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UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA, JACKSONVILLE DIVISION

ELIAS MAKERE, FSA, MAAA	)	Case No (LT)
Plaintiff	)	3:20-cv-00905-MMH-LLL
	)	
v.	)	
	)	
ALLSTATE INSURANCE COMPANY,	)	
Defendant	)	

**PLAINTIFF’S MEMORANDUM OF LAW IN SUPPORT OF
‘PLAINTIFF’S RENEWED MOTION FOR SANCTIONS’**

Plaintiff, ELIAS MAKERE, on this 17th day of December 2024, hereby files this memorandum of law in support of *“Plaintiff’s Renewed Motion for Sanctions”* (hereinafter “That Motion”) {#122}. Pursuant to Local Rule 3.01(a) USFLMD, a motion may be filed together with any memorandum of law.

In short, Plaintiff hereby asks this Court to sanction Defendant for Defendant’s latest act of deceit (Rule 11 Fed. R. Civ. P.; Rule 37(b)(2)A() Fed. R. Civ. P.; Local Rule 2.01(e) USFLMD; RRTFB 3-4.3). An act that exhibited Defendant’s: (a) bad faith; and (b) commitment to defrauding the judiciary.

The parameters of the matter can be summarized as follows:

A | Brief History

1. On June 30, 2017, Plaintiff filed an employment discrimination charge with the FCHR (“First Charge”). Pursuant to §760.11(1) FS, he alleged that Defendant had violated his civil rights on the bases of race ***and*** sex.
2. On September 8, 2017, Defendant responded to the First Charge by denying ***both*** allegations. Importantly, the former employer explicitly acknowledged that Plaintiff’s First Charge contained “*allegations of discrimination based upon race and sex discrimination*”.
3. On December 15, 2017 the FCHR concluded its investigation. Notably affirming that race ***and*** sex were the bases of Plaintiff’s First Charge.
4. On January 19, 2018, Plaintiff filed his Petition for Relief (§760.11(6)-(7) FS; §120.569(2)(a) FS). Thus, the First Charge coursed through the State of Florida’s administrative circuit; where Defendant amplified its retaliation against Plaintiff (eg, lethal attack, smear campaigns, etc.) – among other things.
5. So, on April 10, 2019, Plaintiff filed his second discrimination charge against Defendant (“Second Charge”). Emailing it to the FCHR; who blessed it with a same-day timestamp (2:25 PM on 4/10/19). Despite more state-sponsored treachery (eg, phantom notices, refusal/reluctance to relinquish jurisdiction), Plaintiff was able to enter the court system.
6. On August 12, 2020, Plaintiff initiated this lawsuit.

7. On February 9, 2021, Plaintiff asked this Court to take judicial notice of Plaintiff's [officially] time-stamped charge of discrimination (§5 *supra*) {#41}.^{1/}
8. On May 21, 2021, Defendant filed a document in this court; one which contradicted its/the-state's original [notarized] affirmation/confirmation (§2-3 *supra*). Defendant's document was titled "*Defendant's Response in Opposition...and Supporting Memorandum of Law*" ("That Response") {#53}.
 - a. That Response said that Plaintiff's First Charge was on the basis of race only (ie, Defendant thereby [falsely] claimed that Plaintiff's First Charge did not include a sex discrimination basis).
9. Yet – within that same court filing – Defendant attached a document. A document, importantly, that showed that Defendant's First Charge did [indeed] include a basis of sex discrimination.
10. On May 27, 2021, Plaintiff moved this Court to take judicial notice of the facts underlying Defendant's unlawful change-of-tune. The paper was titled "*Plaintiff's Motion for Judicial Notice of Defendant's Official Position Statement...*" {#54}. Soon thereafter, Plaintiff followed up with That Motion.
11. Then, fourteen days later – on June 11, 2021 – Plaintiff moved this Court to punish Defendant (via Rule 11 Sanctions) for Defendant's material lie.

- a. On June 25, 2021, Defendant responded to Plaintiff's motion; thereby acknowledging the fact that Plaintiff accused Defendant with perpetrating a fraud upon this Court.
12. Plaintiff's motion, however, remained pending for 2+ years (see ¶16 *infra*).
- B | Defendant's Repeated Perjurious Misconduct – *The Trial Court*
13. On October 31, 2023, Defendant filed a motion for summary judgment ("That Request") {#99}.
- a. Therein, the former employer claimed that Plaintiff's filing date was April 26, 2019.
- i. A false claim that Defendant based its arguments on.
14. Fourteen days later – on November 14, 2023 – Plaintiff responded in opposition {#101}. Thereby pointing out the fatal flaw in That Request.
15. On November 28, 2023, Defendant replied {#103}. Therein, it acknowledged that April 10, 2019 was [indeed] the date that Plaintiff filed his Second Charge. Defendant even attached the document (which featured the April 10, 2019 timestamp); referencing it as follows:

"...as evidenced by Ex. 1 attached hereto, the April 10, 2019, Complaint reveals the [Second Charge]..."

– Defendant | *Reply to 'That Request'* | Page 4 | {103}

16. At last – on March 26, 2024 (ie, 2⁺ years later) – this Court finally ruled on Plaintiff's [first] *Motion for Sanctions* (§11 *supra*). Thereby denying it on account of a procedural technicality (highlights added):

“[Plaintiff] asserts that he satisfied the [procedural requirement] via emails and phone calls he exchanged with opposing counsel...However, [the procedural rule] specifically requires service of the motion...Accordingly [Appellant's First] Motion for Sanctions is due to be denied.”

– USFLMD (3:20-cv-00905; 3/26/24) | {108}

Within that same order, importantly, this Court granted judicial notice of the 4/10/19 filing date [of Plaintiff's Second Charge] (§7 *supra*).

17. On April 11, 2024 – and imbued with this Court's rescue – Defendant repeated its perjury. Thereby telling this Court [once again] that Plaintiff's First Charge did [not] include a basis of sex discrimination. Defendant did so, notably, while [once again] aiming to molest Plaintiff's time & money.

18. So, on May 6, 2024, Plaintiff [once again] moved this Court to punish Defendant (via Rule 11) for Defendant's [repeated] lie of material fact.

19. On August 9, 2024, this Court deferred ruling on *Plaintiff's Renewed Motion for Sanctions* (§18 *supra*); thereby ripening the ongoing appeal.^{2/}

C | Defendant's Repeated Perjurious Misconduct | *The Appellate Court*

20. Yesterday – on December 16, 2024 – Defendant continued with its demonstrable lies of material fact. Doing so in its Answer Brief (“That Brief”); and after failing to dispute any pertinent fact. [\[Attachments A-C\]](#)

21. On Page 4 of That Brief, Defendant [falsely] claimed that Plaintiff's First Charge (§1 *supra*) was on the basis of race only. Thereby repeating the same lie that Defendant told in 2021 + 2024 (§8 + §17, respectively):

“On June 30, 2017, [Plaintiff] filed his first Charge of Discrimination (“2017 Charge”) with the Florida Commission on Human Relations (“FCHR”) alleging claims of race discrimination and retaliation in violation of the FCRA. [Doc. 99-1]. The 2017 Charge did not allege any claim of sex or color discrimination or sexual harassment. [Id.]”

- Allstate Insurance Company | 24-011336 {##33 at 4} | 12/16/24

22. On Page 7 of That Brief, Defendant [falsely] claimed that Plaintiff filed his Second Charge on April 26, 2019. Thereby repeating the same lie that Defendant has told numerous times (§13, §15, *supra*):

“on April 26, 2019, [Plaintiff] filed a second Charge of Discrimination (“2019 Charge”) with the FCHR. [Doc. 99-8].”

- Allstate Insurance Company | 24-011336 {##33 at 7} | 12/16/24

23. On Page 8 of That Brief, Defendant [falsely] claimed that: (i) Plaintiff had an attorney for his Second Charge; and (ii) the Second Charge was ‘*the only pending charge*’ [at the May 3, 2019 juncture]:

“On May 3, 2019, [Plaintiff]’s attorney requested the FCHR “enter [his] appearance as attorney of record for the above-named client.” [Doc. 99-10]. At the time, only [Plaintiff]’s 2019 Charge remained pending with the FCHR.”

- Allstate Insurance Company | 24-011336 {##33 at 8} | 12/16/24

This lie was particularly/*Allstatedly* absurd, because just moments earlier – in that same document – Defendant admitted that Plaintiff’s First Charge was still pending [on May 3, 2019]:

“On June 27, 2019, the FCHR entered its Final Order [on Plaintiff’s First Charge]...”

- Allstate Insurance Company | 24-011336 {##33 at 7} | 12/16/24

While the FCHR investigated [Plaintiff’s Second Charge], on September 5, 2019, [Plaintiff] filed an appeal with the First District Court of Appeals (“DCA”). contesting the FCHR’s Final Order on [Plaintiff’s First Charge].”

- Allstate Insurance Company | 24-011336 {##33 at 10} | 12/16/24

24. In summary, Defendant – just yesterday – repeated its two lies of material fact. Plus, Defendant added a third [known & material] falsehood.

a. First, Defendant [falsely] claimed that Plaintiff’s First Charge did not include a sex discrimination basis (§8, §17, §21). Yet, Defendant ***knew*** – and acknowledged – that Plaintiff’s First Charge always did (§3).

i. In fact, Defendant filed a notarized statement – in its very first filing – affirming that Plaintiff’s First Charge [always] included a sex discrimination basis.

b. Second, Defendant [falsely] claimed that April 26, 2019 was the filing date of Plaintiff’s Second Charge (§13, §22). Yet, Defendant ***knew*** –

and acknowledged – that April 10, 2019 was the [actual] filing date of Plaintiff's Second Charge (§15).

- i. Thereby corroborating the April 10th date by attaching Plaintiff's officially timestamped document.
- c. Third, Defendant [falsely] claimed that Plaintiff had an attorney for Plaintiff's Second Charge (§23). Yet, Defendant *knew* – and was informed – that Appellant never did.
 - i. In fact, the FCHR admitted that Plaintiff never had an attorney for his Second Charge. Doing so in its *Amended Notice of Determination* (6/1/2020).
 - ii. An amended notice, importantly, that Defendant read/examined.
 - 1. As Defendant evidenced via *attachment 13* of That Request.

Analysis

25. Defendant made those material contradictions, crucially, in its request for summary judgment (ie, '*That Request*'). A request, importantly, that can only be proffered on the absence of contrary fact:

“As this court and other appellate courts have repeatedly held, the burden of proving the absence of a genuine issue of material fact is upon the moving party.”

– *Holl v. Talcott*, 191 So.2d 40 (Fla. 1966)

“Rather, as the Court confirms, a party who moves for summary judgment on the ground that the nonmoving

party has no evidence must affirmatively show the absence of evidence in the record.”

– Celotex v. Catrett, 477 U.S. 317 (1986)

26. In fact, Defendant even acknowledged this requirement [for an absence of rebutting evidence]:

“...a court must grant summary judgment if the movant shows that there is no genuine dispute as to any material fact...”

– Defendant | ‘*That Request*’ | Page 10 | {99}

27. Put together, Defendant presented material contradictions in a document that [Defendant even acknowledged] could not have any contradictions.

28. Moreover, Defendant repeated its [repeated] lies at the 11th Circuit Court of Appeal. Doing so in its Answer Brief (ie, “That Brief”) (§20). Thereby showing a disregard for: (a) the truth; (b) facts; (c) logic; and/or (d) the law.

29. Plus – by trying to capitalize on its lies (and self-contradictions) – Defendant has [once again] prejudiced Plaintiff’s pursuit of justice.

a. In addition to having to spend significant time debunking Defendant’s nullified arguments, Plaintiff has been losing the opportunity to fully litigate his case. For example:

- i. Plaintiff has already suffered a 2.5-year discovery stay;
- ii. Plaintiff’s interlocutory appeal was deemed premature; and

- iii. Plaintiff has been unable to expound on additional topics, because this Court's local rules (ie, 3.01(a)(b)) limit the size of his motions/responses.

Legal Application

30. That Request was frivolous.

31. That Brief was [also] frivolous.

32. They were frivolous because they contradicted themselves in material ways; thereby making them meritless. The 11th Circuit deems meritless, self-contradicting claims to be frivolous:

“A claim is frivolous if it is without arguable merit either in law or fact.”

– Simmons v. Edmondson, 225 Fed. App'x 787 (11th Cir. 2007)

33. That Request was also dilatory; ditto for That Brief.

a. 4.25 years have passed since Plaintiff filed this lawsuit; and he still awaits his full & fair opportunity to litigate this matter.

i. Plaintiff has, of course, been mired in discovery stays and Defendant's past acts of extrinsic fraud (please see That Motion).

34. According to the 11th Circuit, the solution for Defendant's ongoing transgressions is a Court-ordered sanction:

“The goal of Rule 11 sanctions is to ‘reduce frivolous claims, defenses, or motions, and to deter costly meritless maneuver’”

– Massengale v. Ray, 267 F. 3d 1298, (11th Cir. 2001)

“Rule 11 sanctions are designed to discourage dilatory or abusive tactics and help to streamline the litigation process by lessening frivolous claims or defenses.”

– Donaldson v. Clark, 819 F.2d 1551 (11th Cir. 1987)

35. According to the appellate courts of Florida, sanctions are appropriate for repeated transgressions:

“It is well-settled law that a party who has been guilty of fraud or misconduct in the prosecution or defense of a civil proceeding should not be permitted to continue to employ the very institution it has subverted to achieve her ends...”

The record reveals that plaintiff's misrepresentations and omissions about her accident and medical history in interrogatories and in deposition went to the heart of her claim and subverted the integrity of the action.”

– Metro Dade-County v. Martinsen, 736 So.2d 794 (3DCA 1999)

36. In the instant case, Defendant has made repeated “*misrepresentations and omissions*” that have gone “*to the heart of*” its argued defenses. Namely, Defendant has:

- a. lied about [the fact that it was] being sued for sex discrimination;
- b. lied about the [correct] April 10, 2019 filing date; and
- c. lied about Plaintiff [never] having an attorney for the Second Charge.

Requested Relief

37. As such, Plaintiff seeks to be [preemptively] relieved from Defendant’s argument for collateral estoppel (and/or res judicata). An argument which Defendant has propped up with its:

- a. lies (dishonesty is sanctionable according to Jones v. International, 49 F.3d 692 (11th Cir. 1995));
 - b. extrinsic frauds (fraud is sanctionable according to Martin v. Automobili, 307 F.3d 1332 (11th Cir. 2002));
 - c. omissions (omissions are sanctionable according to Metro Dade-County v. Martinsen, 736 So.2d 794 (3DCA 1999)); and
 - d. bad faith (bad faith transgressions are sanctionable according to In Re Mroz, 65 F.3d 1567 (11th Cir. 1995)).
38. Plus – given Defendant’s recent misconduct (§20) – Plaintiff also seeks monetary damages. Monetary damages which will serve to: (i) recoup Plaintiff for having to respond to Defendant’s unlawful/vexatious/dishonest transgressions; and (ii) deter Defendant from further lawlessness.
39. In concert with That Motion, Plaintiff hereby reiterates his request for this Court to prohibit Defendant from arguing res judicata/collateral estoppel (authorized by Rule 37(b)(2)(A) Fed. R. Civ. P.). Defendant’s own submitted documentation has proven the argument(s) to be based on a series of dogged lies. Evidencing the former employer’s dogmatic indifference to obvious fact:

“sanctions are warranted when the [transgressor] exhibits a deliberate indifference to obvious facts”

- Baker v. Alderman, 158 F.3d 516 (11th Cir. 1998)

CONCLUSION

WHEREFORE, Plaintiff respectfully asks this Court to sanction Defendant for its repeated frauds, lies, and prejudicial deceit.

