Laurie Dees  
PROCESS SERVER

RETURN TO:  
Louis H. Watson, Jr.  
LOUIS H. WATSON, JR., P.A.  
520 East Capitol Street  
Jackson, MS 39201-2703

The above-signed Laura Dees did personally appear before me on the 27 day of  
MARCH, 2009, and after being duly sworn, affirmed that the above information is true and correct.

THIS the 27 day of MARCH, 2009.  
April Dayton  
NOTARY PUBLIC



IN THE CIRCUIT COURT OF HINDS COUNTY, MISSISSIPPI  
FIRST JUDICIAL DISTRICT

DEBBIE BROWN

PLAINTIFF

V.

**FILED**  
MAY 20 2009  
BARBARA D. [unclear]  
BY [unclear] D.C.

CIVIL ACTION NO. 251-09-301CIV

THE CITY OF JACKSON, ET AL.

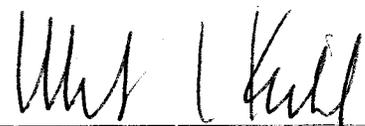
DEFENDANTS

**AGREED ORDER OF DISMISSAL**

UPON AGREEMENT OF THE PARTIES, COMES NOW, Plaintiff Debbie Brown, by and through her counsel, and hereby dismisses with prejudice Defendant The City of Jackson, with each party to bear their own costs.

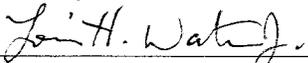
IT IS THEREBY, ORDERED AND ADJUDGED that Defendant The City of Jackson be dismissed with prejudice.

THIS, the 30<sup>th</sup> day of April, 2009.

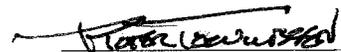


Circuit Court Judge

AGREED:



Louis H. Watson, Jr., Esquire  
LOUIS H. WATSON, JR., P.A.  
520 East Capitol Street  
Jackson, Mississippi 39201



Pieter Teeuwissen, Esquire  
Office of the City Attorney  
455 East Capitol Street  
Jackson, Mississippi 39207