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Background: Plaintiff filed discrimination charges in a state agency
Problem: That document is not on the docket
Request: This Court takes judicial notice of the state agency charge

Rule 201 | Fed. R. Evid. | Judicial Notice

"(b) KINDS OF FACTS THAT MAY BE JUDICIALLY NOTICED. The court may judicially notice a fact that...

(2) can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned.

(f) INSTRUCTING THE JURY. In a civil case, the court must instruct the jury to accept the noticed fact as conclusive..."

Rule 402 | Fed. R. Evid. | General Admissibility of Relevant Evidence

"Relevant evidence is admissible unless [prohibited by law]"

§90.202 FS | Matters Which May Be Judicially Noticed (emphasis added)

"A court may take judicial notice of the following matters, to the extent that they are not embraced within s. 90.201:

(5) Official actions of the legislative, executive, and judicial departments of the United States and of any state, territory, or jurisdiction of the United States."

Precedence

- 5:20-cv-00332-SPC-PRL - USFLWD (12/7/20)
USFLMD recently granted a motion for judicial notice

Abbreviations

DOAH	- Division of Administrative Hearings
FAC ^{1/}	- Florida Administrative Code
FCHR	- Florida Commission on Human Relations
FS	- Florida Statute
USFLMD	- US District Court, Florida, Middle District

MOTION**I. Background History**

1. On April 10, 2019, Plaintiff sent the FCHR his employment discrimination complaint via email (please see **Exhibit A**).
2. The first attachment was EEOC Form 5.
3. The second was a document detailing his complaint. Which the FCHR received immediately; blessing it with a 2:35PM timestamp (**Exhibit B**).

II. Relevant, Adjudicative Facts

4. EVENT 310 ("*Extended Retaliation*") of Plaintiff's complaint detailed the series of attacks that a non-party individual^{2/} took out on Plaintiff. Attacks, importantly, which were committed at the behest of Defendant (see Page 47 Exh. B). Plaintiff summarized it as follows:

"In short, a non-party individual threatened and zealously harassed [Plaintiff]. [Plaintiff] long believed that [Defendant] was behind it. And now [Plaintiff] has proof"

5. EVENT 310 concluded by pointing to the corroborating "hard evidence" obtained (emails from Defendant, etc.)
6. EVENT 311 ("*Lethal Retaliation*") of Plaintiff's complaint detailed the near-fatal events that took place while he was litigating his discrimination complaint in a state administrative tribunal (DOAH).
7. Likewise, EVENT 311 concluded by mentioning the "hard evidence" that substantiated the attacks (crash report).

III. Legal Analysis

8. Acceptance of this document is two-fold.

9. First, the document will show that the state agency (ie, the FCHR) received Plaintiff's complaint on April 10, 2019.

a. Pursuant to Rule 60Y-5.001(3) FAC, the date of receipt was the date the agency *actually* received it (emphasis added):

"(3) Place and Date of Filing. A complaint may be filed at the office of the Commission. The date of filing shall be the date of actual receipt of the complaint by the Clerk or other agent of the Commission."

Thus - by virtue of its timestamp - the FCHR officially received Plaintiff's complaint at 2:35PM on April 10, 2019.

b. Moreover, Rule 60Y-5.001(5)&(6) rendered the document a complaint in-and-of-itself (emphasis added):

"(5) Form. The complaint must be in writing and shall be signed by the complainant."

(6) Contents.

(a) The complaint should contain the following information:

- 1. The name, address and telephone number of the person filing the complaint;*
- 2. The name, address and telephone number of the respondent;"*

In the instant case, Plaintiff's charge was in writing, was signed (see Page 116 Exh. B), contained his contact information (Id. Page 1), had the contact information for Defendant (Id. 116), and was acknowledged by Defendant (Id. 117).

c. Thus, the FCHR's own rules certified Plaintiff's complaint as being received on April 10, 2019.

10. Secondly, the document will provide the substantive facts & allegations behind Plaintiff's federal complaint.

- a. In terms of Plaintiff's **race** discrimination charge (42 USC §1981, 42 USC §2000e, §760.11 FS)^{3/}, it details a variety of violations (including but not limited to: "*Managerial Threats*", "*Corrupt Termination*", "*Racial Double Standards in the Actuarial Department*", "*Racist Dolls*", etc.)
- b. Secondly, in terms of Plaintiff's **sex** discrimination charge (42 USC §2000e, §760.11 FS), it describes a number of unlawful acts (including but not limited to: "*Coercion*", "*Managerial Requests for Dinner-&a-Movie*", "*Blatant Sexual Discrimination*", etc.).
- c. Plus, in terms of Plaintiff's **retaliation** charge (42 USC §1981, 42 USC §2000e, §760.11 FS), it recounts several abuses (including but not limited to: "*Managerial Threats*", "*Physical Threats*", "*Coercion*", "*Continued Retaliation*", "*Lethal Retaliation*", etc.)

11. Plaintiff contends that these two points present a compelling reason for judicial notice because:

- (1) the document is a **public record** (please see Menominee Indian Tribe v Thompson, 161 F.3d 449 (7th Cir. 1998);
- (2) stamped, administrative complaints are "*official actions [of an executive agency]*" (please accord §90.202(5) FS); and
- (3) it is **relevant** (please see Rule 402 Fed. R. Evid.)

CONFERRAL

On February 8, 2021, Defendant told Plaintiff (via email) that it opposed this motion. Plaintiff followed up via email and phone (citing Rules 2.04(h) and 3.01(g) *Local Rules of Court - USFLMD*), but to no avail. He even stated that he was willing to rescind this motion for good cause; but that he would file by noon (today).

As of 12pm EST, Defendant has not presented Plaintiff with any reason to deny this motion.

CONCLUSION

WHEREFORE, Plaintiff respectfully asks this Honorable Court to take judicial notice of Plaintiff's Full Administrative Complaint. Plaintiff also asks this Honorable Court to await his upcoming 'Amended Complaint' (filed on-or-before 2/26/2021).

Dated this 9th day of February 2021.

Respectfully submitted,

/s/ Elias Makere

ELIAS MAKERE, FSA, MAAA, Plaintiff

3709 San Pablo Rd. S # 701

Jacksonville, FL 32224

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 Times New Roman 14-point Font (caption) and Courier New 12-point Font (contents); thus complying with the font requirements of Local Rule 1.05(a).

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9th day of January 2021, I electronically filed the foregoing with the Clerk of Courts by using its online filing page. I also emailed it to the attached service list.

/s/ Elias Makere

Endnotes:

^{1/} FACs are the regulations/rules that state agencies make in Florida (please see www.FLRules.org)
^{2/} Non-Party Individual = PERSON 407 (Mr. Kirk W. Higgins)

^{3/} Although, Plaintiff has not yet attached Title VII (ie 42 USC §2000e) he has been preparing to do so.

SERVICE LIST

Kimberly J. Doud, Esquire (0523771)
Heather A. Johnson, Esquire (*pro hac vice*)
Michele A. Ramos, Esquire (1008119)

E: kdoud@littler.com
E: hajohnson@littler.com
E: mramos@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)

EXHIBIT A

Plaintiff's Submission of Administrative Complaint
(pursuant to 60Y-5.001 FAC)

Email

4/10/2019

From: justice.actuarial@gmail.com
Sent: Wednesday, April 10, 2019, 8:00 AM
To: fchrinfo@fchr.myflorida.com
Subject: Complaint | Employment Discrimination | Makere v Allstate

Good Morning FCHR,

May you please investigate my employment discrimination complaint against Allstate Insurance Company?

Thank you,

Elias Makere, Complainant
904.294.0026 | justice.actuarial@gmail.com
3709 San Pablo Rd. S. #701
Jacksonville, FL 32224

EXHIBIT B

Plaintiff's "Full Administrative Complaint"

Certified/Stamped by State Agency (the FCHR)

4/10/2019

Note: this is the **second attachment** from Plaintiff's email (**Exhibit A**)

Elias Makere, Complainant
3709 San Pablo Rd. S #701
Jacksonville, FL 32224

Phone: 904.294.0026
Fax:
Email: justice.actuarial@gmail.com

MAKERE
V
ALLSTATE

COMPLAINT ATTACHMENT

Employment Discrimination (Race, Sex, Retaliation)

Here is the attachment to the employment discrimination complaint.

Petitioner: Elias Makere
Dates: November 2013 – July 2018
Race: Black
Sex: Male
Retaliation: Yes