Dated this 17th day of December 2024.

Respectfully submitted,

/s/ Elias Makere

ELIAS MAKERE, FSA, MAAA, Plaintiff

PO Box 324

Hobart, IN 46342

P: (904) 294-0026

E: justice.actuarial@gmail.com

W: TextBookDiscrimination.com

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CERTIFICATE OF COMPLIANCE

I certify that the size and style of type used in this document is Century Schoolbook 14-point font (contents); thus complying with the font requirements of Local Rule 1.08 (USFLMD).

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that – on this 17th day of December 2024 – I electronically filed the foregoing with the Clerk of Courts by using its online filing page. A notice – via CM/ECF – will be sent to the attached service list.

/s/ Elias Makere

Endnotes:

^{1/} Roughly three years later – and due to Defendant’s repeated lies (§13-24 supra) – Plaintiff supplemented his request. Doing so on November 17, 2023 {#103}.

^{2/} 24-011336 USCA11

Abbreviations

{#NN}	Docket Entry NN (trial)
{##NN}	Docket Entry NN (appellate)
DOAH	Division of Administrative Hearings
FCHR	Florida Commission on Human Relations, The
USCA11	US Circuit Court of Appeals, Eleventh Circuit

Electronic Copy: (text-searchable)

TextBookDiscrimination.com/Allstate/MemoSanctions02

TextBookDiscrimination.com/Files/USFLMD/20000905_M_20241217_130158.pdf

[How-To Guide: How to Write a Motion for Sanctions](#)

Link to Complaint ([HTML](#), [PDF](#), [Video](#))

SERVICE LIST

Kimberly J. Doud, Esquire (0523771)
Lauren C. Robertson, Esquire (1024845)
E: kdoud@littler.com
E: lcrobertson@littler.com
P: 407.393.2900
F: 407.393.2929
Littler Mendleson, PC
111 North Orange Avenue, Suite 1750
Orlando, FL 32801-2366

(defendant’s trial lawyers)

ATTACHMENT A

Conferral Emails

From: Plaintiff/Appellant/Employee X'
To: Defendant/Appellee/'Company Y'

October 2024

Showcasing Defendant's Failure
to Dispute Material/Pertinent Facts

From: Justice (Actuarial) <justice.actuarial@gmail.com>
Sent: Wednesday, October 23, 2024 11:01 AM
To: Doud, Kimberly <KDoud@littler.com>
cc: Lopez, Vivian <VLopez@littler.com>; Shelnut, Lisa <LShelnut@littler.com>; Robertson, Lauren C. <LCRobertson@littler.com>
Subject: Judicial Notice (?) | 24-11336 | Makere v Allstate | Employment Discrimination | Full Administrative Complaint (4/10/19)

Hello Allstate,

As noted multiple times¹, you are destined to commit [at least] three counts of perjury [at the [11th Circuit Court of Appeals – US](#)]. Thus, it’s my duty² to alert the court/public of your imminent defiling-of-the-judiciary.

So, do you have any objection to my upcoming “*Motion for Judicial Notice of Plaintiff’s Full Administrative Complaint (Dated 4/10/19)*”?

I’m filing it pursuant to [Rule 10\(e\)\(2\) Fed. R. App. P.](#), [Rule 28\(j\) Fed. R. App. P.](#), [Local Rule 27-1 11th Cir. R.](#), and [Rules 201/301/302 Fed.R.Evid.](#)

Plaintiff:	Elias Makere, FSA, MAAA
Defendant:	Allstate Insurance Company
Case Number:	3:20-cv-00905-MMH-LLL
Court:	US Court of Appeals, 11 th Circuit
Lower Court:	US District Court, Florida, Middle District (Jacksonville)
Type:	Employment Discrimination (42 USC §1981 , §760 FS , EPA , Title VII)

Document: ³	<i>Appellant’s Motion for Judicial Notice of Appellant’s Full Administrative Complaint (Dated 4/10/19)</i>
-------------------------------	--

¹ see [Initial Brief](#) at ¶20/30/62/63/135/etc; see [Response... Summary Judgment](#) at ¶13/33/36/69/etc.

² see [Florida’s False Claims Act](#); see [18 USC §1001](#); see [18 USC §1018](#)

³ the lower court (ie, [USFLMD](#)) already took judicial notice of this filing date (see {#108} at ¶136). Yet, of course, you’re destined to repeat your lie [in the appellate court – [USCA11](#)].

Purpose = (1) substantiate the filing date of Appellant’s state charge; (2) substantiate the date of receipt of Appellant’s discrimination charge; (3) supply factual framework surrounding discriminatory retaliation; (4) streamline federal appeal; (5) help supply the details for which the Court needs; (6) corner your perjurious guilt; and more.

Please answer as soon as you can.

Thank You,

Elias Makere, FSA, MAAA | Civil Litigant
Federal Case No.: 3:20-cv-00905 | (Allstate, USFLMD)
Federal Case No.: 4:21-cv-00096 | (Early, USFLND)
11th Cir. Case No.: 21-11901; 22-13587
904.294.0026 | justice.actuarial@gmail.com | www.TextBookDiscrimination.com
3709 San Pablo Rd. S. #701
Jacksonville, FL 32224
Ancient Proverb: For every wrong there is a right.

From: Doud, Kimberly <KDoud@littler.com>
Sent: Wednesday, October 23, 2024 1:57 PM
To: Justice (Actuarial) <justice.actuarial@gmail.com>
cc: Robertson, Lauren C. <LCRobertson@littler.com>; Vega, Eddie <EVega@littler.com>;
Filmore, Michelle <MFilmore@littler.com>
Subject: Re: Judicial Notice (?) | 24-11336 | Makere v Allstate | Employment Discrimination | Full
Administrative Complaint (4/10/19)

Mr. Makere:

I disagree with your characterizations in your email below. Allstate objects to your proposed Motion for Judicial Notice of Plaintiff's Full Administrative Complaint as unnecessary given your stated purpose. Thank you.

Kimberly Doud

Office Managing Shareholder

407.393.2951 direct, 407.864.1852 mobile, 407.641.9263 fax

KDoud@littler.com

Pronouns: She/Her



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111 N Orange Ave, Suite 1750, Orlando, FL 32801

From: Justice (Actuarial) <justice.actuarial@gmail.com>
Sent: Wednesday, October 23, 2024 2:06 PM
To: 'Doud, Kimberly' <KDoud@littler.com>
cc: 'Robertson, Lauren C.' <LCRobertson@littler.com>; 'Vega, Eddie' <EVega@littler.com>;
'Filmore, Michelle' <MFilmore@littler.com>
Subject: Re: Judicial Notice (?) | 24-11336 | Makere v Allstate | Employment Discrimination | Full
Administrative Complaint (4/10/19)

Hello Allstate,

What “characterizations” do you disagree with?

Please let me know.

Thank You,

Elias Makere, FSA, MAAA | Civil Litigant
Federal Case No.: 3:20-cv-00905 | (Allstate, USFLMD)
Federal Case No.: 4:21-cv-00096 | (Early, USFLND)
11th Cir. Case No.: 21-11901; 22-13587
904.294.0026 | justice.actuarial@gmail.com | www.TextBookDiscrimination.com
3709 San Pablo Rd. S. #701
Jacksonville, FL 32224

Ancient Proverb: For every wrong there is a right.

From: Justice (Actuarial) <justice.actuarial@gmail.com>
Sent: Thursday, October 24, 2024 8:00 AM
To: 'Doud, Kimberly' <KDoud@littler.com>
cc: 'Robertson, Lauren C.' <LCRobertson@littler.com>; 'Vega, Eddie' <EVega@littler.com>; 'Filmore, Michelle' <MFilmore@littler.com>
Subject: Re: Judicial Notice (?) | 24-11336 | Makere v Allstate | Employment Discrimination | Full Administrative Complaint (4/10/19)

Good Morning Allstate,

I haven't heard back from you regarding your bare allegation [on "*characterizations*"] (which indicates the falsehood of it – especially considering [your rampant lies](#)).

So, may you please let me know if you dispute the following fact:

1. On April 10, 2019, Elias Makere emailed [his Charge of Discrimination](#) to the [Florida Commission on Human Relations](#)
 - a. please see the first attachment ([linked here](#)).

Of course, I'm sending you these facts & questions in accordance with [Rule 3.01\(g\) USFLMD](#) (*duty to confer in good faith* – persuasive authority).

Please answer before **1:00 PM EST Today (10/24/2024)**.

Thank You,

Elias Makere, FSA, MAAA | Civil Litigant
Federal Case No.: 3:20-cv-00905 | (Allstate, USFLMD)
Federal Case No.: 4:21-cv-00096 | (Early, USFLND)
11th Cir. Case No.: 21-11901; 22-13587
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From: Justice (Actuarial) <justice.actuarial@gmail.com>
Sent: Thursday, October 24, 2024 1:01 PM
To: Doud, Kimberly <KDoud@littler.com>
cc: Robertson, Lauren C. <LCRobertson@littler.com>; Vega, Eddie <EVega@littler.com>;
Filmore, Michelle <MFilmore@littler.com>
Subject: Re: Judicial Notice (?) | 24-11336 | Makere v Allstate | Employment Discrimination | Full
Administrative Complaint (4/10/19)

Good Afternoon Allstate,

I haven't heard back from you regarding the fact that April 10, 2019 marked the date that Elias Makere (ie, me/Plaintiff/Appellant) emailed [his Charge of Discrimination](#) to the [Florida Commission on Human Relations](#). Thus, that fact has [once again] gone **undisputed**. Onwards...

May you please let me know if you dispute the following fact:

2. The [Florida Commission on Human Relations](#) placed a 4/10/2019-2:35PM timestamp on Elias Makere's [\[April 10, 2019\] Charge of Discrimination](#)
 - a. please see the first attachment ([linked here](#)).

Of course, I'm sending you these facts & questions in accordance with [Rule 3.01\(g\) USFLMD](#) (*duty to confer in good faith* – persuasive authority).

Please answer before **5:00 PM EST Today (10/24/2024)**.

Thank You,

Elias Makere, FSA, MAAA | Civil Litigant
Federal Case No.: 3:20-cv-00905 | (Allstate, USFLMD)
Federal Case No.: 4:21-cv-00096 | (Early, USFLND)
11th Cir. Case No.: 21-11901; 22-13587
904.294.0026 | justice.actuarial@gmail.com | www.TextBookDiscrimination.com
3709 San Pablo Rd. S. #701
Jacksonville, FL 32224

Ancient Proverb: For every wrong there is a right.

From: Robertson, Lauren C. <LCRobertson@littler.com>
Sent: Thursday, October 24, 2024 12:13 PM
To: Justice (Actuarial) <justice.actuarial@gmail.com>; Doud, Kimberly <KDoud@littler.com>
cc: Vega, Eddie <EVega@littler.com>; Filmore, Michelle <MFilmore@littler.com>
Subject: Re: Judicial Notice (?) | 24-11336 | Makere v Allstate | Employment Discrimination | Full Administrative Complaint (4/10/19)

Mr. Makere,

Your initial brief sets forth your position for the basis of this appeal in your initial brief. Allstate will provide its position in its Answer Brief.

As such, Allstate opposes your motion for judicial notice as such motion is procedurally improper, unnecessary, and frivolous as the Eleventh Circuit cannot consider the same when determining the merits of your appeal if not contained in the record before the district court. In other words, the Eleventh Circuit's review of your appeal is limited to the record before the district court at that time.

Please note if you proceed with filing this motion, Allstate will seek recovery of its fees/costs incurred in defending against the motion. Thank you!

Regards,
Lauren

Lauren C. Robertson
Associate
407.393.2928 direct, 305.496.9749 mobile
LCRobertson@littler.com



Labor & Employment Law Solutions | Local Everywhere
111 N Orange Ave, Suite 1750, Orlando, FL 32801

From: Justice (Actuarial) <justice.actuarial@gmail.com>
Sent: Thursday, October 24, 2024 12:50 PM
To: 'Robertson, Lauren C.' <LCRobertson@littler.com>; 'Doud, Kimberly' <KDoud@littler.com>
cc: 'Vega, Eddie' <EVega@littler.com>; 'Filmore, Michelle' <MFilmore@littler.com>
Subject: Re: Judicial Notice (?) | 24-11336 | Makere v Allstate | Employment Discrimination | Full Administrative Complaint (4/10/19)

Good Afternoon Allstate,

May you please **cite some legal authorities** (eg, opinions; statutes; rules; etc.) to support your contention (ie, '*judicial notice is procedurally improper, unnecessary, and frivolous*')?

From what I've seen, there are no authorities to support your contention. In fact, there are several authorities that refute your contention (eg, [Rules of Appellate Procedure](#); [USCA11 Local Rules of Court](#); [§90.201 FS](#); [§90.202 FS](#); [§90.203 FS](#); [§120.569 FS](#); [Rule 201 Fed. R. Evid.](#); [11th Circuit Internal Operating Procedures](#); etc.)

Nevertheless – as it stands right now – **you have failed to dispute both facts***:

1. On April 10, 2019, Elias Makere emailed [his Charge of Discrimination](#) to the [Florida Commission on Human Relations](#)
2. The [Florida Commission on Human Relations](#) placed a 4/10/2019-2:35PM timestamp on Elias Makere's [\[April 10, 2019\] Charge of Discrimination](#)

* please see the attached documents

Please send me your citations (if any) before **5:00 PM EST Today (10/24/2024)**.

Thank You,

Elias Makere, FSA, MAAA | Civil Litigant
Federal Case No.: 3:20-cv-00905 | (Allstate, USFLMD)
Federal Case No.: 4:21-cv-00096 | (Early, USFLND)
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904.294.0026 | justice.actuarial@gmail.com | www.TextBookDiscrimination.com
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Jacksonville, FL 32224

Ancient Proverb: For every wrong there is a right.

From: Justice (Actuarial) <justice.actuarial@gmail.com>
Sent: Friday, October 25, 2024 8:01 AM
To: Robertson, Lauren C. <LCRobertson@littler.com>; Doud, Kimberly <KDoud@littler.com>
cc: Vega, Eddie <EVega@littler.com>; Filmore, Michelle <MFilmore@littler.com>
Subject: Re: Judicial Notice (?) | 24-11336 | Makere v Allstate | Employment Discrimination | Full Administrative Complaint (4/10/19)

Good Morning Allstate,

5PM came & went, but you failed to dispute the underlying fact (ie, that *The [Florida Commission on Human Relations](#) placed a 4/10/2019-2:35PM timestamp on Elias Makere's [\[April 10, 2019\] Charge of Discrimination](#)*). Thus, that fact has [once again] gone **undisputed**. Onwards...

May you please let me know if you dispute the following fact:

3. On February 9, 2021 Elias Makere (ie, Plaintiff/Appellant) moved the District Court (ie, The US District Court in-and-for the Middle District of Florida) to take judicial notice of Elias Makere's [\[April 10, 2019\] Charge of Discrimination](#)
 - a. please see the first attachment ([linked here](#)).

Of course, I'm sending you these facts & questions in accordance with [Rule 3.01\(g\) USFLMD](#) (*duty to confer in good faith* – persuasive authority).

Please answer before **12:00 PM EST Today (10/25/2024)**.

Thank You,

Elias Makere, FSA, MAAA | Civil Litigant
Federal Case No.: 3:20-cv-00905 | (Allstate, USFLMD)
Federal Case No.: 4:21-cv-00096 | (Early, USFLND)
11th Cir. Case No.: 21-11901; 22-13587
904.294.0026 | justice.actuarial@gmail.com | www.TextBookDiscrimination.com
3709 San Pablo Rd. S. #701
Jacksonville, FL 32224

Ancient Proverb: For every wrong there is a right.

From: Doud, Kimberly <KDoud@littler.com>
Sent: Friday, October 25, 2024 7:46 AM
To: Justice (Actuarial) <justice.actuarial@gmail.com>; Robertson, Lauren C. <LCRobertson@littler.com>
cc: Vega, Eddie <EVega@littler.com>; Filmore, Michelle <MFilmore@littler.com>
Subject: Re: Judicial Notice (?) | 24-11336 | Makere v Allstate | Employment Discrimination | Full Administrative Complaint (4/10/19)

Mr. Makere:

It is unclear why you are sending these emails or what you are attempting to confer about under Middle District of Florida Local Rule 3.01(g) (or why). We have twice provided Allstate's position on your proposed Motion for Judicial Notice of Plaintiff's Full Administrative Complaint. Thank you.

Kimberly Doud

Office Managing Shareholder

407.393.2951 direct, 407.864.1852 mobile, 407.641.9263 fax

KDoud@littler.com

Pronouns: She/Her



Fueled by ingenuity. Inspired by you.

Labor & Employment Law Solutions | Local Everywhere
111 N Orange Ave, Suite 1750, Orlando, FL 32801

From: Justice (Actuarial) <justice.actuarial@gmail.com>
Sent: Friday, October 25, 2024 9:45 AM
To: Doud, Kimberly <KDoud@littler.com>; Robertson, Lauren C. <LCRobertson@littler.com>
cc: Vega, Eddie <EVega@littler.com>; Filmore, Michelle <MFilmore@littler.com>
Subject: Re: Judicial Notice (?) | 24-11336 | Makere v Allstate | Employment Discrimination | Full Administrative Complaint (4/10/19)

Good Morning Allstate,

Although I've [preemptively] addressed your inquiry multiple times already, please [also] confer these additional authorities:

- [Addendum 8, 11th Circuit Local Rules](#)
 - ie the Court's inherent power to discipline attorneys for misconduct/dishonesty
- [Rule 3-4.3 RRTFB | Misconduct and Minor Misconduct](#)
 - "The commission by a lawyer of any act that is unlawful or contrary to honesty and justice may constitute a cause for discipline whether the act is committed in the course of the lawyer's relations as a lawyer or otherwise, whether committed within Florida or outside the state of Florida, and whether the act is a felony or a misdemeanor."
 - Also see [Rule 3-5.1 RRTFB](#), [Chapter 4 RRTFB](#), etc.

These additional authorities deal with the ramifications that your attorneys will face. Ramifications, of course, for carrying out your bidding. Bidding, of course, which is centered around [your rampant perjury/dishonesty/misconduct](#). In other words, my upcoming motion will also be used **to hold your attorneys accountable** (ie, *Kimberly-Doud-0523771*, *Lauren-Robertson-1024845*, etc.). Please let me know if you have any questions about that.

Nevertheless, you still haven't responded to the underlying prompt (ie, whether-or-not you dispute fact #3). Thus – for the sake of convenience – I'm repeating the prompt here...

May you please let me know if you dispute the following fact:

3. On February 9, 2021 Elias Makere (ie, Plaintiff/Appellant) moved the District Court (ie, *The US District Court in-and-for the Middle District of Florida*) to take judicial notice of Elias Makere's [\[April 10, 2019\] Charge of Discrimination](#)
 - a. please see the first attachment ([linked here](#)).

Please answer before **12:00 PM EST Today (10/25/2024)**.

Thank You,

Elias Makere, FSA, MAAA | Civil Litigant
Federal Case No.: 3:20-cv-00905 | (Allstate, USFLMD)
Federal Case No.: 4:21-cv-00096 | (Early, USFLND)
11th Cir. Case No.: 21-11901; 22-13587
904.294.0026 | justice.actuarial@gmail.com | www.TextBookDiscrimination.com
3709 San Pablo Rd. S. #701
Jacksonville, FL 32224
Ancient Proverb: For every wrong there is a right.

From: Doud, Kimberly <KDoud@littler.com>
Sent: Friday, October 25, 2024 9:04 AM
To: Justice (Actuarial) <justice.actuarial@gmail.com>; Robertson, Lauren C. <LCRobertson@littler.com>
cc: Vega, Eddie <EVega@littler.com>; Filmore, Michelle <MFilmore@littler.com>
Subject: Re: Judicial Notice (?) | 24-11336 | Makere v Allstate | Employment Discrimination | Full Administrative Complaint (4/10/19)

Mr. Makere:

There is no need to respond to your prompts, and we will not do so. The only upcoming motion you have indicated is your proposed Motion for Judicial Notice of Plaintiff's Full Administrative Complaint. You have Allstate's position. Thank you.

Kimberly Doud

Office Managing Shareholder

407.393.2951 direct, 407.864.1852 mobile, 407.641.9263 fax

KDoud@littler.com

Pronouns: She/Her



Fueled by ingenuity. Inspired by you.

Labor & Employment Law Solutions | Local Everywhere
111 N Orange Ave, Suite 1750, Orlando, FL 32801

From: Justice (Actuarial) <justice.actuarial@gmail.com>
Sent: Friday, October 25, 2024 10:01 AM
To: 'Doud, Kimberly' <KDoud@littler.com>; 'Robertson, Lauren C.' <LCRobertson@littler.com>
cc: 'Vega, Eddie' <EVega@littler.com>; 'Filmore, Michelle' <MFilmore@littler.com>
Subject: Re: Judicial Notice (?) | 24-11336 | Makere v Allstate | Employment Discrimination | Full Administrative Complaint (4/10/19)

Good Morning Allstate,

In the interest of judicial economy (please allow [Local Rule 12-2 USCA11](#)), will you hereby admit that *April 10, 2019* marked the date that Elias Makere filed his [\[April 10, 2019\] Charge of Discrimination](#)?

Here are the benefits (among others) to your admission:

- ✓ Save the Court's time
- ✓ Save the Parties' time
- ✓ Preclude the Need for *Appellant's Forthcoming Motion* (ie, this motion)
- ✓ Preclude the Prospects of *Appellee's Unsubstantiated Request for Costs* (regarding *Appellant's Forthcoming Motion*)
- ✓ Reduce this email chain (note: there are several more emails forthcoming – which must be communicated [for the record])
- ✓ Simplify several issues-on-appeal (see [Opening Brief at I, III, VI, VIII](#))

So, please let me know if you hereby admit that '*April 10, 2019 marked the Filing Date of my Second Charge*' (otherwise, I'll have to proceed with this motion/conferral).

Thank You,

Elias Makere, FSA, MAAA | Civil Litigant
Federal Case No.: 3:20-cv-00905 | (Allstate, USFLMD)
Federal Case No.: 4:21-cv-00096 | (Early, USFLND)
11th Cir. Case No.: 21-11901; 22-13587
904.294.0026 | justice.actuarial@gmail.com | www.TextBookDiscrimination.com
3709 San Pablo Rd. S. #701
Jacksonville, FL 32224

Ancient Proverb: For every wrong there is a right.

From: Justice (Actuarial) <justice.actuarial@gmail.com>
Sent: Friday, October 25, 2024 11:02 AM
To: 'Doud, Kimberly' <KDoud@littler.com>; 'Robertson, Lauren C.' <LCRobertson@littler.com>
cc: 'Vega, Eddie' <EVega@littler.com>; 'Filmore, Michelle' <MFilmore@littler.com>
Subject: Re: Judicial Notice (?) | 24-11336 | Makere v Allstate | Employment Discrimination | Full Administrative Complaint (4/10/19)

Good Morning Allstate,

12PM came & went, but you failed to dispute the underlying fact (ie, that 'on February 9, 2021 Elias Makere (ie, Plaintiff/Appellant) moved the District Court (ie, The US District Court in-and-for the Middle District of Florida) to take judicial notice of Elias Makere's [\[April 10, 2019\] Charge of Discrimination](#)). Thus, that fact has [once again] gone **undisputed**. Onwards...

May you please let me know if you dispute the following fact:

4. On November 28, 2023 Allstate Insurance Company (ie, Defendant/Appellee) admitted that April 10, 2019 marked the date that Elias Makere filed his [\[April 10, 2019\] Charge of Discrimination](#)
 - a. please see the first attachment ([linked here](#)).

Of course, I'm sending you these facts & questions in accordance with [Rule 3.01\(g\) USFLMD](#) (duty to confer in good faith – persuasive authority).

Please answer before **5:00 PM EST Today (10/25/2024)**.

Thank You,

Elias Makere, FSA, MAAA | Civil Litigant
Federal Case No.: 3:20-cv-00905 | (Allstate, USFLMD)
Federal Case No.: 4:21-cv-00096 | (Early, USFLND)
11th Cir. Case No.: 21-11901; 22-13587
904.294.0026 | justice.actuarial@gmail.com | www.TextBookDiscrimination.com
3709 San Pablo Rd. S. #701
Jacksonville, FL 32224

Ancient Proverb: For every wrong there is a right.

From: Justice (Actuarial) <justice.actuarial@gmail.com>
Sent: Monday, October 28, 2024 1:31 PM
To: Doud, Kimberly <KDoud@littler.com>; Robertson, Lauren C. <LCRobertson@littler.com>
cc: Vega, Eddie <EVega@littler.com>; Filmore, Michelle <MFilmore@littler.com>
Subject: Re: Judicial Notice (?) | 24-11336 | Makere v Allstate | Employment Discrimination | Full Administrative Complaint (4/10/19)

Hello Allstate,

You've missed another deadline (ie, 5:00 PM EST on Friday, October 25, 2024).

So, **another underlying fact has gone undisputed** (ie, *On November 28, 2023 Allstate Insurance Company (ie, You/Defendant/Appellee) **admitted that April 10, 2019 marked the date** that Elias Makere filed his [\[April 10, 2019\] Charge of Discrimination](#)*).

Onwards, may you please let me know if you dispute the following fact:

5. On January 9, 2024 Elias Makere (ie, Me/Plaintiff/Appellate) moved the District Court (ie, USFLMD) to punish you (via [Rule 11](#) sanctions) for your material lie [regarding the filing date of Elias Makere's [\[April 10, 2019\] Charge of Discrimination](#)]
 - a. please see the first attachment ([linked here](#)).

As you probably know by now – I'm sending you these facts & questions in accordance with [Rule 3.01\(g\) USFLMD](#) (*duty to confer in good faith* – persuasive authority).

Please answer before **5:00 PM EST Today (10/28/2024)**.

Thank You,

Elias Makere, FSA, MAAA | Civil Litigant
Federal Case No.: 3:20-cv-00905 | (Allstate, USFLMD)
Federal Case No.: 4:21-cv-00096 | (Early, USFLND)
11th Cir. Case No.: 21-11901; 22-13587
904.294.0026 | justice.actuarial@gmail.com | www.TextBookDiscrimination.com
3709 San Pablo Rd. S. #701
Jacksonville, FL 32224

Ancient Proverb: For every wrong there is a right.

From: Robertson, Lauren C. <LCRobertson@littler.com>
Sent: Monday, October 28, 2024 12:57 PM
To: Justice (Actuarial) <justice.actuarial@gmail.com>; Doud, Kimberly <KDoud@littler.com>
cc: Vega, Eddie <EVega@littler.com>; Filmore, Michelle <MFilmore@littler.com>
Subject: Re: Judicial Notice (?) | 24-11336 | Makere v Allstate | Employment Discrimination | Full Administrative Complaint (4/10/19)

Allstate disagrees with your characterization of “another underlying fact has gone undisputed.” To be clear, no fact has gone undisputed. Local Rule 3.01(g) of the United States District Court Middle District of Florida requires parties to confer regarding the relief sought in a motion filed before the Middle District of Florida. The Rule has no application before the Eleventh Circuit.

Notwithstanding, you have Allstate’s position on your Motion for Judicial Notice. Allstate will address its position in its response to your Motion. Thank you!

Regards,
Lauren

Lauren C. Robertson
Associate
407.393.2928 direct, 305.496.9749 mobile
LCRobertson@littler.com



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Labor & Employment Law Solutions | Local Everywhere
111 N Orange Ave, Suite 1750, Orlando, FL 32801

From: Justice (Actuarial) <justice.actuarial@gmail.com>
Sent: Monday, October 28, 2024 1:15 PM
To: 'Robertson, Lauren C.' <LCRobertson@littler.com>; 'Doud, Kimberly' <KDoud@littler.com>
cc: 'Vega, Eddie' <EVega@littler.com>; 'Filmore, Michelle' <MFilmore@littler.com>
Subject: Re: Judicial Notice (?) | 24-11336 | Makere v Allstate | Employment Discrimination | Full Administrative Complaint (4/10/19)

Good Afternoon Allstate,

Four days have passed and – despite authoring multiple replies – **you still haven't disputed the fact.** Therefore, the fact is [still] undisputed; as follows:

4. It is an undisputed fact that – on November 28, 2023 – Allstate Insurance Company (ie, You/Defendant/Appellee) admitted that April 10, 2019 marked the date that Elias Makere filed his [\[April 10, 2019\] Charge of Discrimination](#)
 - a. please see the first attachment ([linked here](#)).

Of course, we're now on fact #5 (due to your failure to dispute the above-listed fact [on time]):

5. On January 9, 2024 Elias Makere (ie, Me/Plaintiff/Appellant) moved the District Court (ie, [USFLMD](#)) to punish you (via [Rule 11](#) sanctions) for your material lie [regarding the filing date of Elias Makere's [\[April 10, 2019\] Charge of Discrimination](#)]
 - a. please see the second attachment ([linked here](#)).

- It bears repeating, please confer the rules/regulations on attorney dishonesty/misconduct (eg [Addendum 8, 11th Circuit Local Rules](#); [Rule 3-4.3 RRTFB | Misconduct and Minor Misconduct](#))

Please let me know if you dispute Fact #5 [before **5:00 PM EST Today (10/28/2024)**].