RECEIVED
FLORIDA COMMISSION ON
HUMAN RELATIONS
2019 APR 10 PM 2:35

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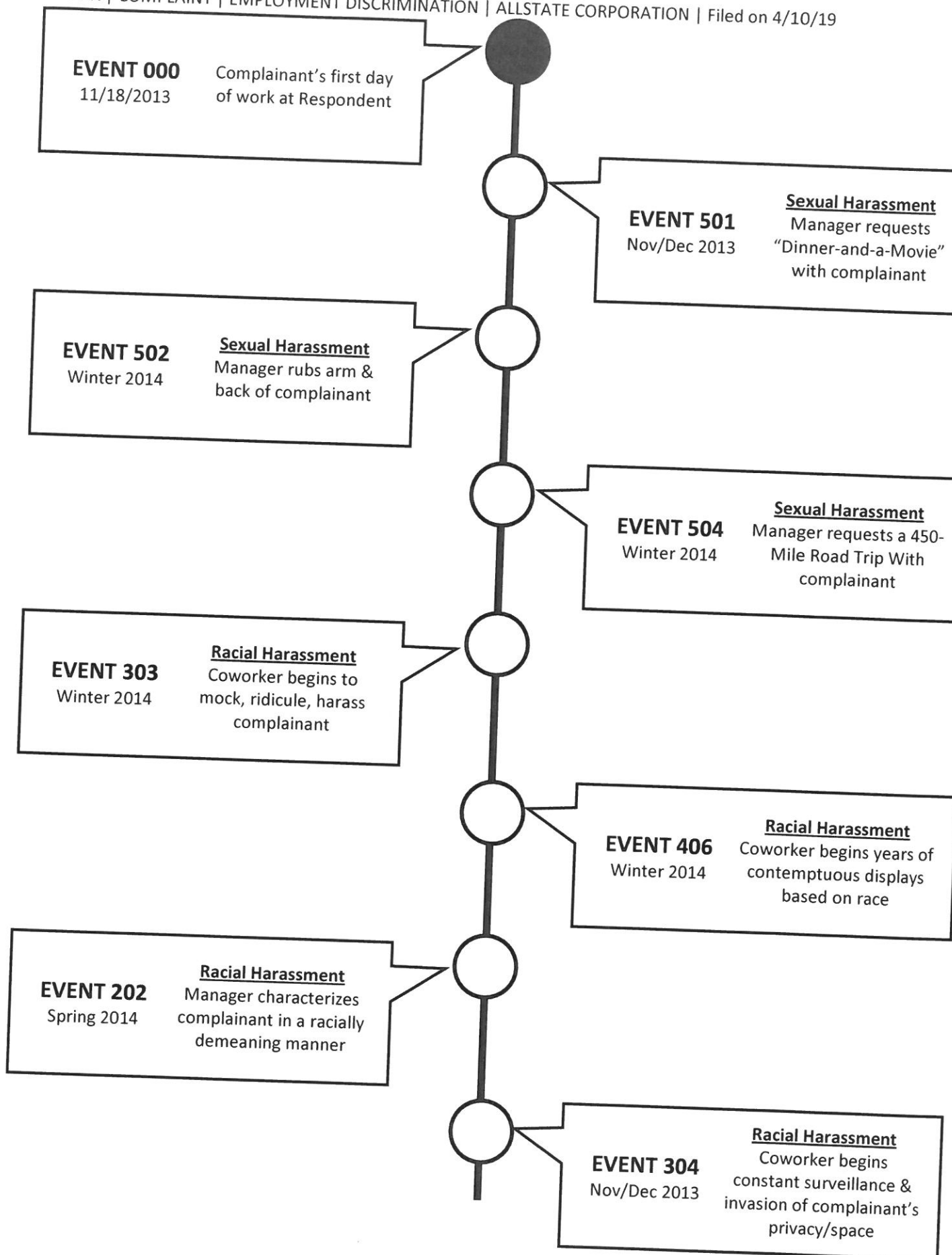
PART 1: TIMELINE	
<u>SECTION I: Timeline</u>	<u>PAGE 3</u>
PART 2: EVENTS	
<u>SECTION I: Discrimination & Harassment</u>	<u>PAGE 10</u>
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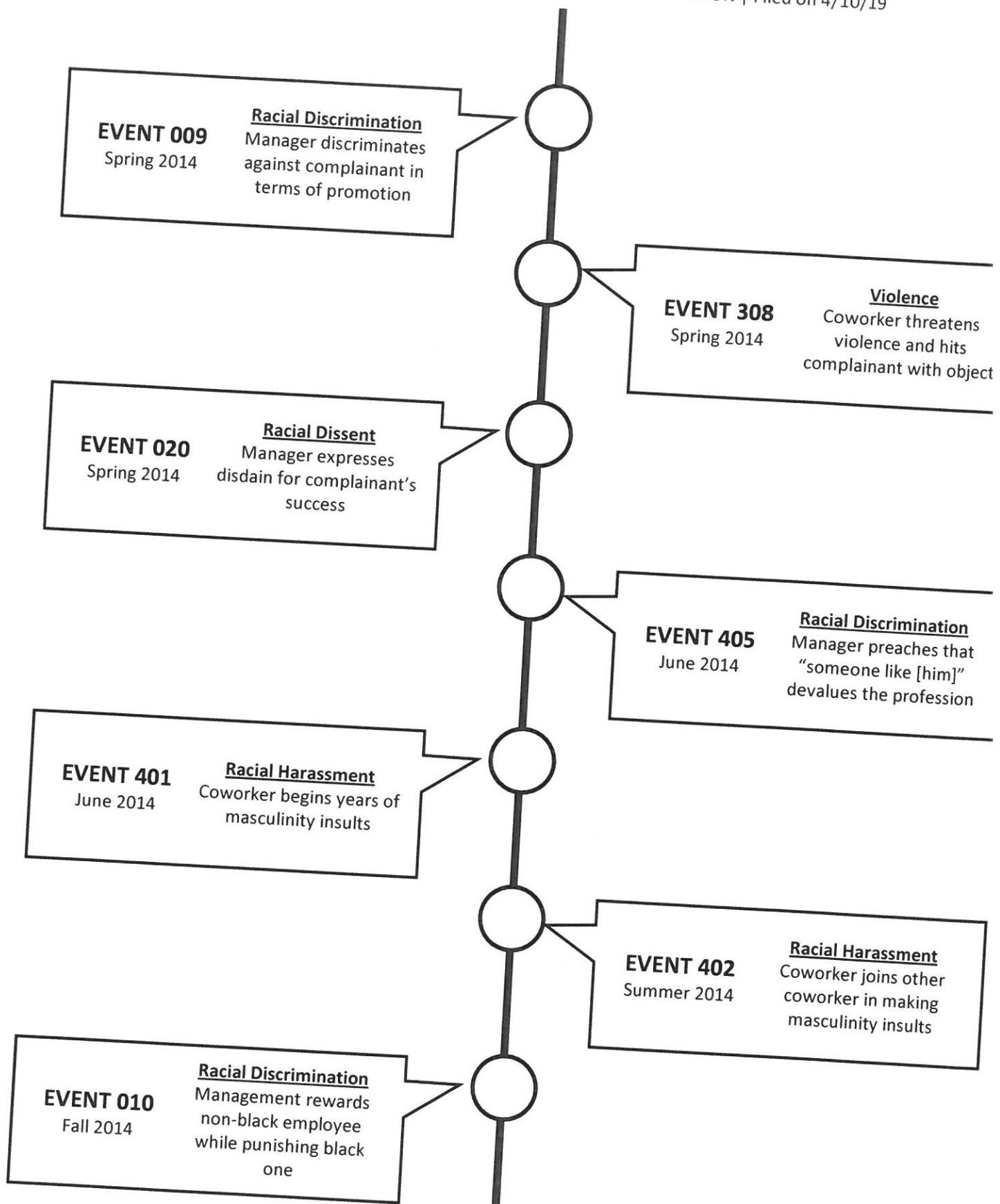
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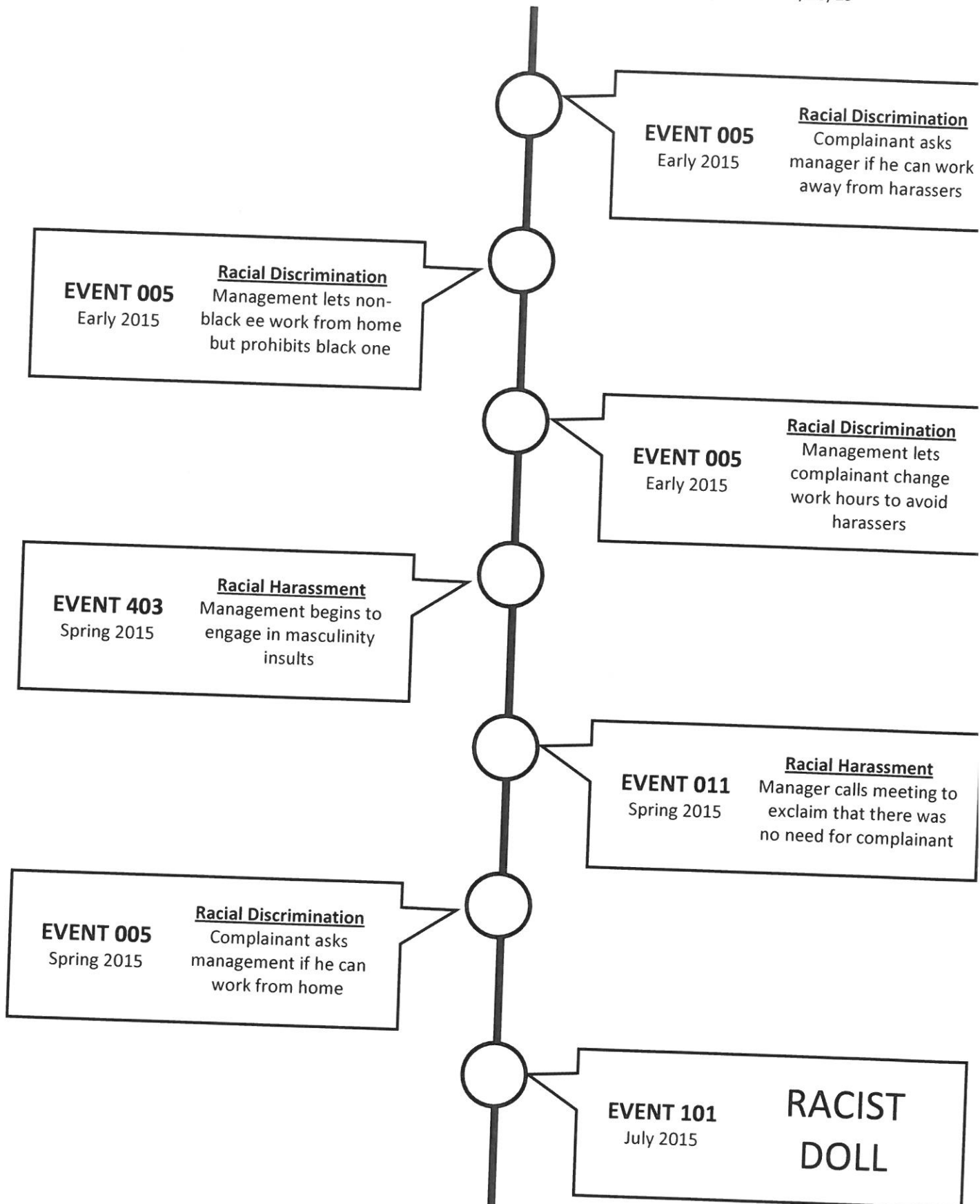
This section chronologically summarizes the events of Racial Discrimination, Racial Harassment, Sexual Discrimination, and Sexual Harassment that were carried out by Allstate. The purpose is to help familiarize you with the case