Thank You,

Elias Makere, FSA, MAAA | Civil Litigant
Federal Case No.: 3:20-cv-00905 | (Allstate, USFLMD)
Federal Case No.: 4:21-cv-00096 | (Early, USFLND)
11th Cir. Case No.: 21-11901; 22-13587
904.294.0026 | justice.actuarial@gmail.com | www.TextBookDiscrimination.com
3709 San Pablo Rd. S. #701
Jacksonville, FL 32224

Ancient Proverb: For every wrong there is a right.

From: Justice (Actuarial) <justice.actuarial@gmail.com>
Sent: Tuesday, October 29, 2024 9:01 AM
To: 'Robertson, Lauren C.' <LCRobertson@littler.com>; 'Doud, Kimberly' <KDoud@littler.com>
cc: 'Vega, Eddie' <EVega@littler.com>; 'Filmore, Michelle' <MFilmore@littler.com>
Subject: Re: Judicial Notice (?) | 24-11336 | Makere v Allstate | Employment Discrimination | Full Administrative Complaint (4/10/19)

Good Morning Allstate,

5PM came & went, but you [once again] **failed to dispute** the underlying fact (ie, that 'On January 9, 2024 Elias Makere (ie, Me/Plaintiff/Appellant) moved the District Court (ie, [USFLMD](#)) to punish you (via [Rule 11](#) sanctions) for your material lie [regarding the filing date of Elias Makere's [April 10, 2019 Charge of Discrimination](#)] to take judicial notice of Elias Makere's [April 10, 2019 Charge of Discrimination](#))). Thus, that fact has [once again] gone **undisputed**. Onwards...

May you please let me know if you dispute the following fact:

6. On March 26, 2024 the District Court (ie, USFLMD) took judicial notice of the fact that April 10, 2019 marked the date that Elias Makere filed his [April 10, 2019 Charge of Discrimination](#)
 - a. please see the first attachment ([linked here](#)).

Of course, I'm sending you these facts & questions in accordance with [Rule 3.01\(g\) USFLMD](#) (duty to confer in good faith – persuasive authority).

Please answer before **1:00 PM EST Today (10/29/2024)**.

Thank You,

Elias Makere, FSA, MAAA | Civil Litigant
Federal Case No.: 3:20-cv-00905 | (Allstate, USFLMD)
Federal Case No.: 4:21-cv-00096 | (Early, USFLND)
11th Cir. Case No.: 21-11901; 22-13587
904.294.0026 | justice.actuarial@gmail.com | www.TextBookDiscrimination.com
3709 San Pablo Rd. S. #701
Jacksonville, FL 32224

Ancient Proverb: For every wrong there is a right.

From: Justice (Actuarial) <justice.actuarial@gmail.com>
Sent: Tuesday, October 29, 2024 12:15 PM
To: 'Robertson, Lauren C.' <LCRobertson@littler.com>; 'Doud, Kimberly' <KDoud@littler.com>
cc: 'Vega, Eddie' <EVega@littler.com>; 'Filmore, Michelle' <MFilmore@littler.com>
Subject: Re: Judicial Notice (?) | 24-11336 | Makere v Allstate | Employment Discrimination | Full Administrative Complaint (4/10/19)

Good Afternoon Allstate,

1PM came & went, but you [once again] **failed to dispute** the underlying fact (ie, that '*On March 26, 2024 the District Court (ie, [USFLMD](#)) took judicial notice of the fact that April 10, 2019 marked the date that Elias Makere filed his [\[April 10, 2019\] Charge of Discrimination](#)*'). Thus, that fact has [once again] gone **undisputed**. Onwards...

May you please let me know if you dispute the following fact:

7. On April 11, 2024, Allstate Insurance Company (ie, You/Defendant/Appellant) told the District Court (ie, [USFLMD](#)) Allstate's repeated lie about the filing date of Elias Makere's [\[April 10, 2019\] Charge of Discrimination](#)
 - a. please see the first attachment ([linked here](#)).

Of course, I'm sending you these facts & questions in accordance with [Rule 3.01\(g\) USFLMD](#) (*duty to confer in good faith – persuasive authority*).

Please answer before **5:00 PM EST Today (10/29/2024)**.

Thank You,

Elias Makere, FSA, MAAA | Civil Litigant
Federal Case No.: 3:20-cv-00905 | (Allstate, USFLMD)
Federal Case No.: 4:21-cv-00096 | (Early, USFLND)
11th Cir. Case No.: 21-11901; 22-13587
904.294.0026 | justice.actuarial@gmail.com | www.TextBookDiscrimination.com
3709 San Pablo Rd. S. #701
Jacksonville, FL 32224

Ancient Proverb: For every wrong there is a right.

From: Justice (Actuarial) <justice.actuarial@gmail.com>
Sent: Wednesday, October 30, 2024 9:30 AM
To: 'Robertson, Lauren C.' <LCRobertson@littler.com>; 'Doud, Kimberly' <KDoud@littler.com>
cc: 'Vega, Eddie' <EVega@littler.com>; 'Filmore, Michelle' <MFilmore@littler.com>
Subject: Re: Judicial Notice (?) | 24-11336 | Makere v Allstate | Employment Discrimination | Full Administrative Complaint (4/10/19)

Good Morning Allstate,

5PM came & went (once again), and you [once again] **failed to dispute** the underlying fact (ie, that 'On April 11, 2024, Allstate Insurance Company (ie, You/Defendant/Appellant) told the District Court (ie, [USFLMD](#)) Allstate's **repeated lie** about the filing date of Elias Makere's [\[April 10, 2019\] Charge of Discrimination](#)). Thus, that fact has [once again] gone **undisputed**. Onwards...

May you please let me know if you dispute the following fact:

8. On May 6, 2024 Elias Makere (ie, Me/Plaintiff/Appellant) moved the District Court (ie, [USFLMD](#)) to punish you (via [Rule 11](#) sanctions) for **your [repeated] material lie** [regarding the filing date of Elias Makere's [\[April 10, 2019\] Charge of Discrimination](#)]
 - a. please see the first attachment ([linked here](#)).

Of course, I'm sending you these facts & questions in accordance with [Rule 3.01\(g\) USFLMD](#) (*duty to confer in good faith* – persuasive authority).

Please answer before **2:00 PM EST Today (10/30/2024)**.

Thank You,

Elias Makere, FSA, MAAA | Civil Litigant
Federal Case No.: 3:20-cv-00905 | (Allstate, USFLMD)
Federal Case No.: 4:21-cv-00096 | (Early, USFLND)
11th Cir. Case No.: 21-11901; 22-13587
904.294.0026 | justice.actuarial@gmail.com | www.TextBookDiscrimination.com
3709 San Pablo Rd. S. #701
Jacksonville, FL 32224

Ancient Proverb: For every wrong there is a right.

From: Justice (Actuarial) <justice.actuarial@gmail.com>
Sent: Wednesday, October 30, 2024 1:06 PM
To: 'Robertson, Lauren C.' <LCRobertson@littler.com>; 'Doud, Kimberly' <KDoud@littler.com>
cc: 'Vega, Eddie' <EVega@littler.com>; 'Filmore, Michelle' <MFilmore@littler.com>
Subject: Re: Judicial Notice (?) | 24-11336 | Makere v Allstate | Employment Discrimination | Full Administrative Complaint (4/10/19)

Good Afternoon Allstate,

2PM came & went (once again), and you [once again] **failed to dispute** the underlying fact (ie, that 'On May 6, 2024 Elias Makere (ie, Me/Plaintiff/Appellant) moved the District Court (ie, [USFLMD](#)) to punish you (via [Rule 11](#) sanctions) for **your [repeated] material lie** [regarding the filing date of Elias Makere's [\[April 10, 2019\] Charge of Discrimination](#))). Thus, that fact has gone **undisputed**.

In summary, you've failed to dispute all of these underlying facts (pointing to **your ongoing/imminent perjury**):

#	Undisputed Fact	Link
1	On April 10, 2019, Elias Makere emailed his Charge of Discrimination to the Florida Commission on Human Relations	Oo_A_Email.pdf
2	The Florida Commission on Human Relations placed a 4/10/2019-2:35PM timestamp on Elias Makere's [April 10, 2019] Charge of Discrimination	Oo_B_Timestamp.pdf
3	On February 9, 2021 Elias Makere (ie, Plaintiff/Appellant) moved the District Court (ie, The US District Court in-and-for the Middle District of Florida) to take judicial notice of Elias Makere's [April 10, 2019] Charge of Discrimination	Oo_C_JudNote.pdf
4	On November 28, 2023 Allstate Insurance Company (ie, Defendant/Appellee) admitted that April 10, 2019 marked the date that Elias Makere filed his [April 10, 2019] Charge of Discrimination	Oo_D_Admission.pdf
5	On January 9, 2024 Elias Makere (ie, Me/Plaintiff/Appellate) moved the District Court (ie, USFLMD) to punish you (via Rule 11 sanctions) for your material lie [regarding the filing date of Elias Makere's [April 10, 2019] Charge of Discrimination]	Oo_E_Sanctions.pdf
6	On March 26, 2024 the District Court (ie, USFLMD) took judicial notice of the fact that April 10, 2019 marked the date that Elias Makere filed his [April 10, 2019] Charge of Discrimination	Oo_F_Order.pdf
7	On April 11, 2024, Allstate Insurance Company (ie, You/Defendant/Appellant) told the District Court (ie, USFLMD) Allstate's repeated lie about the filing date of Elias Makere's [April 10, 2019] Charge of Discrimination	Oo_G_RepeatedLie.pdf
8	On May 6, 2024 Elias Makere (ie, Me/Plaintiff/Appellant) moved the District Court (ie, USFLMD) to punish you (via Rule 11 sanctions) for your [repeated] material lie [regarding the filing date of Elias Makere's [April 10, 2019] Charge of Discrimination]	Oo_H_Sanctions.pdf

Of course, I'm sending you these facts & questions in accordance with [Rule 3.01\(g\) USFLMD](#) (duty to confer in good faith – persuasive authority).

Please answer before **5:00 PM EST Today (10/30/2024)**. As usual, I'll call you to follow-up.

Thank You,

Elias Makere, FSA, MAAA | Civil Litigant

Federal Case No.: 3:20-cv-00905 | (Allstate, USFLMD)

Federal Case No.: 4:21-cv-00096 | (Early, USFLND)

11th Cir. Case No.: 21-11901; 22-13587

904.294.0026 | justice.actuarial@gmail.com | www.TextBookDiscrimination.com

3709 San Pablo Rd. S. #701

Jacksonville, FL 32224

Ancient Proverb: For every wrong there is a right.

ATTACHMENT B

Conferral Emails

From: Plaintiff/Appellant/Employee X'
To: Defendant/Appellee/'Company Y'

November 2024

Showcasing Defendant's Failure
to Dispute Material/Pertinent Facts

From: Justice (Actuarial) <justice.actuarial@gmail.com>
Sent: Monday, November 04, 2024 8:00 AM
To: Doud, Kimberly <KDoud@littler.com>
cc: Robertson, Lauren C. <LCRobertson@littler.com>; Vega, Eddie <EVega@littler.com>;
 Filmore, Michelle <MFilmore@littler.com>
Subject: Judicial Notice (?) | 24-11336 | Makere v Allstate | Employment Discrimination | Position Statement (9/8/17)

Hello Allstate,

As noted multiple times¹, you are destined to commit [at least] three counts of perjury [at the [11th Circuit Court of Appeals – US](#)]. Thus, it’s my duty² to alert the court/public of your imminent defiling-of-the-judiciary.

So, do you have any objection to my upcoming “*Motion for Judicial Notice of Appellee’s Original Position Statement (Dated 9/8/17)*”?

I’m filing it pursuant to [Rule 10\(e\)\(2\) Fed. R. App. P.](#), [Rule 28\(j\) Fed. R. App. P.](#), [Local Rule 27-1 11th Cir. R.](#), and [Rules 201/301/302 Fed.R.Evid.](#)

Plaintiff:	Elias Makere, FSA, MAAA
Defendant:	Allstate Insurance Company
Case Number:	3:20-cv-00905-MMH-LLL
Court:	US Court of Appeals, 11 th Circuit
Lower Court:	US District Court, Florida, Middle District (Jacksonville)
Type:	Employment Discrimination (42 USC §1981 , §760 FS , EPA , Title VII)

Document:	<i>Appellant’s Motion for Judicial Notice of Appellee’s Original Position Statement</i>
------------------	---

¹ see [Initial Brief](#) at ¶20; see [Response... Summary Judgment](#) at ¶24/35/50/etc.; see [Motion... Sanctions](#) at ¶12/3/8/13/14/21/33/

² see [Florida’s False Claims Act](#); see [18 USC §1001](#); see [18 USC §1018](#); see [Addendum 8 11th Cir. R.](#); see [Rule 3-4.3 RRTFB](#)

Purpose = (1) substantiate Appellee’s extrinsic fraud-upon-the-court; (2) substantiate the manifest injustice that has descended upon this case; (3) supply factual framework surrounding Appellee’s discrimination; (4) streamline federal appeal; (5) help supply the details for which the Court needs; (6) corner your perjurious guilt; and more.

Please answer as soon as you can.

Thank You,

Elias Makere, FSA, MAAA | Civil Litigant
 Federal Case No.: 3:20-cv-00905 | (Allstate, USFLMD)
 Federal Case No.: 4:21-cv-00096 | (Early, USFLND)
 11th Cir. Case No.: 21-11901; 22-13587
 904.294.0026 | justice.actuarial@gmail.com | www.TextBookDiscrimination.com
 3709 San Pablo Rd. S. #701
 Jacksonville, FL 32224
Ancient Proverb: For every wrong there is a right.

From: Justice (Actuarial) <justice.actuarial@gmail.com>
Sent: Wednesday, November 06, 2024 12:16 PM
To: Doud, Kimberly <KDoud@littler.com>
cc: Robertson, Lauren C. <LCRobertson@littler.com>; Vega, Eddie <EVega@littler.com>;
Filmore, Michelle <MFilmore@littler.com>
Subject: RE: Judicial Notice (?) | 24-11336 | Makere v Allstate | Employment Discrimination |
Position Statement (9/8/17)

Good Afternoon Allstate,

Two days have passed, but I still haven't heard back from you (regarding your position on my upcoming motion).

So, may you please let me know if you dispute the following fact:

1. In Elias Makere's [First Charge of Discrimination \(circa 6/30/17\)](#), he listed race **and** sex as the bases for his discrimination complaint
 - a. please see the first attachment ([linked here](#)).

Of course, I'm sending you these facts & questions in accordance with [Rule 3.01\(g\) USFLMD](#) (*duty to confer in good faith* – persuasive authority).

Please answer before **5:00 PM EST Today (11/6/2024)**.

Thank you,

Elias Makere, FSA, MAAA | Civil Litigant
Federal Case No.: 3:20-cv-00905 | (Allstate, USFLMD)
Federal Case No.: 4:21-cv-00096 | (Early, USFLND)
11th Cir. Case No.: 21-11901; 22-13587
904.294.0026 | justice.actuarial@gmail.com | www.TextBookDiscrimination.com
3709 San Pablo Rd. S. #701
Jacksonville, FL 32224

Ancient Proverb: For every wrong there is a right.

From: Justice (Actuarial) <justice.actuarial@gmail.com>
Sent: Thursday, November 07, 2024 8:31 AM
To: Doud, Kimberly <KDoud@littler.com>
cc: Robertson, Lauren C. <LCRobertson@littler.com>; Vega, Eddie <EVega@littler.com>;
Filmore, Michelle <MFilmore@littler.com>
Subject: RE: Judicial Notice (?) | 24-11336 | Makere v Allstate | Employment Discrimination |
Position Statement (9/8/17)

Good Morning Allstate,

5PM came & went, yet you **failed to dispute** the underlying fact (ie, that 'In Elias Makere's [First Charge of Discrimination \(circa 6/30/17\)](#), he listed race **and** sex as the bases for his discrimination complaint'). Thus, that fact has gone **undisputed**. Onwards...

May you please let me know if you dispute the following fact:

2. In Allstate Insurance Company's Response [to Elias Makere's [First Charge of Discrimination \(circa 6/30/17\)](#)], **Allstate acknowledged** that race **and** sex were the bases for Elias Makere's [First Charge of Discrimination](#)
 - a. please see the first attachment ([linked here](#)).

Of course, I'm sending you these facts & questions in accordance with [Rule 3.01\(g\) USFLMD](#) (*duty to confer in good faith* – persuasive authority).

Please answer before **1:00 PM EST Today (11/7/2024)**.

Thank you,

Elias Makere, FSA, MAAA | Civil Litigant
Federal Case No.: 3:20-cv-00905 | (Allstate, USFLMD)
Federal Case No.: 4:21-cv-00096 | (Early, USFLND)
11th Cir. Case No.: 21-11901; 22-13587
904.294.0026 | justice.actuarial@gmail.com | www.TextBookDiscrimination.com
3709 San Pablo Rd. S. #701
Jacksonville, FL 32224

Ancient Proverb: For every wrong there is a right.

From: Justice (Actuarial) <justice.actuarial@gmail.com>
Sent: Thursday, November 07, 2024 1:02 PM
To: Doud, Kimberly <KDoud@littler.com>
cc: Robertson, Lauren C. <LCRobertson@littler.com>; Vega, Eddie <EVega@littler.com>;
Filmore, Michelle <MFilmore@littler.com>
Subject: RE: Judicial Notice (?) | 24-11336 | Makere v Allstate | Employment Discrimination |
Position Statement (9/8/17)

Good Afternoon Allstate,

1PM came & went, yet you [once again] **failed to dispute** the underlying fact (ie, that '*In Allstate Insurance Company's Response [to Elias Makere's [First Charge of Discrimination \(circa 6/30/17\)](#)], Allstate acknowledged that race and sex were the bases for Elias Makere's [First Charge of Discrimination](#)*'). Thus, that fact has gone **undisputed**. Onwards...

May you please let me know if you dispute the following fact:

3. In the Florida Commission on Human Relations' **Notice of Determination** [regarding Elias Makere's [First Charge of Discrimination \(circa 6/30/17\)](#)], **the State of Florida acknowledged** that race and sex were the bases for Elias Makere's [First Charge of Discrimination](#)
 - a. please see the first attachment ([linked here](#)).

Of course, I'm sending you these facts & questions in accordance with [Rule 3.01\(g\) USFLMD](#) (*duty to confer in good faith – persuasive authority*).

Please answer before **5:00 PM EST Today (11/7/2024)**.

Thank you,

Elias Makere, FSA, MAAA | Civil Litigant
Federal Case No.: 3:20-cv-00905 | (Allstate, USFLMD)
Federal Case No.: 4:21-cv-00096 | (Early, USFLND)
11th Cir. Case No.: 21-11901; 22-13587
904.294.0026 | justice.actuarial@gmail.com | www.TextBookDiscrimination.com
3709 San Pablo Rd. S. #701
Jacksonville, FL 32224

Ancient Proverb: For every wrong there is a right.

From: Justice (Actuarial) <justice.actuarial@gmail.com>
Sent: Friday, November 08, 2024 9:01 AM
To: Doud, Kimberly <KDoud@littler.com>
cc: Robertson, Lauren C. <LCRobertson@littler.com>; Vega, Eddie <EVega@littler.com>;
Filmore, Michelle <MFilmore@littler.com>
Subject: RE: Judicial Notice (?) | 24-11336 | Makere v Allstate | Employment Discrimination |
Position Statement (9/8/17)

Good Morning Allstate,

5PM came & went (once again), yet you [once again] **failed to dispute** the underlying fact (ie, that ‘*In the Florida Commission on Human Relations’ Notice of Determination [regarding Elias Makere’s [First Charge of Discrimination \(circa 6/30/17\)](#)], the State of Florida acknowledged that race **and** sex were the bases for Elias Makere’s [First Charge of Discrimination](#)’). Thus, that fact has [once again] gone **undisputed**. Onwards...*

May you please let me know if you dispute the following fact:

4. On May 21, 2021, Allstate Insurance Company filed a document in the District Court (ie, USFLMD); thereby [falsely] stating that Elias Makere’s [First Charge of Discrimination \(circa 6/30/17\)](#) did **not** include a basis of sex discrimination
 - a. please see the first attachment ([linked here](#)).

Of course, I’m sending you these facts & questions in accordance with [Rule 3.01\(g\) USFLMD](#) (*duty to confer in good faith* – persuasive authority).

Please answer before **1:00 PM EST Today (11/8/2024)**.

Thank You,

Elias Makere, FSA, MAAA | Civil Litigant
Federal Case No.: 3:20-cv-00905 | (Allstate, USFLMD)
Federal Case No.: 4:21-cv-00096 | (Early, USFLND)
11th Cir. Case No.: 21-11901; 22-13587
904.294.0026 | justice.actuarial@gmail.com | www.TextBookDiscrimination.com
3709 San Pablo Rd. S. #701
Jacksonville, FL 32224

Ancient Proverb: For every wrong there is a right.

From: Justice (Actuarial) <justice.actuarial@gmail.com>
Sent: Friday, November 08, 2024 1:06 PM
To: Doud, Kimberly <KDoud@littler.com>
cc: Robertson, Lauren C. <LCRobertson@littler.com>; Vega, Eddie <EVega@littler.com>;
Filmore, Michelle <MFilmore@littler.com>
Subject: RE: Judicial Notice (?) | 24-11336 | Makere v Allstate | Employment Discrimination |
Position Statement (9/8/17)

Good Afternoon Allstate,

1PM came & went (once again), yet you [once again] **failed to dispute** the underlying fact (ie, that 'On May 21, 2021, Allstate Insurance Company filed a document in the District Court (ie, USFLMD); thereby [falsely] stating that Elias Makere's [First Charge of Discrimination \(circa 6/30/17\)](#) did **not** include a basis of sex discrimination'). Thus, that fact has [once again] gone **undisputed**. Onwards...

May you please let me know if you dispute the following fact:

5. On May 21, 2021, Allstate Insurance Company attached a document [to its District Court filing] that showed that Elias Makere's [First Charge of Discrimination \(circa 6/30/17\)](#) did **indeed** include a basis of sex discrimination
 - b. please see the first attachment ([linked here](#)).

Of course, I'm sending you these facts & questions in accordance with [Rule 3.01\(g\) USFLMD](#) (*duty to confer in good faith – persuasive authority*).

Please answer before **5:00 PM EST Today (11/8/2024)**.

Thank You,

Elias Makere, FSA, MAAA | Civil Litigant
Federal Case No.: 3:20-cv-00905 | (Allstate, USFLMD)
Federal Case No.: 4:21-cv-00096 | (Early, USFLND)
11th Cir. Case No.: 21-11901; 22-13587
904.294.0026 | justice.actuarial@gmail.com | www.TextBookDiscrimination.com
3709 San Pablo Rd. S. #701
Jacksonville, FL 32224

Ancient Proverb: For every wrong there is a right.

From: Justice (Actuarial) <justice.actuarial@gmail.com>
Sent: Monday, November 11, 2024 9:31 AM
To: Doud, Kimberly <KDoud@littler.com>
cc: Robertson, Lauren C. <LCRobertson@littler.com>; Vega, Eddie <EVega@littler.com>;
Filmore, Michelle <MFilmore@littler.com>
Subject: RE: Judicial Notice (?) | 24-11336 | Makere v Allstate | Employment Discrimination |
Position Statement (9/8/17)

Good Morning Allstate,

5PM came & went (once again), yet you [once again] **failed to dispute** the underlying fact (ie, that ‘On May 21, 2021, Allstate Insurance Company [attached a document](#) [to its District Court filing] that showed that Elias Makere’s [First Charge of Discrimination \(circa 6/30/17\)](#) did **indeed** include a basis of sex discrimination’). Thus, that fact has [once again] gone **undisputed**. Onwards...

May you please let me know if you dispute the following fact:

6. On June 11, 2021, Elias Makere (ie, me/Appellant/Plaintiff) moved the District Court to punish you (via [Rule 11 Sanctions](#)) (for your lie regarding the fact that Elias Makere’s [First Charge of Discrimination \(circa 6/30/17\)](#) included a basis of sex discrimination).
 - a. please see the first attachment ([linked here](#)).

Of course, I’m sending you these facts & questions in accordance with [Rule 3.01\(g\) USFLMD](#) (*duty to confer in good faith – persuasive authority*).

Please answer before **1:00 PM EST Today (11/11/2024)**.

Thank You,

Elias Makere, FSA, MAAA | Civil Litigant
Federal Case No.: 3:20-cv-00905 | (Allstate, USFLMD)
Federal Case No.: 4:21-cv-00096 | (Early, USFLND)
11th Cir. Case No.: 21-11901; 22-13587
904.294.0026 | justice.actuarial@gmail.com | www.TextBookDiscrimination.com
3709 San Pablo Rd. S. #701
Jacksonville, FL 32224

Ancient Proverb: For every wrong there is a right.

From: Justice (Actuarial) <justice.actuarial@gmail.com>
Sent: Monday, November 11, 2024 1:50 PM
To: Doud, Kimberly <KDoud@littler.com>
cc: Robertson, Lauren C. <LCRobertson@littler.com>; Vega, Eddie <EVega@littler.com>;
Filmore, Michelle <MFilmore@littler.com>
Subject: RE: Judicial Notice (?) | 24-11336 | Makere v Allstate | Employment Discrimination |
Position Statement (9/8/17)

Good Afternoon Allstate,

1PM came & went (once again), yet you [once again] **failed to dispute** the underlying fact (ie, that 'On June 11, 2021, Elias Makere (ie, me/Appellant/Plaintiff) moved the District Court to punish you (via [Rule 11 Sanctions](#)) (for your lie regarding the fact that Elias Makere's [First Charge of Discrimination \(circa 6/30/17\)](#) included a basis of sex discrimination)'). Thus, that fact has [once again] gone **undisputed**.
Onwards...

May you please let me know if you dispute the following fact:

7. On June 25, 2021, Allstate Insurance Company (ie, you/Appellee/Defendant) responded to Elias Makere's [Rule 11 Motion for Sanctions](#); thereby **acknowledging** the fact that Elias Makere charged you with **perpetrating a fraud** upon the District Court (ie [USFLMD](#)) (regarding your lie about the inclusion of a sex discrimination basis [in Elias Makere's [First Charge of Discrimination \(circa 6/30/17\)](#)])
 - a. please see the first attachment ([linked here](#)).

Of course, I'm sending you these facts & questions in accordance with [Rule 3.01\(g\) USFLMD](#) (duty to confer in good faith – persuasive authority).

Please answer before **5:00 PM EST Today (11/11/2024)**.

Thank You,

Elias Makere, FSA, MAAA | Civil Litigant
Federal Case No.: 3:20-cv-00905 | (Allstate, USFLMD)
Federal Case No.: 4:21-cv-00096 | (Early, USFLND)
11th Cir. Case No.: 21-11901; 22-13587
904.294.0026 | justice.actuarial@gmail.com | www.TextBookDiscrimination.com
3709 San Pablo Rd. S. #701
Jacksonville, FL 32224

Ancient Proverb: For every wrong there is a right.

From: Justice (Actuarial) <justice.actuarial@gmail.com>
Sent: Tuesday, November 12, 2024 11:46 AM
To: Doud, Kimberly <KDoud@littler.com>
cc: Robertson, Lauren C. <LCRobertson@littler.com>; Vega, Eddie <EVega@littler.com>;
Filmore, Michelle <MFilmore@littler.com>
Subject: RE: Judicial Notice (?) | 24-11336 | Makere v Allstate | Employment Discrimination |
Position Statement (9/8/17)

Good Morning Allstate,

5PM came & went (once again), yet you [once again] **failed to dispute** the underlying fact (ie, that ‘*On June 25, 2021, Allstate Insurance Company (ie, you/Appellee/Defendant) responded to Elias Makere’s [Rule 11 Motion for Sanctions](#); thereby **acknowledging** the fact that Elias Makere charged you with **perpetrating a fraud** upon the District Court (ie [USFLMD](#)) (regarding your lie about the inclusion of a sex discrimination basis [in Elias Makere’s [First Charge of Discrimination \(circa 6/30/17\)\]](#))’). Thus, that fact has [once again] gone **undisputed**. Onwards...*

May you please let me know if you dispute the following fact:

8. On April 11, 2024, Allstate Insurance Company (ie, you/Appellee/Defendant) told the District Court (ie [USFLMD](#)) Allstate’s repeated lie about the inclusion of a sex discrimination basis [in Elias Makere’s [First Charge of Discrimination \(circa 6/30/17\)\]](#))
 - a. please see the first attachment ([linked here](#)).

Of course, I’m sending you these facts & questions in accordance with [Rule 3.01\(g\) USFLMD](#) (*duty to confer in good faith – persuasive authority*).

Please answer before **2:00 PM EST Today (11/12/2024)**.

Thank You,

Elias Makere, FSA, MAAA | Civil Litigant
Federal Case No.: 3:20-cv-00905 | (Allstate, USFLMD)
Federal Case No.: 4:21-cv-00096 | (Early, USFLND)
11th Cir. Case No.: 21-11901; 22-13587
904.294.0026 | justice.actuarial@gmail.com | www.TextBookDiscrimination.com
3709 San Pablo Rd. S. #701
Jacksonville, FL 32224

Ancient Proverb: For every wrong there is a right.

From: Robertson, Lauren C. <LRobertson@littler.com>
Sent: Tuesday, November 12, 2024 8:40 PM
To: Justice (Actuarial) <justice.actuarial@gmail.com>; Doud, Kimberly <KDoud@littler.com>
cc: Vega, Eddie <EVega@littler.com>; Filmore, Michelle <MFilmore@littler.com>
Subject: RE: Judicial Notice (?) | 24-11336 | Makere v Allstate | Employment Discrimination | Position Statement (9/8/17)

Mr. Makere,

Allstate opposes your Motion for Judicial Notice of Appellee's Original Position Statement for the same reasons set forth in its Response to your Motion for Judicial Notice of Appellant's Full Administrative Complaint Dated 4/10/19. No fact has gone undisputed. Allstate disagrees with your characterizations below. Thank you!