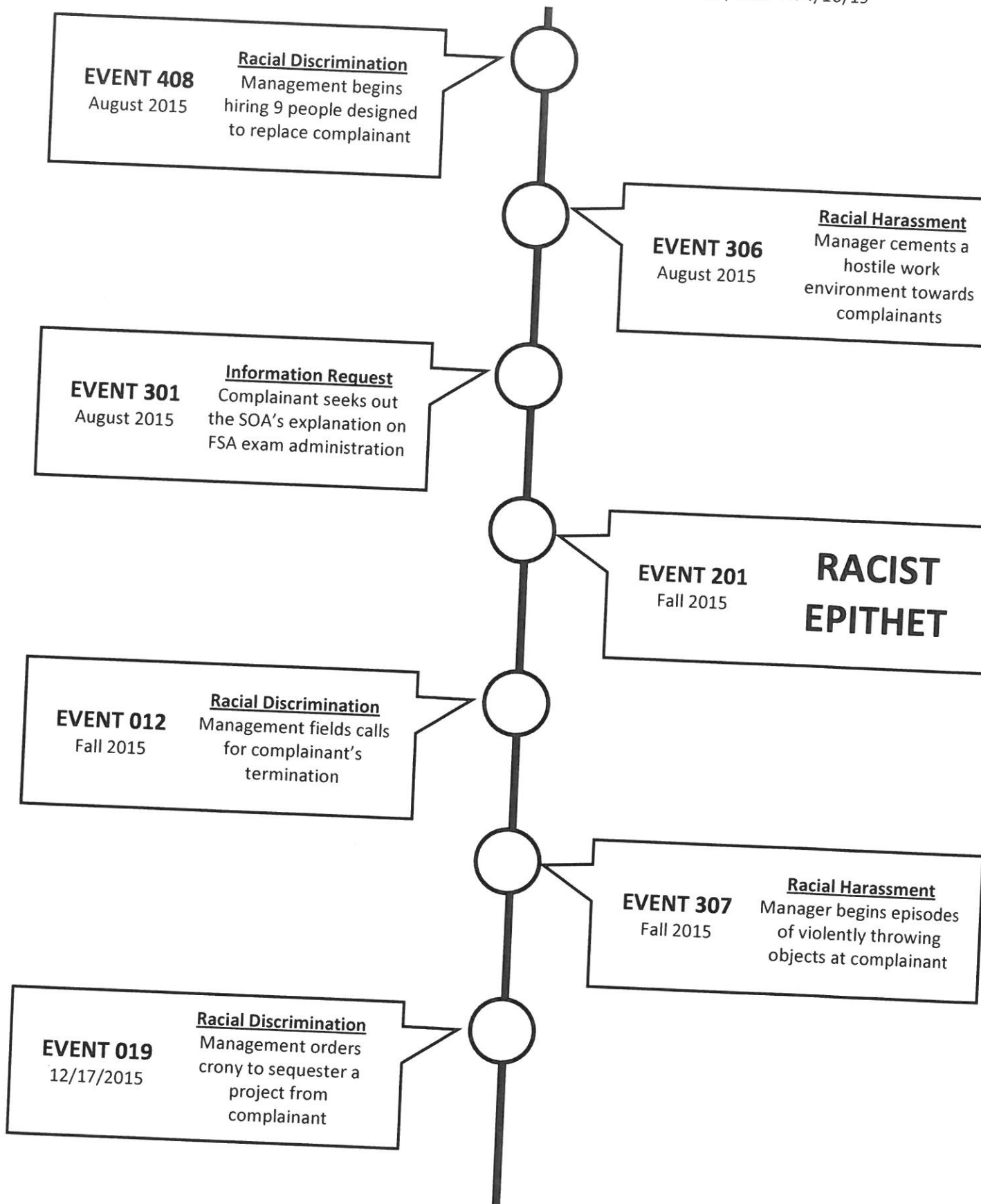
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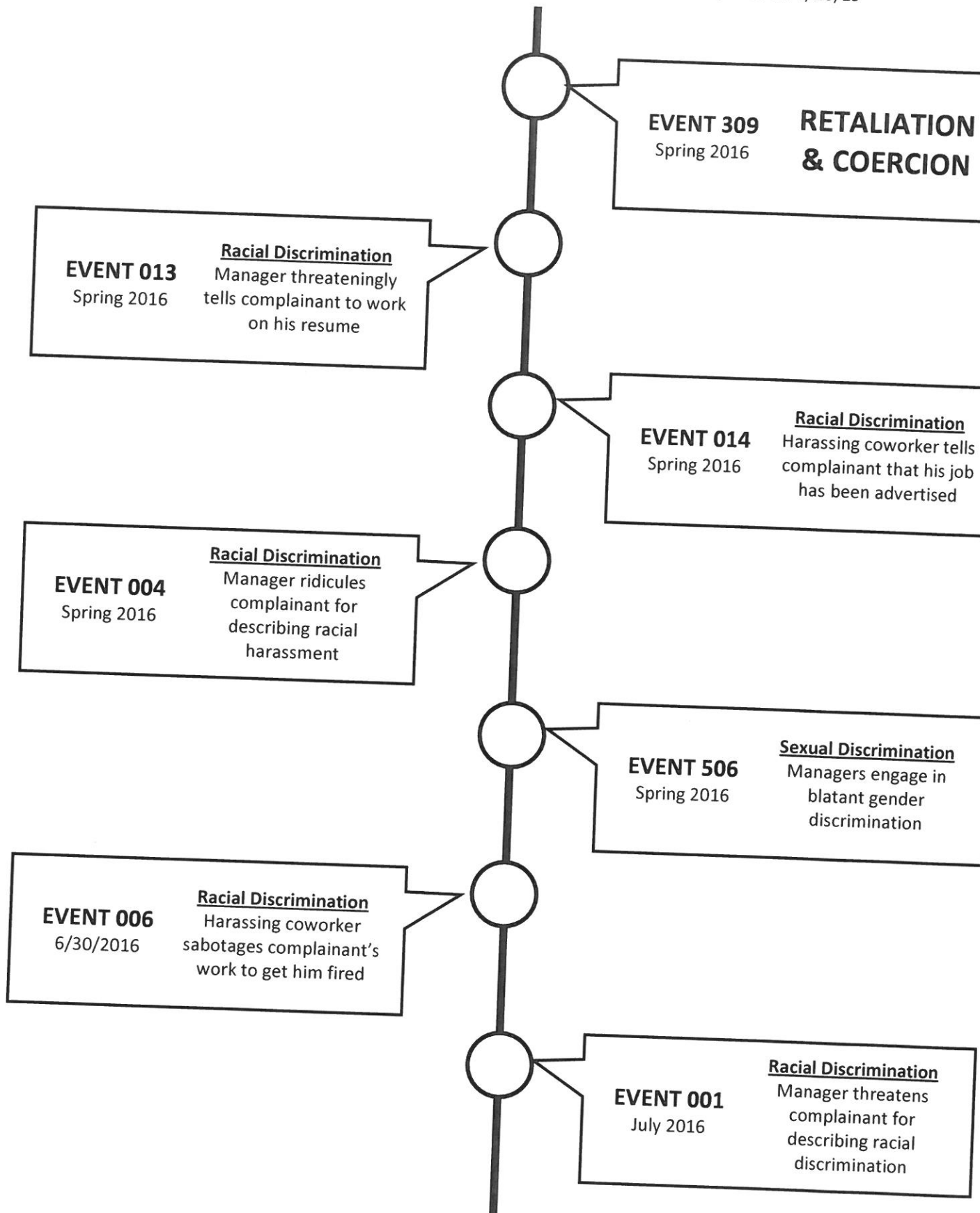
PAGE 4

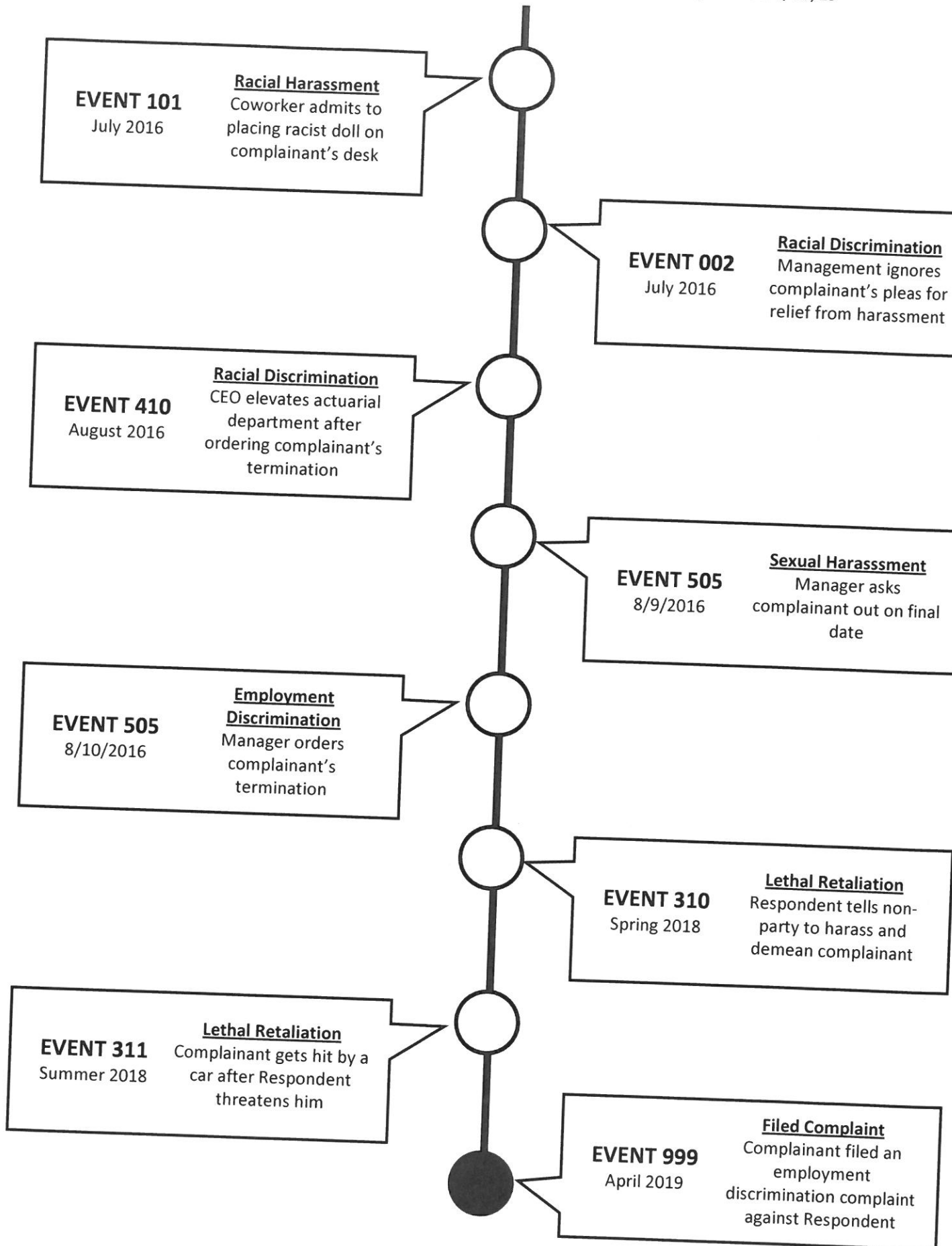












PART 2 SECTION I – EVENTS – DISCRIMINATION & RETALIATION

This section contains events that were discriminatory and/or retaliatory.