Regards,
Lauren

Lauren C. Robertson
Associate
407.393.2928 direct, 305.496.9749 mobile
LRobertson@littler.com



Fueled by ingenuity. Inspired by you.

Labor & Employment Law Solutions | Local Everywhere
111 N Orange Ave, Suite 1750, Orlando, FL 32801

From: Justice (Actuarial) <justice.actuarial@gmail.com>
Sent: Tuesday, November 12, 2024 9:05 PM
To: Robertson, Lauren C. <LCRobertson@littler.com>; Doud, Kimberly <KDoud@littler.com>
cc: Vega, Eddie <EVega@littler.com>; Filmore, Michelle <MFilmore@littler.com>
Subject: RE: Judicial Notice (?) | 24-11336 | Makere v Allstate | Employment Discrimination | Position Statement (9/8/17)

Good Evening Allstate,

What “characterizations” do you disagree with?

For the sake of convenience, here are the eight undisputed facts:

1. In Elias Makere’s [First Charge of Discrimination \(circa 6/30/17\)](#), he listed race **and** sex as the bases for his discrimination complaint
 - a. please see the first attachment (Op_A_*.pdf)
2. In Allstate Insurance Company’s Response [to Elias Makere’s [First Charge of Discrimination \(circa 6/30/17\)](#)], **Allstate acknowledged** that race **and** sex were the bases for Elias Makere’s [First Charge of Discrimination](#)
 - a. please see the second attachment (Op_B_*.pdf)
3. In the Florida Commission on Human Relations’ **Notice of Determination** [regarding Elias Makere’s [First Charge of Discrimination \(circa 6/30/17\)](#)], **the State of Florida acknowledged** that race **and** sex were the bases for Elias Makere’s [First Charge of Discrimination](#)
 - a. please see the third attachment (Op_C_*.pdf)
4. On May 21, 2021, Allstate Insurance Company filed a document in the District Court (ie, USFLMD); thereby [falsely] stating that Elias Makere’s [First Charge of Discrimination \(circa 6/30/17\)](#) did **not** include a basis of sex discrimination
 - a. please see the fourth attachment (Op_D_*.pdf)
5. On May 21, 2021, Allstate Insurance Company attached a document [to its District Court filing] that showed that Elias Makere’s [First Charge of Discrimination \(circa 6/30/17\)](#) did **indeed** include a basis of sex discrimination
 - a. please see the fifth attachment (Op_E_*.pdf)
6. On June 11, 2021, Elias Makere (ie, me/Appellant/Plaintiff) moved the District Court to punish you (via [Rule 11 Sanctions](#)) (for your lie regarding the fact that Elias Makere’s [First Charge of Discrimination \(circa 6/30/17\)](#) included a basis of sex discrimination).
 - a. please see the sixth attachment (Op_F_*.pdf)
7. On June 25, 2021, Allstate Insurance Company (ie, you/Appellee/Defendant) responded to Elias Makere’s [Rule 11 Motion for Sanctions](#); thereby **acknowledging** the fact that Elias Makere charged you with **perpetrating a fraud** upon the District Court (ie [USFLMD](#)) (regarding your lie about the inclusion of a sex discrimination basis [in Elias Makere’s [First Charge of Discrimination \(circa 6/30/17\)](#)])
 - a. please see the seventh attachment (Op_G_*.pdf)
8. On April 11, 2024, Allstate Insurance Company (ie, you/Appellee/Defendant) told the District Court (ie [USFLMD](#)) Allstate’s repeated lie about the inclusion of a sex discrimination basis [in Elias Makere’s [First Charge of Discrimination \(circa 6/30/17\)](#)])
 - a. please see the eighth attachment (Op_H_*.pdf)

Please let me know.

Thank You,

Elias Makere, FSA, MAAA | Civil Litigant
Federal Case No.: 3:20-cv-00905 | (Allstate, USFLMD)
Federal Case No.: 4:21-cv-00096 | (Early, USFLND)
11th Cir. Case No.: 21-11901; 22-13587
904.294.0026 | justice.actuarial@gmail.com | www.TextBookDiscrimination.com
3709 San Pablo Rd. S. #701
Jacksonville, FL 32224

Ancient Proverb: For every wrong there is a right.

From: Robertson, Lauren C. <LCRobertson@littler.com>
Sent: Tuesday, November 12, 2024 9:21 PM
To: Justice (Actuarial) <justice.actuarial@gmail.com>; Doud, Kimberly <KDoud@littler.com>
cc: Vega, Eddie <EVega@littler.com>; Filmore, Michelle <MFilmore@littler.com>
Subject: RE: Judicial Notice (?) | 24-11336 | Makere v Allstate | Employment Discrimination | Position Statement (9/8/17)

Mr. Makere,

Allstate's position will be addressed in its response. Allstate opposes your Motion. No facts have gone undisputed by Allstate.

Regards,
Lauren

Lauren C. Robertson
Associate
407.393.2928 direct, 305.496.9749 mobile
LCRobertson@littler.com



Fueled by ingenuity. Inspired by you.

Labor & Employment Law Solutions | Local Everywhere
111 N Orange Ave, Suite 1750, Orlando, FL 32801

From: Justice (Actuarial) <justice.actuarial@gmail.com>
Sent: Tuesday, November 12, 2024 9:40 PM
To: Robertson, Lauren C. <LCRobertson@littler.com>; Doud, Kimberly <KDoud@littler.com>
cc: Vega, Eddie <EVega@littler.com>; Filmore, Michelle <MFilmore@littler.com>
Subject: RE: Judicial Notice (?) | 24-11336 | Makere v Allstate | Employment Discrimination | Position Statement (9/8/17)

Good Evening Allstate,

What is your availability for a quick phone call?

The goal of the call will be to exhaust all '*good faith efforts to resolve [my upcoming] motion*' (please confer [Local Rule 3.01\(g\) USFLMD](#) – persuasive authority).

Therein, you'll have an opportunity to:

- (1) get a **concise explanation** of what you're being accused of (ie, perjury; defrauding the court; etc.);
- (2) get a **precise rundown** of the facts-at-hand;
- (3) **examine** the facts;
- (4) **address** your accuser;
- (5) **narrow down** the issues;
- (6) **save** judicial resources/intervention; and
- (7) more

So, may you please tell me what your availability is [for a phone call regarding my upcoming motion]?

Thank You,

Elias Makere, FSA, MAAA | Civil Litigant
Federal Case No.: 3:20-cv-00905 | (Allstate, USFLMD)
Federal Case No.: 4:21-cv-00096 | (Early, USFLND)
11th Cir. Case No.: 21-11901; 22-13587
904.294.0026 | justice.actuarial@gmail.com | www.TextBookDiscrimination.com
3709 San Pablo Rd. S. #701
Jacksonville, FL 32224

Ancient Proverb: For every wrong there is a right.

From: Justice (Actuarial) <justice.actuarial@gmail.com>
Sent: Wednesday, November 13, 2024 9:21 AM
To: Robertson, Lauren C. <LCRobertson@littler.com>; Doud, Kimberly <KDoud@littler.com>
cc: Vega, Eddie <EVega@littler.com>; Filmore, Michelle <MFilmore@littler.com>
Subject: RE: Judicial Notice (?) | 24-11336 | Makere v Allstate | Employment Discrimination | Position Statement (9/8/17)

Good Morning Allstate,

2PM came & went (once again), yet you [once again] **failed to [directly] dispute** the underlying fact (ie, that *'On April 11, 2024, Allstate Insurance Company (ie, you/Appellee/Defendant) told the District Court (ie [USFLMD](#)) Allstate's repeated lie about the inclusion of a sex discrimination basis [in Elias Makere's [First Charge of Discrimination \(circa 6/30/17\)\]'](#)*). Thus, that fact has [once again] gone **undisputed**.
Onwards...

May you please let me know if you dispute the following fact:

9. On May 6, 2024 Elias Makere (ie, Me/Plaintiff/Appellant) moved the District Court (ie, [USFLMD](#)) to punish you (via [Rule 11](#) sanctions) for **your [repeated] material lie** [regarding the existence of a sex discrimination basis [in Elias Makere's [First Charge of Discrimination \(circa 6/30/17\)\]](#))
 - a. please see the first attachment ([linked here](#)).

Of course, I'm sending you these facts & questions in accordance with [Rule 3.01\(g\) USFLMD](#) (*duty to confer in good faith – persuasive authority*).

Please answer before **1:00 PM EST Today (11/13/2024)**.

Thank You,

Elias Makere, FSA, MAAA | Civil Litigant
Federal Case No.: 3:20-cv-00905 | (Allstate, USFLMD)
Federal Case No.: 4:21-cv-00096 | (Early, USFLND)
11th Cir. Case No.: 21-11901; 22-13587
904.294.0026 | justice.actuarial@gmail.com | www.TextBookDiscrimination.com
3709 San Pablo Rd. S. #701
Jacksonville, FL 32224

Ancient Proverb: For every wrong there is a right.

From: Justice (Actuarial) <justice.actuarial@gmail.com>
Sent: Wednesday, November 13, 2024 1:01 PM
To: Robertson, Lauren C. <LCRobertson@littler.com>; Doud, Kimberly <KDoud@littler.com>
cc: Vega, Eddie <EVega@littler.com>; Filmore, Michelle <MFilmore@littler.com>
Subject: RE: Judicial Notice (?) | 24-11336 | Makere v Allstate | Employment Discrimination | Position Statement (9/8/17)

Good Afternoon Allstate,

1PM came & went (once again), yet you [once again] **failed to [directly] dispute** the underlying fact (ie, that *'On April 11, 2024, Allstate Insurance Company (ie, you/Appellee/Defendant) told the District Court (ie [USFLMD](#)) Allstate's repeated lie about the inclusion of a sex discrimination basis [in Elias Makere's [First Charge of Discrimination \(circa 6/30/17\)\]'](#)*). Thus, that fact has [once again] gone **undisputed**.

In summary, you've failed to [directly] dispute all of these underlying facts (pointing to **your ongoing/imminent perjury**):

#	<u>Undisputed Fact</u>	<u>Link</u>
1	In Elias Makere's First Charge of Discrimination (circa 6/30/17) , he listed <u>race</u> and <u>sex</u> as the bases for his discrimination complaint	Op_A_FirstCharge.pdf
2	In Allstate Insurance Company's Response [to Elias Makere's First Charge of Discrimination (circa 6/30/17)], Allstate acknowledged that <u>race</u> and <u>sex</u> were the bases for Elias Makere's First Charge of Discrimination	Op_B_RespondentAnswer.pdf
3	In the Florida Commission on Human Relations' Notice of Determination [regarding Elias Makere's First Charge of Discrimination (circa 6/30/17)], the State of Florida acknowledged that <u>race</u> and <u>sex</u> were the bases for Elias Makere's First Charge of Discrimination	Op_C_NOD.pdf
4	On May 21, 2021, Allstate Insurance Company filed a document in the District Court (ie, USFLMD); thereby [falsely] stating that Elias Makere's First Charge of Discrimination (circa 6/30/17) did not include a basis of <u>sex</u> discrimination	Op_D_Perjury_20210521.pdf
5	On May 21, 2021, Allstate Insurance Company attached a document [to its District Court filing] that showed that Elias Makere's First Charge of Discrimination (circa 6/30/17) did indeed include a basis of <u>sex</u> discrimination	Op_E_Perjury_20210521.pdf
6	On June 11, 2021, Elias Makere (ie, me/Appellant/Plaintiff) moved the District Court to punish you (via Rule 11 Sanctions) (for your lie regarding the fact that Elias Makere's First Charge of Discrimination (circa 6/30/17) included a basis of sex discrimination).	Op_F_Sanctions_20210611.pdf
7	On June 25, 2021, Allstate Insurance Company (ie, you/Appellee/Defendant) responded to Elias Makere's Rule 11 Motion for Sanctions ; thereby acknowledging the fact that Elias Makere charged you with perpetrating a fraud upon the District Court (ie USFLMD) (regarding your lie about the inclusion of a sex discrimination basis [in Elias Makere's First Charge of Discrimination (circa 6/30/17)])	Op_G_Acknowledge.pdf

8	On April 11, 2024, Allstate Insurance Company (ie, you/Appellee/Defendant) told the District Court (ie USFLMD) Allstate's repeated lie about the inclusion of a sex discrimination basis [in Elias Makere's First Charge of Discrimination (circa 6/30/17))]	Op_H_RepeatedLie.pdf
9	On May 6, 2024 Elias Makere (ie, Me/Plaintiff/Appellant) moved the District Court (ie, USFLMD) to punish you (via Rule 11 sanctions) for your [repeated] material lie [regarding the existence of a sex discrimination basis [in Elias Makere's First Charge of Discrimination (circa 6/30/17))]	Op_I_Sanctions.pdf

Of course, I'm sending you these facts & questions in accordance with [Rule 3.01\(g\) USFLMD](#) (*duty to confer in good faith* – persuasive authority).

For the final time, may you please let me know if you have any direct disputes to any of these facts. Please answer before **4:00 PM EST Today (11/13/2024)**. As usual, I'll call you to follow up.

Thank You,

Elias Makere, FSA, MAAA | Civil Litigant
Federal Case No.: 3:20-cv-00905 | (Allstate, USFLMD)
Federal Case No.: 4:21-cv-00096 | (Early, USFLND)
11th Cir. Case No.: 21-11901; 22-13587
904.294.0026 | justice.actuarial@gmail.com | www.TextBookDiscrimination.com
3709 San Pablo Rd. S. #701
Jacksonville, FL 32224

Ancient Proverb: For every wrong there is a right.

From: Robertson, Lauren C. <LCRobertson@littler.com>
Sent: Wednesday, November 13, 2024 1:29 PM
To: Justice (Actuarial) <justice.actuarial@gmail.com>; Doud, Kimberly <KDoud@littler.com>
cc: Vega, Eddie <EVega@littler.com>; Filmore, Michelle <MFilmore@littler.com>
Subject: RE: Judicial Notice (?) | 24-11336 | Makere v Allstate | Employment Discrimination | Position Statement (9/8/17)

Mr. Makere:

We oppose you motion. We dispute the statements contained the table below as characterized. We will set forth our position in response to your motion. At this time, there is nothing further to confer about.

Kimberly Doud

Office Managing Shareholder

407.393.2951 direct, 407.864.1852 mobile, 407.641.9263 fax

KDoud@littler.com

Pronouns: She/Her



Fueled by ingenuity. Inspired by you.

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111 N Orange Ave, Suite 1750, Orlando, FL 32801

From: Justice (Actuarial) <justice.actuarial@gmail.com>
Sent: Wednesday, November 13, 2024 2:10 PM
To: Doud, Kimberly <KDoud@littler.com>; Robertson, Lauren C. <LCRobertson@littler.com>
cc: Vega, Eddie <EVega@littler.com>; Filmore, Michelle <MFilmore@littler.com>
Subject: RE: Judicial Notice (?) | 24-11336 | Makere v Allstate | Employment Discrimination | Position Statement (9/8/17)

Good Afternoon Allstate,

Do you dispute that the attached document is **a true & correct copy** of your *Position Statement* (9/8/17)?

Defendant's/Appellee's/Allstate's Notarized Position Statement (9/8/17)	TextBookDiscrimination.com/Files/CA11/Op_z_FullResponse.pdf
--	---

Pursuant to [Rules 201/301/302 Fed.R.Evid.](#) (also see [§90 FS](#)), the Court must have record of your knowledge of the undisputed fact(s).

Please let me know before 4:00 PM EST today (11/13/24).

Thank You,

Elias Makere, FSA, MAAA | Civil Litigant
Federal Case No.: 3:20-cv-00905 | (Allstate, USFLMD)
Federal Case No.: 4:21-cv-00096 | (Early, USFLND)
11th Cir. Case No.: 21-11901; 22-13587
904.294.0026 | justice.actuarial@gmail.com | www.TextBookDiscrimination.com
3709 San Pablo Rd. S. #701
Jacksonville, FL 32224

Ancient Proverb: For every wrong there is a right.

ATTACHMENT C

Conferral Emails

From: Plaintiff/Appellant/Employee X'
To: Defendant/Appellee/'Company Y'

December 2024

Showcasing Defendant's Failure
to Dispute Material/Pertinent Facts

From: Justice (Actuarial) <justice.actuarial@gmail.com>
Sent: Monday, November 25, 2024 10:46 AM EST
To: 'Doud, Kimberly' <KDoud@littler.com>
cc: 'Robertson, Lauren C.' <LCRobertson@littler.com>; 'Vega, Eddie' <EVega@littler.com>;
'Filmore, Michelle' <MFilmore@littler.com>
Subject: RE: Judicial Notice (?) | 24-11336 | Makere v Allstate | Employment Discrimination | Case Numbers

Hello Allstate,

As noted multiple times¹, you are destined to commit [at least] three counts of perjury [at the [11th Circuit Court of Appeals – US](#)]. Thus, it's my duty² to alert the court/public of your imminent defiling-of-the-judiciary.

So, do you have any objection to my upcoming “*Motion for Judicial Notice of the FCHR Case Numbers*”?

I'm filing it pursuant to [Rule 10\(e\)\(2\) Fed. R. App. P.](#), [Rule 28\(j\) Fed. R. App. P.](#), [Local Rule 27-1 11th Cir. R.](#), and [Rules 201/301/302 Fed.R.Evid.](#)

Plaintiff:	Elias Makere, FSA, MAAA
Defendant:	Allstate Insurance Company
Case Number:	3:20-cv-00905-MMH-LLL
Court:	US Court of Appeals, 11 th Circuit
Lower Court:	US District Court, Florida, Middle District (Jacksonville)
Type:	Employment Discrimination (42 USC §1981 , §760 FS , EPA , Title VII)

Document:	<i>Appellant's Motion for Judicial Notice of the FCHR Case Numbers</i>
------------------	--

¹ see [Initial Brief](#) at ¶130; see [Response... Summary Judgment](#) at ¶13/33/36/69/etc.

² see [Florida's False Claims Act](#); see [18 USC §1001](#); see [18 USC §1018](#); see [Addendum 8 11th Cir. R.](#); see [Rule 3-4.3 RRTFB](#)

Purpose = (1) substantiate Appellee's extrinsic fraud-upon-the-court; (2) substantiate the manifest injustice that has descended upon this case; (3) supply factual framework surrounding Appellee's discrimination; (4) streamline federal appeal; (5) help supply the details for which the Court needs; (6) corner your perjurious guilt; and more.

Please answer as soon as you can.

Thank you,

Elias Makere, FSA, MAAA | Civil Litigant
Federal Case No.: 3:20-cv-00905 | (Allstate, USFLMD)
Federal Case No.: 4:21-cv-00096 | (Early, USFLND)
11th Cir. Case No.: 21-11901; 22-13587
904.294.0026 | justice.actuarial@gmail.com | www.TextBookDiscrimination.com
3709 San Pablo Rd. S. #701
Jacksonville, FL 32224
Ancient Proverb: For every wrong there is a right.

From: Justice (Actuarial) <justice.actuarial@gmail.com>
Sent: Friday, December 06, 2024 10:01 AM EST
To: 'Doud, Kimberly' <KDoud@littler.com>
cc: 'Robertson, Lauren C.' <LCRobertson@littler.com>; 'Vega, Eddie' <EVega@littler.com>; 'Filmore, Michelle' <MFilmore@littler.com>
Subject: RE: Judicial Notice (?) | 24-11336 | Makere v Allstate | Employment Discrimination | Case Numbers

Good Morning Allstate,

Eleven days have passed, but I still haven't heard back from you (regarding your position on my upcoming motion).

So, may you please let me know if you dispute the following fact:

1. The FCHR assigned case number **2017-01432** to Elias Makere's [First Charge of Discrimination \(circa 6/30/17\)](#)
 - a. please see the first attachment ([linked here](#)).

Of course, I'm sending you these facts & questions in accordance with [Rule 3.01\(g\) USFLMD](#) (*duty to confer in good faith* – persuasive authority).

Please answer before **2:00 PM EST Today (12/6/2024)**.

Thank you,

Elias Makere, FSA, MAAA | Civil Litigant
Federal Case No.: 3:20-cv-00905 | (Allstate, USFLMD)
Federal Case No.: 4:21-cv-00096 | (Early, USFLND)
11th Cir. Case No.: 21-11901; 22-13587
904.294.0026 | justice.actuarial@gmail.com | www.TextBookDiscrimination.com
3709 San Pablo Rd. S. #701
Jacksonville, FL 32224

Ancient Proverb: For every wrong there is a right.

From: Justice (Actuarial) <justice.actuarial@gmail.com>
Sent: Monday, December 09, 2024 8:01 AM EST
To: 'Doud, Kimberly' <KDoud@littler.com>
cc: 'Robertson, Lauren C.' <LCRobertson@littler.com>; 'Vega, Eddie' <EVega@littler.com>; 'Filmore, Michelle' <MFilmore@littler.com>
Subject: RE: Judicial Notice (?) | 24-11336 | Makere v Allstate | Employment Discrimination | Case Numbers

Good Morning Allstate,

2PM came & went, yet you **failed to dispute** the underlying fact (ie, that '*The FCHR assigned case number **2017-01432** to Elias Makere's [First Charge of Discrimination \(circa 6/30/17\)](#)*'). Thus, that fact has gone **undisputed**. Onwards...

May you please let me know if you dispute the following fact:

2. On September 8, 2017, you acknowledged that the FCHR assigned case number **2017-01432** to Elias Makere's [First Charge of Discrimination \(circa 6/30/17\)](#)
 - a. please see the first attachment ([linked here](#)).

Of course, I'm sending you these facts & questions in accordance with [Rule 3.01\(g\) USFLMD](#) (*duty to confer in good faith – persuasive authority*).

Please answer before **12:00 PM EST Today (12/9/2024)**.

Thank you,

Elias Makere, FSA, MAAA | Civil Litigant
Federal Case No.: 3:20-cv-00905 | (Allstate, USFLMD)
Federal Case No.: 4:21-cv-00096 | (Early, USFLND)
11th Cir. Case No.: 21-11901; 22-13587
904.294.0026 | justice.actuarial@gmail.com | www.TextBookDiscrimination.com
3709 San Pablo Rd. S. #701
Jacksonville, FL 32224

Ancient Proverb: For every wrong there is a right.

From: Justice (Actuarial) <justice.actuarial@gmail.com>
Sent: Monday, December 09, 2024 12:00 PM EST
To: 'Doud, Kimberly' <KDoud@littler.com>
cc: 'Robertson, Lauren C.' <LCRobertson@littler.com>; 'Vega, Eddie' <EVega@littler.com>;
'Filmore, Michelle' <MFilmore@littler.com>
Subject: RE: Judicial Notice (?) | 24-11336 | Makere v Allstate | Employment Discrimination | Case Numbers

Good Afternoon Allstate,

12PM came & went, yet you [once again] **failed to dispute** the underlying fact (ie, that '*On September 8, 2017, you acknowledged that the FCHR assigned case number **2017-01432** to Elias Makere's [First Charge of Discrimination \(circa 6/30/17\)](#)*'). Thus, that fact has gone **undisputed**. Onwards...

May you please let me know if you dispute the following fact:

3. The FCHR assigned case number **2019-19238** to Elias Makere's [Second Charge of Discrimination \(circa 4/10/19\)](#)
 - a. please see the first attachment ([linked here](#)).

Of course, I'm sending you these facts & questions in accordance with [Rule 3.01\(g\) USFLMD](#) (*duty to confer in good faith* – persuasive authority).

Please answer before **5:00 PM EST Today (12/9/2024)**.

Thank you,

Elias Makere, FSA, MAAA | Civil Litigant
Federal Case No.: 3:20-cv-00905 | (Allstate, USFLMD)
Federal Case No.: 4:21-cv-00096 | (Early, USFLND)
11th Cir. Case No.: 21-11901; 22-13587
904.294.0026 | justice.actuarial@gmail.com | www.TextBookDiscrimination.com
3709 San Pablo Rd. S. #701
Jacksonville, FL 32224

Ancient Proverb: For every wrong there is a right.

From: Justice (Actuarial) <justice.actuarial@gmail.com>
Sent: Friday, December 13, 2024 12:30:43 PM EST
To: 'Doud, Kimberly' <KDoud@littler.com>
cc: 'Robertson, Lauren C.' <LCRobertson@littler.com>; 'Vega, Eddie' <EVega@littler.com>; 'Filmore, Michelle' <MFilmore@littler.com>
Subject: RE: Judicial Notice (?) | 24-11336 | Makere v Allstate | Employment Discrimination | Case Numbers

Good Afternoon Allstate,

5PM came & went, yet you [once again] **failed to dispute** the underlying fact (ie, that *'The FCHR assigned case number 2019-19238 to Elias Makere's [Second Charge of Discrimination \(circa 4/10/19\)](#)'*). Thus, that fact has gone **undisputed**. Onwards...

May you please let me know if you dispute the following fact:

4. On May 3, 2019, an attorney filed a Notice of Appearance for Elias Makere's [First Charge of Discrimination \(circa 6/30/17\)](#) (ie, FCHR Case Number **2017-01432**)
 - a. please see the first attachment ([linked here](#)).

Of course, I'm sending you these facts & questions in accordance with [Rule 3.01\(g\) USFLMD](#) (*duty to confer in good faith – persuasive authority*).

Additional Authorities:

Please [also] confer these additional authorities:

- [Addendum 8, 11th Circuit Local Rules](#)
 - ie *the Court's inherent power to discipline attorneys for misconduct/dishonesty*
- [Rule 3-4.3 RRTFB | Misconduct and Minor Misconduct](#)
 - *"The commission by a lawyer of any act that is unlawful or contrary to honesty and justice may constitute a cause for discipline whether the act is committed in the course of the lawyer's relations as a lawyer or otherwise, whether committed within Florida or outside the state of Florida, and whether the act is a felony or a misdemeanor."*
 - Also see [Rule 3-5.1 RRTFB](#), [Chapter 4 RRTFB](#), etc.

These additional authorities deal with the ramifications that your attorneys will face. Ramifications, of course, for carrying out your bidding. Bidding, of course, which is centered around [your rampant perjury/dishonesty/misconduct](#). In other words, my upcoming motion will also be used **to hold your attorneys accountable** (ie, *Kimberly-Doud-0523771, Lauren-Robertson-1024845*, etc.). Please let me know if you have any questions about that.

Please answer before **4:00 PM EST Today (12/13/2024)**.

Thank you,

Elias Makere, FSA, MAAA | Civil Litigant
Federal Case No.: 3:20-cv-00905 | (Allstate, USFLMD)
Federal Case No.: 4:21-cv-00096 | (Early, USFLND)
11th Cir. Case No.: 21-11901; 22-13587

904.294.0026 | justice.actuarial@gmail.com | www.TextBookDiscrimination.com
3709 San Pablo Rd. S. #701
Jacksonville, FL 32224

Ancient Proverb: For every wrong there is a right.

From: Robertson, Lauren C. <LCRobertson@littler.com>
Sent: Friday, December 13, 2024 12:58 PM EST
To: Justice (Actuarial) <justice.actuarial@gmail.com>; Doud, Kimberly <KDoud@littler.com>
cc: Vega, Eddie <EVega@littler.com>; Filmore, Michelle <MFilmore@littler.com>
Subject: RE: Judicial Notice (?) | 24-11336 | Makere v Allstate | Employment Discrimination | Case Numbers

Allstate opposes your motion for the same reasons asserted in our prior responses and for which the Court denied your two previously filed motions for judicial notice.

Regards,
Lauren

Lauren C. Robertson

Associate | Littler

407.393.2928 direct, 305.496.9749 mobile

LCRobertson@littler.com

111 N Orange Ave, Suite 1750, Orlando, FL 32801

From: Justice (Actuarial) <justice.actuarial@gmail.com>
Sent: Friday, December 13, 2024 1:16 PM EST
To: 'Doud, Kimberly' <KDoud@littler.com>
cc: 'Robertson, Lauren C.' <LCRobertson@littler.com>; 'Vega, Eddie' <EVega@littler.com>; 'Filmore, Michelle' <MFilmore@littler.com>
Subject: RE: Judicial Notice (?) | 24-11336 | Makere v Allstate | Employment Discrimination | Case Numbers

Good Afternoon Allstate,

As mentioned before, my conferral with you goes beyond this immediate case. My conferral also deals with your attorneys' culpability; please see the following authorities:

- [Addendum 8, 11th Circuit Local Rules](#)
 - ie the Court's inherent power to discipline attorneys for misconduct/dishonesty
- [Rule 3-4.3 RRTFB | Misconduct and Minor Misconduct](#)
 - "The commission by a lawyer of any act that is unlawful or contrary to honesty and justice may constitute a cause for discipline whether the act is committed in the course of the lawyer's relations as a lawyer or otherwise, whether committed within Florida or outside the state of Florida, and whether the act is a felony or a misdemeanor."
 - Also see [Rule 3-5.1 RRTFB](#), [Chapter 4 RRTFB](#), etc.

These additional authorities deal with the ramifications that your attorneys will face. Ramifications, of course, for carrying out your bidding. Bidding, of course, which is centered around [your rampant perjury/dishonesty/misconduct](#). In other words, my upcoming motion will also be used **to hold your attorneys accountable** (ie, *Kimberly-Doud-0523771, Lauren-Robertson-1024845*, etc.). Please let me know if you have any questions about that.

Moreover, you haven't disputed the fact . For the sake of convenience, I've repeated it here:

4. On May 3, 2019, an attorney filed a Notice of Appearance for Elias Makere's [First Charge of Discrimination \(circa 6/30/17\)](#) (ie, FCHR Case Number **2017-01432**)
 - a. please see the first attachment ([linked here](#)).

May you please let me know if you dispute that fact (↑)?

As before, please answer before **4:00 PM EST Today (12/13/2024)**.