DISCRIMINATION AND RETALIATION		"000" Series	PAGE 10
<u>EVENT 001</u> Managerial Threats			<u>PAGE 11</u>
<u>EVENT 002</u> Managerial Ignorance			<u>PAGE 12</u>
<u>EVENT 003</u> Corrupt Termination			<u>PAGE 13</u>
<u>EVENT 004</u> Managerial Ridicule			<u>PAGE 14</u>
<u>EVENT 005</u> Managerial Discrimination			<u>PAGE 15</u>
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<u>EVENT 007</u> Behavioral Double Standard			<u>PAGE 17</u>
<u>EVENT 008</u> Discrimination in Compensation			<u>PAGE 18</u>
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<u>EVENT 018</u> Racial Double Standards in the Actuarial Department			<u>PAGE 28</u>
<u>EVENT 019</u> Hostility, Threats, Unethical Behavior			<u>PAGE 29</u>
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<u>EVENT 021</u> Racial Discrimination in Termination			<u>PAGE 31</u>

EVENT 001	Management Threatened My Employment When I Reported Racial Discrimination
WHO:	Richard Schaefer David Dickson Kaz Nagai Lisa Henry Patricia Boland Phil Kite
WHAT:	Richard Schaefer blankly replied, "You need to figure out if this is the place for you to work." after I told him about: (a) Patricia Boland's deliberate act of sabotage, (b) Kaz & Phil's constant racial harassment, (c) David Dickson's threats, lies, and subterfuge, (d) Lisa Henry's retaliation
WHERE:	Richard Schaefer's Office
WHEN:	7/1/2016 – 7/11/2016
HOW:	Sabotaged Work: 6/30/16, 4:50pm – Patricia Boland deliberately deformed her census data, and blamed me for the subsequent mismatched quote in an attempt to compromise my employment. She did not do this to any of the non-black actuaries. When I mentioned this to Richard Schaefer (in early July 2016) he said, "You're paranoid." Wanton disregard to my employment. Racial Harassment: 2014 – 2016, Kaz Nagai & Phil Kite constantly mocked me, antagonized me, and racially ostracized me. When I mentioned the racist dolls & epithets to Richard Schaefer (in early July 2016) he replied, "You need to figure out if this is the place for you to work." Rich was clearly condoning the racial discrimination; he knew how damaging it was to me, and he indicated his approval. David Dickson's Threats, Lies, and Subterfuge: November 2015 – March 2016, David Dickson called me (as directed by Richard Schaefer) and made false statements, dishonored commitments, and threats to my employment. He did not do this to any of the non-black actuaries. Consequently, I filed a report against him. In the report, I requested that he be prohibited from talking to the Actuarial department for at least 6 months. When I reminded Richard Schaefer of this ordeal (in early July 2016) he said, "People can't work with us because of you. You should have come to management first." I replied, "I did"; and I naturally segued into Lisa Henry's Retaliation. Lisa Henry's Retaliation: March 2016 – August 2016, Lisa Henry retaliated against me for filing that report on David Dickson. I asked her about it, and she responded by saying, "Someone like you cannot make an allegation against someone like him." The 'someone like [me]' was once again her code for a "monkey who we can't let grow into a gorilla". Subsequently, I filed a report against her. When I added this in my conversation with Rich (in early July 2016) he solemnly said, "that's enough."
RESPONSE:	I just continued to focus on doing high quality work, and putting our customer's first. No matter what, I was going to focus on the customers.
OUTCOME:	A history & pattern of racial discrimination. Adverse effect on employment
EVIDENCE:	Allstate – Interviews: - Richard Schaefer, Patricia Boland, Kaz Nagai, Phil Kite, David Dickson - Lisa Henry Allstate – Evidence: - Audio recording & emails from David Dickson's interactions with the Actuarial Department

EVENT 002	Management Ignored My Pleas For Help Regarding Racial Discrimination & Harassment
WHO:	Lisa Henry
WHAT:	Lisa Henry denied my request to sit away from my harassers
WHERE:	Office
WHEN:	7/14/2016 – 7/22/2016
HOW:	I alerted my manager that I wanted to meet with her to discuss my desires to sit apart from my harassers. She told me to let her know when I was ready to talk. Within a few days, I met with my manager to ask if I could sit somewhere else (preferably at home). I explained the circumstances (racist dolls, racist epithets, mocking & ridicule, constant discomfort). Her response was, "You know the story of the boy who cried fire. The firefighters will just stop listening." This was Lisa's way of placing the blame on me for repeatedly asking for relief from the harassment. She subsequently denied my request, and I was forced to sit with my harassers. Important Note: This was not the first time I asked my manager if I could sit somewhere else because of the harassment.
RESPONSE:	I just continued to focus on doing high quality work, and putting our customer's first. No matter what, I was going to focus on the customers.
OUTCOME:	Racial Discrimination. Racial Harassment Violation of Allstate's Terms & Conditions
EVIDENCE:	Allstate – Interview: - Lisa Henry (the Allstate manager who permitted the harassment) Aggrieved Person: - Interview the aggrieved party

EVENT 003	Allstate Terminates My Employment For a Reason That They Generated Themselves
WHO:	Allstate
WHAT:	Allstate's actuarial department engaged in foul play by surreptitiously impacting my exam success, and Allstate's HR department used that as the excuse to terminate me
WHERE:	Jacksonville, FL
WHEN:	8/12/2016
HOW:	1.) I believe that the reason I was not given a passing grade on my last actuarial exam is because Allstate's managers conspired to be the exam graders (which would be a severe breach in actuarial ethics) They would have been able to identify my exam by my handwriting (they often commented on my handwriting). They would have been able to identify my exam via clandestine methods They would have been able to identify my exam with the help of the SOA Management was fully aware of the negative impact that this would have on my employment status 2.) In Addition, Allstate management harassed & screamed at me while I was studying; with the intent to negatively impact my exam success 3.) Thirdly, the severity of the constant harassment adversely affected my studies Management did not do this to non-black employees
RESPONSE:	This complaint
OUTCOME:	Racial Discrimination. Racially Motivated Termination.
EVIDENCE:	SOA (Society of Actuaries): - List of All Exam Graders for ILALP (Life Pricing Exam) - List of All Exam Graders for ILALFVU (Life Finance and Valuation Exam) - List of All Exam Graders for ILALRM (Life Risk Management Exam) - List of All Exam Graders for ILADP (Design & Pricing Exam) - List of All Exam Graders for ILACSP (Company Sponsored Programs Exam) Allstate – Evidence: - List of Exam Graders - List of employees who had 2 consecutive exam failures Aggrieved Person: - Ask aggrieved party about exams (while employed with Allstate vs as an external employee)

EVENT 004	Allstate Management Ridiculed Me When I Described The Racial Harassment That I Was Suffering
WHO:	Lisa Henry
WHAT:	My manager ridiculed me when I asked her if I could sit elsewhere because of the racial harassment that I was suffering
WHERE:	Conference Room
WHEN:	Spring 2016
HOW:	My manager and I were in a meeting (either the 3rd floor or the 5th floor). After people left, her and I stayed behind to have a conversation. It was a continuation of a longstanding plea for relief from the racial harassment. I wanted to work from home. I said to her, "I'm tired of the constant harassment; the constant belittling, the constant mocking." I continued, "If I sit like this [I reclined in my chair] then five minutes later there'll be somebody reclining in their chair making a mockery of it. 'Hey everybody, look at me! I'm [a caricature of] Elias, I'm reclining in my chair.'" I continued, "Even my commute to work gets mocked (I rode my bicycle). Soon after it became known I rode my bike to work there was somebody there to ham it up. 'Hey guys, I ride my bike to work. I'm [a caricature of] Elias. Look at me; I'll make a bigger joke out of it by running up & down the stairs. Hey, I'll make an even bigger joke out of Elias by putting a monkey on his desk.'" Upon hearing how the mocking & racial harassment affected me, Lisa taunted, "The greatest form of flattery is imitation." After my manager taunted me on my plea for relief from the racial harassment I reiterated, "Please, I do not want to be around him anymore. I've tried to coexist, but this isn't right." Lisa only made it more difficult for me to avoid contact with my harassers.
RESPONSE:	I continued to produce excellent work, and focus on the customer
OUTCOME:	Racial Discrimination Racial Harassment
EVIDENCE:	Allstate – Interviews: - Lisa Henry (manager who ridiculed complainant upon hearing about racial harassment) Aggrieved Person: - Interview the aggrieved party

EVENT 005	Management Discriminated Against Me When I Asked To Work From Home												
WHO:	Lisa Henry Richard Schaefer Marilou Halim												
WHAT:	Management allowed a non-black employee to work from home but denied a black employee from the same opportunity												
WHERE:	Jacksonville, FL												
WHEN:	2015-2016												
HOW:	In the years 2015 and 2016 a non-black actuary was permitted to work from home. She worked from home for several months In the years 2014, 2015, and 2016 a black actuary was denied the privilege of working from home. He asked on several occasions if he'd be allowed. He was denied every single time. He asked the chief actuary on multiple occasions if he'd be allowed. He was denied every single time <table border="1"> <thead> <tr> <th>Name</th><th>Race</th><th>Allowed Privilege</th></tr> </thead> <tbody> <tr> <td>Elias Makere</td><td>B</td><td></td></tr> <tr> <td>Bridget Tennant</td><td></td><td>√</td></tr> <tr> <td>Tanya Dostie</td><td></td><td>√</td></tr> </tbody> </table> What's even worse is that management knew that Elias was being racially harassed; they knew that he wanted to escape his harassers; and they spitefully denied his pleas to work from home.	Name	Race	Allowed Privilege	Elias Makere	B		Bridget Tennant		√	Tanya Dostie		√
Name	Race	Allowed Privilege											
Elias Makere	B												
Bridget Tennant		√											
Tanya Dostie		√											
RESPONSE:	I just continued to do excellent work to the best that conditions would allow. The customer always came first.												
OUTCOME:	Racial discrimination Discrimination in employment privileges Unequal treatment on account of race												
EVIDENCE:	Allstate – Interviews: - Richard Schaefer (he oversaw Tanya's approval and Elias' denial) - Lisa Henry (she was Elias' manager; she denied his requests) - Marilou Halim (she was Tanya's manager; she apparently approved Tanya's request) Allstate – Evidence: - Allstate's Human Resource department should show that Tanya was allowed to work from home, while complainant was not.												