Thank you,

Elias Makere, FSA, MAAA | Civil Litigant
Federal Case No.: 3:20-cv-00905 | (Allstate, USFLMD)
Federal Case No.: 4:21-cv-00096 | (Early, USFLND)
11th Cir. Case No.: 21-11901; 22-13587
904.294.0026 | justice.actuarial@gmail.com | www.TextBookDiscrimination.com
3709 San Pablo Rd. S. #701
Jacksonville, FL 32224

Ancient Proverb: For every wrong there is a right

From: Justice (Actuarial) <justice.actuarial@gmail.com>
Sent: Friday, December 13, 2024 4:01 PM EST
To: 'Doud, Kimberly' <KDoud@littler.com>
cc: 'Robertson, Lauren C.' <LCRobertson@littler.com>; 'Vega, Eddie' <EVega@littler.com>; 'Filmore, Michelle' <MFilmore@littler.com>
Subject: RE: Judicial Notice (?) | 24-11336 | Makere v Allstate | Employment Discrimination | Case Numbers

Hello [Again] Allstate,

4PM came & went, yet you [once again] **failed to dispute** the underlying fact (ie, that 'On May 3, 2019, an attorney filed a Notice of Appearance for Elias Makere's [First Charge of Discrimination \(circa 6/30/17\)](#) (ie, FCHR Case Number **2017-01432**)'). Thus, that fact has gone **undisputed**. Onwards...

May you please let me know if you dispute the following fact:

5. On May 16, 2019, you acknowledged that 2019-19238 was the case number that the FCHR assigned to Elias Makere's [Second Charge of Discrimination \(circa 4/10/19\)](#)
 - a. please see the first attachment ([linked here](#)).

Of course, I'm sending you these facts & questions in accordance with [Rule 3.01\(g\) USFLMD](#) (duty to confer in good faith – persuasive authority). Please [also] confer these additional authorities:

Additional Authorities:

- [Addendum 8, 11th Circuit Local Rules](#)
 - ie the Court's inherent power to discipline attorneys for misconduct/dishonesty
- [Rule 3-4.3 RRTFB | Misconduct and Minor Misconduct](#)
 - "The commission by a lawyer of any act that is unlawful or contrary to honesty and justice may constitute a cause for discipline whether the act is committed in the course of the lawyer's relations as a lawyer or otherwise, whether committed within Florida or outside the state of Florida, and whether the act is a felony or a misdemeanor."
 - Also see [Rule 3-5.1 RRTFB](#), [Chapter 4 RRTFB](#), etc.

These additional authorities deal with the ramifications that your attorneys will face. Ramifications, of course, for carrying out your bidding. Bidding, of course, which is centered around [your rampant perjury/dishonesty/misconduct](#). In other words, my upcoming motion will also be used **to hold your attorneys accountable** (ie, Kimberly-Doud-0523771, Lauren-Robertson-1024845, etc.). Please let me know if you have any questions about that.

Please answer before **12:00 PM EST on Monday (12/16/2024)**.

Thank you,

Elias Makere, FSA, MAAA | Civil Litigant
Federal Case No.: 3:20-cv-00905 | (Allstate, USFLMD)
Federal Case No.: 4:21-cv-00096 | (Early, USFLND)
11th Cir. Case No.: 21-11901; 22-13587
904.294.0026 | justice.actuarial@gmail.com | www.TextBookDiscrimination.com
3709 San Pablo Rd. S. #701
Jacksonville, FL 32224
Ancient Proverb: For every wrong there is a right.

From: Justice (Actuarial) <justice.actuarial@gmail.com>
Sent: Monday, December 16, 2024 12:01 PM EST
To: 'Doud, Kimberly' <KDoud@littler.com>
cc: 'Robertson, Lauren C.' <LCRobertson@littler.com>; 'Vega, Eddie' <EVega@littler.com>; 'Filmore, Michelle' <MFilmore@littler.com>
Subject: RE: Judicial Notice (?) | 24-11336 | Makere v Allstate | Employment Discrimination | Case Numbers

Good Afternoon Allstate,

12PM came & went, yet you [once again] **failed to dispute** the underlying fact (ie, that 'On May 16, 2019, you acknowledged that 2019-19238 was the case number that the FCHR assigned to Elias Makere's [Second Charge of Discrimination \(circa 4/10/19\)](#)'). Thus, that fact has gone **undisputed**.
Onwards...

May you please let me know if you dispute the following fact:

6. On October 30, 2023, you claimed that Elias Makere had an attorney for his [Second Charge of Discrimination \(circa 4/10/19\)](#) (ie, FCHR Case Number **2019-19238**)
 - a. please see the first attachment ([linked here](#)).

Of course, I'm sending you these facts & questions in accordance with [Rule 3.01\(g\) USFLMD](#) (duty to confer in good faith – persuasive authority).

Additional Authorities:

Please [also] confer these additional authorities:

- [Addendum 8, 11th Circuit Local Rules](#)
 - ie the Court's inherent power to discipline attorneys for misconduct/dishonesty
- [Rule 3-4.3 RRTFB | Misconduct and Minor Misconduct](#)
 - "The commission by a lawyer of any act that is unlawful or contrary to honesty and justice may constitute a cause for discipline whether the act is committed in the course of the lawyer's relations as a lawyer or otherwise, whether committed within Florida or outside the state of Florida, and whether the act is a felony or a misdemeanor."
 - Also see [Rule 3-5.1 RRTFB](#), [Chapter 4 RRTFB](#), etc.

These additional authorities deal with the ramifications that your attorneys will face. Ramifications, of course, for carrying out your bidding. Bidding, of course, which is centered around [your rampant perjury/dishonesty/misconduct](#). In other words, my upcoming motion will also be used **to hold your attorneys accountable** (ie, Kimberly-Doud-0523771, Lauren-Robertson-1024845, etc.). Please let me know if you have any questions about that.

Please answer before **4:00 PM EST Today (12/16/2024)**.

Thank you,

Elias Makere, FSA, MAAA | Civil Litigant

Federal Case No.: 3:20-cv-00905 | (Allstate, USFLMD)

Federal Case No.: 4:21-cv-00096 | (Early, USFLND)

11th Cir. Case No.: 21-11901; 22-13587

904.294.0026 | justice.actuarial@gmail.com | www.TextBookDiscrimination.com

3709 San Pablo Rd. S. #701

Jacksonville, FL 32224

Ancient Proverb: For every wrong there is a right.

From: Robertson, Lauren C. <LCRobertson@littler.com>
Sent: Monday, December 16, 2024 1:01 PM EST
To: Justice (Actuarial) <justice.actuarial@gmail.com>; Doud, Kimberly <KDoud@littler.com>
cc: Vega, Eddie <EVega@littler.com>; Filmore, Michelle <MFilmore@littler.com>
Subject: RE: Judicial Notice (?) | 24-11336 | Makere v Allstate | Employment Discrimination | Case Numbers

Mr. Makere,

Allstate opposes your motion for the reasons already stated. The motion is frivolous and unnecessary. Allstate will be filing a motion for determination of frivolous appeal with its Answer Brief today and pursuant to Rule 38, Federal Appellate Rules of Procedure. Please confirm if we should represent to the Court this motion is opposed by you by 5:00 p.m. EST.

Regards,
Lauren

Lauren C. Robertson
Associate
407.393.2928 direct, 305.496.9749 mobile
LCRobertson@littler.com



Fueled by ingenuity. Inspired by you.

Labor & Employment Law Solutions | Local Everywhere
111 N Orange Ave, Suite 1750, Orlando, FL 32801

From: Justice (Actuarial) <justice.actuarial@gmail.com>
Sent: Monday, December 16, 2024 2:01 PM EST
To: 'Doud, Kimberly' <KDoud@littler.com>
cc: 'Robertson, Lauren C.' <LCRobertson@littler.com>; 'Vega, Eddie' <EVega@littler.com>; 'Filmore, Michelle' <MFilmore@littler.com>
Subject: RE: Judicial Notice (?) | 24-11336 | Makere v Allstate | Employment Discrimination | Case Numbers

Good Afternoon Allstate,

You have [still/once-again] failed to dispute the underlying fact (ie, that *'On October 30, 2023, you claimed that Elias Makere had an attorney for his [Second Charge of Discrimination \(circa 4/10/19\)](#) (ie, FCHR Case Number **2019-19238**)'*). I've given you until **4:00 PM EST Today (12/16/2024)** to directly dispute that fact.

Please keep in mind that – so far – you've failed to dispute all of these underlying facts (pointing to **your ongoing/imminent perjury**):

#	Undisputed Fact	Link
1	The FCHR assigned case number 2017-01432 to Elias Makere's First Charge of Discrimination (circa 6/30/17)	0q_A_FirstCharge.pdf
2	On September 8, 2017, you acknowledged that the FCHR assigned case number 2017-01432 to Elias Makere's First Charge of Discrimination (circa 6/30/17)	0q_B_FirstResponse.pdf
3	The FCHR assigned case number 2019-19238 to Elias Makere's Second Charge of Discrimination (circa 4/10/19)	0q_C_COA-SecondCharge.pdf
4	On May 3, 2019, an attorney filed a Notice of Appearance for Elias Makere's First Charge of Discrimination (circa 6/30/17) (ie, FCHR Case Number 2017-01432)	0q_D_NOA-FirstCharge.pdf
5	On May 16, 2019, you acknowledged that 2019-19238 was the case number that the FCHR assigned to Elias Makere's Second Charge of Discrimination (circa 4/10/19)	0q_E_NOA-SecondCharge.pdf
6	On October 30, 2023, you claimed that Elias Makere had an attorney for his Second Charge of Discrimination (circa 4/10/19) (ie, FCHR Case Number 2019-19238)	0q_F_GMOT-FalseClaim.pdf

Of course, I've been sending you these facts & questions in accordance with [Rule 3.01\(g\) USFLMD](#) (*duty to confer in good faith* – persuasive authority). Please [also] confer the [aforementioned] authorities regarding the culpability of your attorneys (eg, [Addendum 8, 11th Circuit Local Rules](#); [Rule 3-4.3 RRTFB | Misconduct and Minor Misconduct](#); [Rule 3-5.1 RRTFB](#), [Chapter 4 RRTFB](#)).

So, may you please let me know – by **4:00 PM EST Today (12/16/2024)** – if you have any direct disputes to any of these facts.

Thank you,

Elias Makere, FSA, MAAA | Civil Litigant
Federal Case No.: 3:20-cv-00905 | (Allstate, USFLMD)
Federal Case No.: 4:21-cv-00096 | (Early, USFLND)
11th Cir. Case No.: 21-11901; 22-13587
904.294.0026 | justice.actuarial@gmail.com | www.TextBookDiscrimination.com
3709 San Pablo Rd. S. #701
Jacksonville, FL 32224

Ancient Proverb: For every wrong there is a right.

From: Justice (Actuarial) <justice.actuarial@gmail.com>
Sent: Monday, December 16, 2024 4:02 PM EST
To: 'Doud, Kimberly' <KDoud@littler.com>
cc: 'Robertson, Lauren C.' <LCRobertson@littler.com>; 'Vega, Eddie' <EVega@littler.com>; 'Filmore, Michelle' <MFilmore@littler.com>
Subject: RE: Judicial Notice (?) | 24-11336 | Makere v Allstate | Employment Discrimination | Case Numbers

Good Afternoon Allstate,

4PM came & went (once again), yet you [once again] **failed to [directly] dispute** the underlying fact (ie, that 'On October 30, 2023, you claimed that Elias Makere had an attorney for his [Second Charge of Discrimination \(circa 4/10/19\)](#) (ie, FCHR Case Number **2019-19238**)'). Thus, that fact has [once again] gone **undisputed**.

In summary, you've failed to [directly] dispute all of these underlying facts (pointing to **your ongoing/imminent perjury**):

#	<u>Undisputed Fact</u>	<u>Link</u>
1	The FCHR assigned case number 2017-01432 to Elias Makere's First Charge of Discrimination (circa 6/30/17)	0q_A_FirstCharge.pdf
2	On September 8, 2017, you acknowledged that the FCHR assigned case number 2017-01432 to Elias Makere's First Charge of Discrimination (circa 6/30/17)	0q_B_FirstResponse.pdf
3	The FCHR assigned case number 2019-19238 to Elias Makere's Second Charge of Discrimination (circa 4/10/19)	0q_C_COA-SecondCharge.pdf
4	On May 3, 2019, an attorney filed a Notice of Appearance for Elias Makere's First Charge of Discrimination (circa 6/30/17) (ie, FCHR Case Number 2017-01432)	0q_D_NOA-FirstCharge.pdf
5	On May 16, 2019, you acknowledged that 2019-19238 was the case number that the FCHR assigned to Elias Makere's Second Charge of Discrimination (circa 4/10/19)	0q_E_NOA-SecondCharge.pdf
6	On October 30, 2023, you claimed that Elias Makere had an attorney for his Second Charge of Discrimination (circa 4/10/19) (ie, FCHR Case Number 2019-19238)	0q_F_GMOT-FalseClaim.pdf

Of course, I'm sending you these facts & questions in accordance with [Rule 3.01\(g\) USFLMD](#) (*duty to confer in good faith* – persuasive authority). Please [also] confer the [aforementioned] authorities regarding the culpability of your attorneys (eg, [Addendum 8, 11th Circuit Local Rules](#); [Rule 3-4.3 RRTFB | Misconduct and Minor Misconduct](#); [Rule 3-5.1 RRTFB](#), [Chapter 4 RRTFB](#)).

Therefore, I'll be moving forward; and doing so – notably – on the basis that you haven't disputed any of these [indisputable] facts.

Please govern yourself accordingly.

Thank you,

Elias Makere, FSA, MAAA | Civil Litigant

Federal Case No.: 3:20-cv-00905 | (Allstate, USFLMD)

Federal Case No.: 4:21-cv-00096 | (Early, USFLND)

11th Cir. Case No.: 21-11901; 22-13587

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cc: 'Robertson, Lauren C.' <LCRobertson@littler.com>; 'Vega, Eddie' <EVega@littler.com>;
'Filmore, Michelle' <MFilmore@littler.com>
Subject: RE: Judicial Notice (?) | 24-11336 | Makere v Allstate | Employment Discrimination | Case Numbers

Good Afternoon Allstate,

Do you dispute that the linked document is **a true & correct copy** of *Elias Makere's* [Second Charge of Discrimination \(circa 4/10/19\)](#) (ie, FCHR Case Number **2019-19238**)?

Plaintiff's/Appellant's Second Charge of Employment Discrimination (4/10/19)	TextBookDiscrimination.com/Files/CA11/0o_A_FullCharge.pdf
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Pursuant to [Rules 201/301/302 Fed.R.Evid.](#) (also see [§90 FS](#)), the Court must have record of your knowledge of the undisputed fact(s).

Please let me know before **12:00 PM EST tomorrow (12/17/24)**.

Thank you,

Elias Makere, FSA, MAAA | Civil Litigant
Federal Case No.: 3:20-cv-00905 | (Allstate, USFLMD)
Federal Case No.: 4:21-cv-00096 | (Early, USFLND)
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