EVENT 006	Sabotaged Work
WHO:	Patricia Boland
WHAT:	Patricia changed the demographic data in the EGTL SnapQuote workbook with the intent to get me fired, but she never did this to non-black employees
WHERE:	Jacksonville, FL 7 th Floor Cubicles
WHEN:	6/30/2016, 4:55 pm
HOW:	I was sitting at my desk doing work. Catrice Hathorn (a contract employee) rushed over to my desk to exclaim that the Group Term Life calculations weren't working. She brought me over to her desk to show me her quote. Then she explained to me how the quote didn't match her two coworkers' quotes, despite seemingly using the exact same data. We continued discussing the situation, while Patricia Boland eavesdropped in the background to add her barbs. Within about 8 minutes, I asked Catrice to show me the demographic data that she used. Immediately after I asked for that, Patricia loudly ordered the temp to go home; "It's 5 O'clock; she has to go home now. Go home, Catrice." Catrice left in a hurry, so I walked over to Patricia's desk to gather the remaining census data. When I got back to my desk, I discovered that the demographic data had been altered. Patricia had the original data; and she generated a quote with it. Patricia gave the data to Alex Vlassov; and he generated a quote with it. Alex's quote matched Patricia's. Patricia gave the data to Catrice Hathorne; and she generated a quote with it. Catrice's quote didn't match Patricia's; neither did her data. Basically, the demographic data changed when it got passed to Catrice. That data was the sole reason for the mismatched quote. That mismatched quote was presented to me as if it was my fault. That calculation – which I was responsible for developing – would have severely jeopardized my employment at Allstate. Patricia knew this. Patricia was great friends with Richard Schaefer and his family. She was friendly with Lisa Henry, too. Patricia deliberately changed the data to make it seem like I had created a broken calculator. She never did this to non-black actuaries.
RESPONSE:	The next morning I responded to them with the results (that the data had been butchered). Upon visiting them to ensure they received & understood what happened, I got a chance to ask Patricia more direct questions. 1.) Did you intentionally change the census data? 2.) Did you attempt to sabotage the calculation? 3.) How did the mix go from 13 males to 5 males? She feigned ignorance to those first 3 questions 4.) Did anyone else handle the census? No A few days later, I asked Richard Schaefer about the incident. He tried to turn it around on me by saying, "Don't be paranoid."
OUTCOME:	Racial Discrimination. Racial Harassment. Attempts to get me fired.
EVIDENCE:	Allstate – Interview: • Patricia Boland, Catrice Hathorn, Alex Vlassov, Richard Schaefer. Allstate – Evidence • Get IT Records for Patricia's keystrokes on 6/30/16

EVENT 007	A Non-Black Employee Got Rewarded For His Poor Behavior While I Got Maligned, Ostracized, And Fired For Doing Excellent Work
------------------	--

WHO:	Lisa Henry Louis Posick Paul Ramirez Richard Schaefer Scott Randles
WHAT:	A Non-Black Employee Received Numerous Disciplinary Notices, Got Kicked Out Of The Program For Poor Work, Yet Was Promoted For Harassing Me; While I Got Maligned, Ostracized, And Fired
WHERE:	Jacksonville, FL
WHEN:	Spring 2014 – Summer 2016
HOW:	Allstate management ensured that promotion & advancement was based on race - not the quality of the work. Spring 2014, a non-black coworker continually submitted inaccurate work (especially during month end valuation). Soon thereafter, he got removed from the actuarial student program, but was allowed to keep his exact same job, title, and salary. For the next two years he continued to produce inaccurate work. To compound matters, his behavior became increasingly abhorrent; requiring intervention from management. In that same time period, he was promoted. In Spring 2016, my manager flat out lied by saying that she spent the 2015 calendar year conducting “coaching sessions” with me. When I strongly refuted her lie she was commissioned to produce proof. She failed to produce such proof. Within weeks, I was terminated. I was terminated despite logging more hours, innovating more actuarial work, elevating more coworkers, documenting more processes, and doing more detailed an analysis than all of my peers. Result: The black employee was punished for doing outstanding work while the non-black employee was promoted for poor work and poor behavior. Clear Inference: I would have been virtually crucified if I had committed one third of the infractions that my non-black coworker did.

RESPONSE:	I always maintained focus on doing high quality work. I reminded myself that there was a monkey sitting on my desk – after all – this unequal treatment was just par for the course
------------------	---

OUTCOME:	Racial Discrimination. Employment Impact. Compensation Impact. Terms & Conditions Violations. Adverse Effect On Employment.
-----------------	---

EVIDENCE:	Allstate – Interviews: • Kaz Nagai (he was the non-black employee who was given superior treatment for a pattern of poor work and poor behavior) • Louis Posick (he was the manager of the non-black employee; Louis enforced the unequal treatment) • Scott Randles & Paul Ramirez (Scott oversaw the unequal treatment; Paul was Mr. Nagai’s enabler) • Lisa Henry (she subjugated me on account of race; she fabricated tales of “coaching sessions” to compromise my employment status)
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EVENT 008	Allstate Continually Pays The Black Actuaries Less Than The Non-Black Actuaries
------------------	---

WHO:	Lisa Henry Richard Schaefer
WHAT:	Allstate Management Paid Me Much Less Than My Non-Black Peers
WHERE:	Jacksonville, FL
WHEN:	Spring 2014 – Summer 2016
HOW:	Allstate increases the salaries of Actuaries upon completion of exams, and attainment of credentials. Management also gets to decide how much money an individual will earn. Lisa Henry and Richard Schaefer implemented a plan to restrict the salaries of their Black actuaries. In 2012, Kirk Higgins received his ASA. His salary was lower than his non-black peers. In 2014, Elias Makere received his ASA. His salary was lower than his non-black peers. Additionally, both of these Black actuaries were maligned and harassed

RESPONSE:	I just continued to focus on producing high quality work. My number one priority was to provide excellent actuarial & general work to the company's customers, employees, and stakeholders.
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OUTCOME:	Racial Discrimination impacting compensation
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EVIDENCE:	Allstate – Evidence: Compare the following salaries¹: <table border="1"> <thead> <tr> <th>Black</th><th>Non-Black</th></tr> </thead> <tbody> <tr> <td>Kirk Higgins' 2012 Salary</td><td>Bill Bade's 2010 Salary</td></tr> <tr> <td>Elias Makere's 2014 Salary</td><td>Josh Garcia's 2016 Salary</td></tr> <tr> <td></td><td>Kaz Nagai's 2016 Salary</td></tr> <tr> <td></td><td>Michael Chang's 2011 Salary</td></tr> <tr> <td></td><td>Michael Prendes' 2015 Salary</td></tr> <tr> <td></td><td>Nasreen Ali's 2009 Salary</td></tr> <tr> <td></td><td>Paul Ramirez' 2012 Salary</td></tr> <tr> <td></td><td>Tanya Dostie's 2015 Salary</td></tr> <tr> <td></td><td>Victor Ciurte's 2016 Salary</td></tr> </tbody> </table>	Black	Non-Black	Kirk Higgins' 2012 Salary	Bill Bade's 2010 Salary	Elias Makere's 2014 Salary	Josh Garcia's 2016 Salary		Kaz Nagai's 2016 Salary		Michael Chang's 2011 Salary		Michael Prendes' 2015 Salary		Nasreen Ali's 2009 Salary		Paul Ramirez' 2012 Salary		Tanya Dostie's 2015 Salary		Victor Ciurte's 2016 Salary
Black	Non-Black																				
Kirk Higgins' 2012 Salary	Bill Bade's 2010 Salary																				
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	Michael Chang's 2011 Salary																				
	Michael Prendes' 2015 Salary																				
	Nasreen Ali's 2009 Salary																				
	Paul Ramirez' 2012 Salary																				
	Tanya Dostie's 2015 Salary																				
	Victor Ciurte's 2016 Salary																				

EVENT 009	Lisa Henry Refuses To Promote Me Equal To My Non-Black Peers
WHO:	Lisa Henry
WHAT:	Allstate Management promoted non-black actuaries differently than it promoted black actuaries (frequency, resistance)
WHERE:	Jacksonville, FL
WHEN:	Spring 2014 – August 2016
HOW:	Non-Black Actuaries were routinely given more promotions and elevated positions/titles when compared to black actuaries Levels (low-to-high): - Actuarial Technician - Actuarial Associate - Senior Actuarial Associate - Actuary - AVP & Actuary - VP & Actuary - Chief Actuary Allstate HR: • Josh Garcia (a non-black actuary) was given a superior title to Elias Makere (a black actuary) despite fewer accomplishments and less experience • Kaz Nagai (a non-black actuary) was given a superior title to Elias Makere (a black actuary) despite fewer accomplishments, abhorrent behavior, and less experience • Michael Prendes (a non-black actuary) was given a superior title to Elias Makere (a black actuary) despite inferior work, fewer accomplishments, and nearly identical experience • Tanya Dostie (a non-black actuary) was given a superior title to Elias Makere (a black actuary) despite fewer responsibilities • Victor Ciurte (a non-black actuary) was given a superior title to Elias Makere (a black actuary) despite fewer accomplishments
RESPONSE:	I just continued to focus on doing excellent work.
OUTCOME:	Racial Discrimination Compensation Impact
EVIDENCE:	Allstate – Evidence: • Josh Garcia HR Record (a non-black actuary who was given a superior title to complainant) • Kaz Nagai HR Record (a non-black actuary who was given a superior title to complainant) • Michael Prendes HR Record (a non-black actuary who was given a superior title to complainant) • Victor Ciurte HR Record (a non-black actuary who was given a superior title to complainant) Aggrieved Person: • Elias Makere (black actuary who was given an inferior title from non-black peers)

EVENT 010	Allstate Awarded a Non-Black Colleague While Punishing Me For The Same Contribution
WHO:	Lisa Henry Richard Schaefer Marilou Halim
WHAT:	Despite performing similar work, Allstate awarded a non-black actuary while maligning a black actuary
WHERE:	Jacksonville, FL 7 th Floor
WHEN:	November 2014 – February 2015
HOW:	Allstate management gave Michael Prendes several awards (for doing what I had already done) while it ignored, maligned, and ultimately punished me. 1. From January 1st, 2014 through November 1st, 2014 I had not taken one personal day off (I'm the black actuary) 2. From January 1st, 2014 through November 1st, 2014 I was spending 13-15 hours per day in the office 3. From January 1st, 2014 through November 1st, 2014 I came into work every Saturday and every Sunday (except one) 4. In August/September 2014, I scheduled at least 3 consecutive Mondays off (November 3rd, 10th, 17th, etc.) 5. On Friday, October 31st my manager relayed the chief actuary's message that my only PTO days of the year were being canceled Instead, I was supposed to help a remote worker with her ESRs 6. So, I quietly canceled my only PTO days, and I helped this remote worker complete her job 7. I also came in every weekend to work on it. 8. I was never asked nicely; I was never thanked; I was never awarded; I was never even recognized 9. In the process of helping this remote worker, I developed a process that automatically completed the work It used a method that no Allstate actuary had ever composed; something that my manager said of which I was the only person she knew who could do it 10. Management ignored 11 consecutive follow-up emails which explained how the automation worked, how it could be replicated, and how it could be ran by others. These emails spanned over an 11 week period starting in January 2015. 11. Around November 24th, Michael Prendes (a non-black actuary) copied exactly what I did: He canceled 3 consecutive Monday PTOs 12. Instead of being ignored & maligned (as I was), Michael Prendes received 2+ awards ("Encore", etc) Message: Non-Black actuaries are celebrated for copying Black actuaries; while Black actuaries are ignored & maligned for their hard work, dedication, selflessness, and ingenuity
RESPONSE:	I continued to do excellent work. I continued to focus on the customer
OUTCOME:	Racial Discrimination. Adversely affecting an employee based on race
EVIDENCE:	Allstate – Interview: • Lisa Henry testimony (Elias' manager) , Richard Schaefer testimony (chief actuary) , Marilou Halim testimony (Michael Prendes' manager) Aggrieved Person: • Elias Makere

EVENT 011	Louis Posick Calls A Meeting To Say That He Sees No Need For Me In The Actuarial Department
WHO:	Louis Posick
WHAT:	Louis called an actuarial meeting in which he quickly decried my presence within the department. He did it to effectively ostracize me, and characterize me as an inferior employee
WHERE:	Conference Room 7A
WHEN:	June 2015
HOW:	Louis Posick scheduled an in-person meeting. The meeting attendees included me, Lisa Henry (my manager), Kaz Nagai (Louis' direct report), Paul Ramirez, and Victor Ciurte. It was an impromptu meeting; Louis and I rarely sat in the same meetings. Unprovoked – as always – Louis goes on a rant on how there is no need for me in the Actuarial Department. He says, "I don't see what Elias could do for us." No one mentioned my name or offered my assistance to him. He was on a mission of segregation (separating the non-blacks from the blacks). The meeting went on. At the end of the meeting he ridiculed me by saying something along the lines of, "<i>The pricing actuary is inferior.</i>" He was doing this with Paul Ramirez as his bullying partner.
RESPONSE:	Reaction to his first attack: I just sat there and listened to the meeting. The comment came out of nowhere. Reaction to his second attack: I said something along the lines of, "Well, not according to the rest of the profession." Louis & Paul gave a stale & serious leer at me and my manager. Within a few weeks of the meeting, Kaz Nagai (Louis Posick's direct report) placed a racist doll on my desk. By the end of the year, Phil Kite (Louis Posick's direct report) was calling me racist epithets.
OUTCOME:	Racial Segregation Racial Subjugation
EVIDENCE:	Allstate – Interview: • Louis Posick (manager who subjugated black employee) • Paul Ramirez (partner in racial subjugation) • Kaz Nagai (witness to racial subjugation) • Victor Ciurte (witness to racial subjugation) • Lisa Henry (witness to racial subjugation, enabler)

EVENT 012	Management Repeatedly Fields Calls For My Termination
WHO:	Marianne Poriecca Lisa Henry Richard Schaefer
WHAT:	She tells my manager that she wants me to be fired. Lisa stated that Marianne did not leave any reason for it
WHERE:	Office
WHEN:	Fall 2015 – Winter 2016
HOW:	In Winter 2016, Lisa informs me that she had received a call from Marianne about me. Marianne wanted me to be fired. Lisa quoted Marianne as saying, "I can't believe he still works here." back in the fall of 2015. I don't recall ever having any interaction with Marianne. Only until mid-January 2016, was I even able to recognize her. Marianne never did this to any of the non-black actuaries.
RESPONSE:	I was blown away. I asked Lisa what I did wrong. Lisa had no answer. Lisa brought this up to me several times over the next few months. One time, Lisa's response was, "My job is not to fire you; my job is to fix you."
OUTCOME:	Acrimony. Detest Desire to see a black man suffer. Modern day corporate lynching. Racial Discrimination. Ostracism. Attempts to adversely affect someone's employment status based on race.
EVIDENCE:	Allstate – Interview: • Marianne Poriecca (the person who allegedly wanted me fired) • Lisa Henry (the person fielding these phone calls) • Richard Schaefer (the manager orchestrating all of the attacks on Elias)

EVENT 013	Lisa Henry Tells Me to Work On My Resume While She Is Under Investigation
WHO:	Lisa Henry
WHAT:	Amid the 2016 investigation, my direct manager comes to me to tell me that I need to work on my resume and look for another position.
WHERE:	Jacksonville, FL 7 th Floor
WHEN:	Spring 2016
HOW:	First Time: I was sitting at my desk doing work Lisa came over to me The topic of discussion was employment She told me that I should work on my resume (as if to imply my job was in jeopardy) This was just weeks after I filed a retaliation claim against her Second Time: I was sitting at a desk in the adjacent aisle Lisa came over to me The topic of discussion was employment She told me that I should work on my resume (as if to imply my job was in jeopardy) This was while she was being investigated for retaliation She told me to think about another position, but she never actually offered me another position .
RESPONSE:	I continued to focus on performing excellent work
OUTCOME:	Intimidation. Hostile Environment
EVIDENCE:	Allstate – Interview: - Lisa Henry (the manager who kept telling me to look for another position) Aggrieved Person: - Elias Makere (the black actuary who just wanted to work in peace)

EVENT 014	Management Advertises My Job To Antagonize Me and Ostracize Me Because I'm The Only Black Actuary
WHO:	Scott Randles Paul Ramirez
WHAT:	Management made my job available while I was still an employee
WHERE:	Office
WHEN:	Spring 2016
HOW:	Patricia Boland made me aware that there was a newly opened position in the actuarial department. The position was identical to mine. A couple days later I ran into Scott Randles in the men's room. I asked him about it, because I thought I knew someone who would be a good candidate. Scott, however, denied that it existed, "Oh, that's for Paul's team. It is a data analyst position. It must be a typo." They never fixed that supposed error; which indicated its true nature. Allstate was advertising my job as a way to intimidate and demean me.
RESPONSE:	I continued to perform excellent actuarial work I avoided contact with the majority of the team
OUTCOME:	Posturing. Intimidation. Sending the message that I wasn't wanted. Ostracism. A part of the ongoing racial discrimination. Group effort to marginalize me and my work. They wanted someone else to assume my responsibilities because of my race
EVIDENCE:	Allstate – Interview: • Scott Randles (he orchestrated the employment search) • Paul Ramirez (he spearheaded the antagonistic employment search; and had been pining for my removal for a long time) • Patricia Boland (informed complainant of the peculiar job opening)

EVENT 015	Calls For My Removal
WHO:	Patti Leister (Medina)
WHAT:	Pattie sends a group-wide email asking that I be removed from the development of the Group Term Life SnapQuote
WHERE:	Office, Email
WHEN:	Spring 2016
HOW:	Pattie addresses an email to me, one which included many other recipients, lauding the GTL SnapQuote that I developed. She complains that it works in a fashion dissimilar to other SnapQuotes. “Hand it over to James Park and his team” The irony of her statement was that James didn’t do any of the programming; and his team was learning the ropes from me. Furthermore, she overlooked the fact that I was the one who developed a different, virtually identical SnapQuote that was widely revered. Richard Schaefer calls me into his office to tell me I’d be off of the project. Basically, Patti was attacking me because management brought in a non-black person to take over my job.
RESPONSE:	Disbelief that the social machinations that I feared were coming to fruition I just continued to produce excellent work.
OUTCOME:	Racial Persecution. Racial Discrimination.
EVIDENCE:	Allstate – Interview: - Patti Leister (Medina) – she was the person who called for my removal - Ask her what prompted her email - Ask her if she was aware of GVA6 Allstate – Evidence: - Email Records (they will show Patti Leister’s request)

EVENT 016	Richard Schaefer's Dogmatic Ignorance
WHO:	Richard Schaefer Lisa Henry
WHAT:	Requesting I perform work despite having done so 18 months prior
WHERE:	Jacksonville, FL 7 th Floor
WHEN:	Fall 2015
HOW:	Group Term Life Source of Earnings Analysis STAT Profits In fall 2015, Mr. Schaefer told my manager (Ms. Henry) to instruct me to complete a source of earnings analysis on the Group Term Life product. He also wanted me to do an itemized breakdown of the STAT profits. This task was simply for educational purposes (ie, he wanted to know if I was capable). 18 months prior (In Spring 2014), I had already performed & produced such analysis. I completed the very same itemized breakdown for several other life insurance products (Horizon 20-Year Term, UL20, UL21, Group UL, Term to 100). I did these things when I had a mere 1.5 years of experience. Yet, Mr. Schaefer & Ms. Henry chose to ignore it. They intentionally operated under the prejudiced notion that I was an inferior employee. They never ignored the work of their non-black employees prior to asking them to do such work for "educational purposes".
RESPONSE:	Managerial Ignorance Intentionally ignored the contributions of a specific employee Deterministic manner in which to evaluate, recognize, and reward good work; clouded by a racial prejudice.
OUTCOME:	Part of management's established dogmatic practice of enforcing a belief that contributions from a black actuary were less worthy. Part of the suspicion that management would give me less credit in the actuarial realm; which would be further emboldened by their unethical involvement in my FSA exam grading.
EVIDENCE:	Allstate – Evidence: Electronic records of the RORC Workbooks (on Life)

EVENT 017	Abhorrent Double Standards That Distorted the Company's Financial Outlook; Subsequently Jeopardizing Investors
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WHO:	Richard Schaefer Lisa Henry
WHAT:	Lisa Henry botched quarterly profitability calculations, reported inaccurate numbers, and brazenly pillared Richard Schaefer as her enabler.
WHERE:	Jacksonville, FL 7 th Floor
WHEN:	Fall 2015 – 1 st Quarter 2016
HOW:	Horizon 20 Year Term RORC STAT Profits GAAP Profits In an attempt to placate Louis Posick's continual calls to ostracize & demean me, Lisa Henry dismissed me from participating in the 3Q2015 RORC reporting. In turn, she took over duties. Unbeknownst to her, Ms. Henry thoroughly botched the calculations and reported false numbers. For the 20 YT product, she somehow arrived at a profitability measure that was approximately 2,000 basis points below its true value. Please take note that the profitability measure usually moves less than 100 basis points each quarter; which means that Lisa Henry (VP & Actuary) calculated a number that was 20 times outside of the norm. Richard Schaefer took these faulty numbers and reported them to Allstate's Board of Directors. Subsequently, these inaccurate profitability metrics were disseminated to the investment public. A few months later, Ms. Henry relinquished her slanted maneuver and ordered me to resume RORC reporting for the 4Q2015 period. Shortly into my calculations, I discovered Ms. Henry's error from the prior period. She scoffed at the error when I showed it to her. A few days later - as is customary - Ms. Henry & I met with Mr. Schaefer to go over the analysis. Mr. Schaefer dismissed the huge error as being unimportant; "I've already met with the board. The numbers don't matter." As soon as he said that, Ms. Henry lambasted me. To summarize, Allstate was more focused on ostracizing & demeaning black employees than it was on performing its core, economic duty. Figuratively speaking, <i>"they poisoned their blood to spite their heart's muscle."</i> The irony of Ms. Henry scolding me for finding her egregious error embodies the racial discrimination that occurs at Allstate. Background: RORC reporting is one of the biggest, most influential functions that the Actuarial department engages in. The outcome of such reporting gets reviewed by Allstate's Board of Directors. Important Note: In my entire career, I have never seen a reported calculation that was 2,000 basis points off the mark. It equates to over \$10,000,000 in misrepresented profitability. At Allstate, an egregious miscalculation is acceptable if you are not black.

RESPONSE:	I just continued to produce excellent work.
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OUTCOME:	Part of management's established dogmatic practice of enforcing a belief that my contributions were less worthy. Corruption. Racially prejudiced manner for accepting vital work contributions.
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EVIDENCE:	Allstate – Interview: - Richard Schaefer (he enacted the racial double standard) - Lisa Henry (she created the racial double standard) Allstate – Evidence: - Electronic records of the RORC Workbooks (on Life)
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EVENT 018	Racial Double Standards Within the Actuarial Department
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WHO:	Richard Schaefer Scott Randles Lisa Henry Louis Posick																					
WHAT:	Allstate management treated black employees different from non-black employees with regards to exams and credentials.																					
WHERE:	Jacksonville, FL 7 th Floor																					
WHEN:	1990 – 2019 ⁺																					
HOW:	Pre-2011, a non-black senior actuarial associate (Phil Kite) never passes any actuarial exam. Allstate promotes him. and treats him swimmingly. Pre-2011, a non-black actuarial technician (Bridget Tennant) never passes any actuarial exam. Allstate makes extensive concessions for her, and treats her swimmingly Pre-2012⁺, a credentialed, non-black actuary (Nasreen Ali, ASA) never passed an FSA exam. Allstate management promoted her and treated her swimmingly. 2015⁺, a credentialed, non-black actuary (Tanya Dostie, ASA) never passes an FSA exam, Allstate management promoted her and treated her swimmingly. 2013, upon failing an FSA exam Allstate management haggled & cajoled a credentialed, black actuary (Kirk Higgins, ASA). Within short order, he left the company. 2016, upon failing an FSA exam Allstate management harassed, discriminated against, and fired a credentialed, black actuary (Elias Makere, ASA). Summary: <table><tr><th>Name</th><th>Race</th><th>Treatment</th></tr><tr><td>Higgins</td><td>B</td><td>Haggled, Fled Allstate</td></tr><tr><td>Makere</td><td>B</td><td>Harassed, Discriminated Against, Fired</td></tr><tr><td>Alli</td><td></td><td>Promoted, Treated Well</td></tr><tr><td>Dostie</td><td></td><td>Received Concessions, Treated Well</td></tr><tr><td>Kite</td><td></td><td>Promoted, Treated Well</td></tr><tr><td>Tennant</td><td></td><td>Promoted, Treated Well</td></tr></table>	Name	Race	Treatment	Higgins	B	Haggled, Fled Allstate	Makere	B	Harassed, Discriminated Against, Fired	Alli		Promoted, Treated Well	Dostie		Received Concessions, Treated Well	Kite		Promoted, Treated Well	Tennant		Promoted, Treated Well
Name	Race	Treatment																				
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Dostie		Received Concessions, Treated Well																				
Kite		Promoted, Treated Well																				
Tennant		Promoted, Treated Well																				

RESPONSE:	I just continued to produce excellent work; because racial double standards were par for the course at Allstate.
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OUTCOME:	Racial Discrimination. Unequal Treatment Governed By Racial Prejudice
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EVIDENCE:	Allstate – Interview: - Phil Kite (non-black employee who was treated well despite failing every exam) - Bridget Tennant (non-black employee who was treated well despite failing every exam) - Nasreen Ali (non-black employee who was treated well despite not passing an FSA exam) - Tanya Dostie (non-black employee who was treated well despite not passing an FSA exam) Non-Allstate – Interview: - Kirk Higgins (black employee who was haggled & cajoled after failing an FSA exam) - Elias Makere (black employee who was discriminated against after failing an FSA exam)
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EVENT 019	Hostility, Employment Threats, and Unethical Forays From the IT Department
WHO:	David Dickson Matthew Miller
WHAT:	Two IT employees unethically harassed & harangued complainant in an attempt to compromise his employment.
WHERE:	Office, 7 th Floor
WHEN:	December 2015
HOW:	12/10/2015, 3:30 PM EST Matthew Miller called me to sequester a project that I had been assigned. He proceeded to make a handful of blatantly false statements – hoping I would be fooled. I informed him of his false statements, and the conversation ended. Matthew Miller's call was unannounced; I had never met him before, and this was my first time talking to him. None of my managers told me he was going to call. 12/17/2015, 5:11 PM EST David Dickson called me to sequester the same project that Matthew Miller was attempting to sequester. He also proceeded to make several blatantly false statements. As I had done the prior week (with Matthew Miller), I informed the harassing caller that his statements were false. This time around, however, the harassing caller (Mr. Dickson) followed up his false statements with clear threats. He threatened to have me persecuted by my manager (Richard Schaefer). Due to the holiday luncheon (which I avoided – see EVENT 303), the office was nearly empty. Richard Schaefer & I were the only people in. I suspect that Mr. Schaefer he ordered Mr. Dickson to call, threaten, and bully me. As the year turned, Mr. Dickson contacted me a few more times; where he told me more lies and missed more deadlines. As a result of the hostility & unethical behavior, I filed an ethics report. David Dickson was named as the primary perpetrator in the report; and Matthew Miller was mentioned accordingly. One of my requests was for David Dickson to be prohibited from contacting the Actuarial Department for a period of 6 months – to give him a chance to re-establish his credibility. I didn't see/hear from David Dickson between February 2016 and August 2016. David Dickson's initial call was also unannounced; I had never met him before, and this was my first time talking to him. None of my managers told me he was going to call. However, upon filing the ethics complaint against Mr. Dickson, my managers (Lisa Henry & Richard Schaefer) retaliated against me.
RESPONSE:	I worked quietly and didn't mention her resentment to anyone.
OUTCOME:	Animosity & Resentment. Desire to prevent the advancement of a black man. Discrimination
EVIDENCE:	Allstate – Interview: - David Dickson (egregious transgressor – repeatedly bureaucratically accosted complainant), Matthew Miller (initial transgressor – called complainant), Richard Schaefer (manager who arranged for the harassment & discrimination), Lisa Henry (manager who subsequently retaliated against me for filing an ethics complaint) Allstate – Evidence: - Investigation Records & Reports (Allstate's I-Report Team)

EVENT 020	Lisa Henry Tells Me That She Resents My Success
WHO:	Lisa Henry
WHAT:	Lisa tells me, "I'll begrudgingly inform you of our term life product"
WHERE:	Office. Lisa's desk
WHEN:	Spring 2014
HOW:	Rich appointed me to be in charge of the newly revamped Term Life product. The person who could bring me up to speed on the product was my manager. For weeks Lisa had been dodging discussions about the product. Finally, one day - while I was at her desk - she says "I've got to begrudgingly show you how this product works."
RESPONSE:	I worked quietly and continued to focus on providing excellent service to Allstate's stakeholders.
OUTCOME:	Animosity & Resentment. Desire to prevent the advancement of a black man
EVIDENCE:	Allstate – Interview: - Lisa Henry (manager who resented & begrudged success of black employees) Allstate – Evidence: - Retrieve email communications between Rich & Lisa

EVENT 021	Allstate Terminates My Employment In a Racially Discriminatory Manner
WHO:	Allstate
WHAT:	Allstate only terminates black actuaries who fail an actuarial exam, they do not terminate non-black actuaries who fail an actuarial exam.
WHERE:	Jacksonville, FL
WHEN:	8/12/2016
HOW:	Pre-2013, Phil Kite failed his actuarial exam (he never passed any of the ten exams), he was allowed to stay in Allstate's actuarial department. Pre-2013, Bridget Tennant failed her actuarial exam (she never passed any of the ten exams), she was allowed to stay in Allstate's actuarial department. Summer 2013, a black actuary by the name of Kirk Higgins left Allstate in fear of being terminated for failing an actuarial exam. Spring 2016, Lisa Henry informed the complainant that he may get terminated if he fails his upcoming actuarial exam. Spring 2016, a non-black actuary, Victor Ciurte, was given a promotion before his upcoming exam. Both the complainant and Mr. Ciurte were in the same predicament. The complainant received worse treatment, though, because he was black. June-July 2016, Allstate management surreptitiously grades & fails the complainant's actuarial exam in order to provide a reason to terminate him (see EVENT 301). August 12, 2016, Allstate terminates complainant.
OUTCOME:	Racial Discrimination. Racially Motivated Termination. = Violation of Florida Statute 760.10(1)(a)
EVIDENCE:	Allstate – Evidence: • HR Records Allstate – Interviews: • Lisa Henry (manager of Kirk Higgins; manager of complainant; manager of Bridget Tennant) • Phil Kite (benefactor of racial discrimination) • Bridget Tennant (benefactor of racial discrimination) • Victor Ciurte (benefactor of racial discrimination) • Louis Posick (manager of Phil Kite;) Aggrieved Person: • Ask aggrieved party about exams (while employed with Allstate vs as an external employee)

PART 2 SECTION II – EVENTS – RACIST DOLLS

This section contains **events** that involved racist dolls.

RACIST DOLLS	"100" Series	PAGE 32
<u>EVENT 101</u> Racist Dolls		<u>PAGE 33</u>

EVENT 101	Allstate Placed a Monkey Doll On My Desk to Demean Me Based On My Race
WHO:	Kaz Nagai
WHAT:	A swinging monkey doll was placed on my desk; in full sight of any passerby
WHERE:	Office. Cubicles.
WHEN:	Mid-July 2015
HOW:	It was a typical day. I was sitting at my desk quietly doing my work. Our cubicles were full (Kaz Nagai was there, Phil Kite was there, Louis Posick was there). Before long, I looked to my right to see a swinging monkey doll sitting on my desk. Kaz Nagai was standing beside it. The doll was so prominent that it was more visible than me. The message was clear: my race made me the target for derision, hate, and unequal treatment.
RESPONSE:	I never touched the monkey. The monkey stayed there for months. Someone removed the monkey in the Fall of 2015. I felt totally isolated and violated. In July 2016, Kaz Nagai admitted to being the one who: - A.) Purchased the racist doll - B.) Placed the racist doll on my desk
OUTCOME:	Racial Discrimination Racial Ostracism (They felt the undying need to clearly depict me as sub-human) Racial Subjugation Mr. Nagai succeeded in his attempt to demean and harass me on account of my race. I lost interest in interacting with the department. It was clear that such a brazen display of hatred meant that my race prevented me from equal treatment.
EVIDENCE:	Allstate – Interview: • Kaz Nagai (primary harasser; placed a racist doll on complainant’s desk) • Phil Kite (enabler; assisted in the harassment; Phil knew of the racist doll purchase) • Louis Posick (Kaz was his direct report; and Louis knew of the racist doll) • Anyone who worked in the Actuarial Department between July 2015 & December 2015 (they all saw the racist doll) • Anyone who worked at Allstate between July 2015 & December 2015 (especially those on the 7th floor)

PART 2 SECTION III – EVENTS – RACIST EPITHETS

This section contains **events** that involved racist epithets & characterizations.

RACIST EPITHETS	"200" Series	PAGE 34
<u>EVENT 201</u> Racist Epithets		<u>PAGE 35</u>
<u>EVENT 202</u> Racist Characterizations		<u>PAGE 36</u>

EVENT 201	Phil Kite Yelled “You Look Like A Chimpanzee” To Humiliate, Harass, And Ostracize Me Because I Was Black.
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WHO:	Phil Kite
WHAT:	Phil yells to me, “You look like a chimpanzee!”
WHERE:	Office, Cubicles.
WHEN:	Mid-October 2015
HOW:	It was a typical day. I was walking back to my desk silently. As I approached the outer corner of my cubicle (which was across from Phil’s), he yells to me “You look like a chimpanzee!” Kaz Nagai stands, turns around, and leers at me as if to goad me into an argument. I ignored him (as usual). Louis Posick, an actuarial manager, was sitting adjacent to Phil. He heard what he said. Lisa Henry, an actuarial manager, was in earshot of Phil’s statement. Neither Louis nor Lisa said anything to dissuade the racial discrimination. Management was negligent in their duty to maintain a non-hostile, unbigoted workplace.

RESPONSE:	I just sat down, and continued to focus on doing high quality work. I reminded myself that – after all - there was a monkey sitting on my desk; this new verbal form of racial discrimination was just par for the course.
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OUTCOME:	Racial Persecution. Racial Discrimination. Racial Ostracism. Sadness. Withdrawal. The department clearly viewed me as sub-human, and they wanted me to know it beyond the shadow of a doubt. This was after the racist doll was placed on my desk. This was after my own manager referred to me as a monkey. This was after people screamed at me for buying a condolence card. This was after my manager began throwing hard items at me.
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EVIDENCE:	Allstate – Interview: • Phil Kite (he was the one who shouted the racist epithet in order to ostracize me) • Kaz Nagai (he stood, turned, and leered at me in support of his friend’s racist epithet) • Louis Posick (he heard the exclamation; he spearheaded his direct reports’ bigotry) • Lisa Henry (she heard the exclamation) • Richard Schaefer (secondhand witness to epithets)
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EVENT 202	My manager, Lisa Henry, characterized me in a racially demeaning manner inside a group meeting
WHO:	Lisa Henry
WHAT:	Lisa Henry characterized me as a monkey when discussing the work that I would need to complete
WHERE:	Conference Room
WHEN:	Spring 2014
HOW:	My manager & I were scheduled to attend a meeting with people from the administrative department. The discussion was AllApp® testing. As was customary for me, I spoke little and listened a lot. The thing I heard - and the sight I saw – has stuck with me to this day (3.5 years later so far). Within the context of delegating & describing work Lisa began speaking. She said, “Oh, that’s easy. I can get a monkey to do that. I can tell the monkey to sit down, look at a piece of paper, then look up to compare it to what’s on the computer screen.” It seemed offensive that she would use such a reference; especially considering how I was her only employee – and I was black. Nevertheless, I continued to sit quietly; expressionless. Mr. Rodney ???, however, had a look of constrained disgust & disappointment on his face. Everyone in that meeting had to have known that I was Lisa’s only employee. So, who else could she be referring to as a monkey? I suspect that’s what Rodney was thinking. Well, the meeting ended, and Lisa & I returned to our cubicles on the 7th floor. That’s when & where the suspected offense became a confirmed one. Lisa escorted me to my desk. She pointed directly to my seat and said, “sit down right there.” I sat down. Moments later, Lisa came back with a piece of paper and told me, “look down at that paper, then look up and compare the numbers. It’s as easy as that. Let me know if you need any help with that.” I was Lisa’s monkey.
RESPONSE:	sat there quietly & respectfully. After all, I had only been an employee for about 4 months. After she confirmed that I was the monkey she was referring to, I [still] completed the work. The customer was what I focused on. My manager’s racially demeaning characterizations of me wouldn’t interfere with putting the customer first. So, I completed the work; and I hoped [to myself] that she wouldn’t characterize me as a monkey again. My hopes were not met.
OUTCOME:	Racial Discrimination. Racial Harassment. Racial Ostracism. Sadness. Withdrawal. Violation of Allstate’s Terms & Conditions My manager clearly viewed me as sub-human, and she wanted everyone to know it. A few months later, Mr. Posick was echoing her sentiments. As time went on, more people committed racially demeaning acts against me.
EVIDENCE:	Allstate – Interview: • Lisa Henry (she made the racially derogatory comments) • Rodney ??? (witness; he had a disappointed look on his face during the meeting) • Melissa “Lesa” Rivers (witness) Allstate – Evidence: • Retrieve meeting information via MS Outlook (Lisa Henry’s account, or Elias Makere’s)

PART 2 SECTION IV – EVENTS – INTENTIONAL HARM & VIOLENCE

This section describes many violent & non-violent events that were (1) committed with the intent to harm, and (2) committed with a racial bias.

INTENTIONAL HARM & VIOLENCE	"300" Series	<u>PAGE 37</u>
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<u>EVENT 302</u> Surreptitious Exam Grading		<u>PAGE 39</u>
<u>EVENT 303</u> Constant Mocking & Ridicule		<u>PAGE 40</u>
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<u>EVENT 311</u> Lethal Retaliation		<u>PAGE 48</u>

EVENT 301	Management Surreptitiously Graded My Actuarial Exams In Order To Fail Me, And Compromise My Employment Because of My Race
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WHO:	Allstate's Actuarial Department SOA
WHAT:	Allstate's actuarial management engaged in foul play by improperly grading my last FSA exam, in an attempt to deny me my final actuarial credential; and henceforth fabricate an excuse for termination
WHERE:	USA
WHEN:	2015-2016
HOW:	Actuaries must pass actuarial exams in order to earn all of their credentials The SOA (Society of Actuaries) administers the exams For the final three exams, the SOA enlists the help of credentialed actuaries (volunteers) These volunteers grade the exams. Marilou Halim is an admitted FSA Exam Grader (she has been grading exams since Pre-2013) Ms. Halim ominously warned me that there was more to being an actuary than passing exams (ie, she could control who got their credentials). Moreover, every Allstate FSA can be an exam grader. The exams are graded in a subjective manner (the grader can grade it however they please) I took one of these exams (ILALFVU) Before the exam, Lisa Henry ordered me to submit a writing sample to Ms. Halim. The reason why I was not given a passing grade is because my managers conspired to be the graders on my exam. - They would have been able to identify my exam by my name - They would have been able to identify my exam by my ID - They would have been able to identify my exam by my handwriting (they often commented on my handwriting). - They would have been able to identify my exam via clandestine methods - They would have been able to identify my exam with the help of the SOA Management was fully aware of the negative impact that this would have on my employment status Management did not do this to non-black employees

RESPONSE:	The exam determined my fate as an employee at Allstate. It was the stated reason for my termination
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OUTCOME:	Racial Discrimination The exams significantly affect compensation, promotion, and employment status
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EVIDENCE:	SOA (Society of Actuaries) - Evidence: • List of All FSA Exam Graders (ILALP, ILALFVU, ILALRM) Allstate – Evidence: • List of Exam Graders • List of employees who had 2 consecutive exam failures Complainant • Inquisition on exams (while employed with Allstate vs as an external employee)
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EVENT 302	Management Surreptitiously Graded a Former Black Actuary's Exam In Order To Fail Him, and Compromise His Employment.
WHO:	Allstate's Actuarial Department SOA
WHAT:	Allstate's actuarial management engaged in foul play by improperly grading Kirk Higgins' last FSA exam, to deny him his final actuarial credential; and henceforth produce a threat to his employment.
WHERE:	USA
WHEN:	2012-2013
HOW:	Actuaries must pass actuarial exams in order to earn all of their credential The SOA (Society of Actuaries) administers the exams For the final three exams, the SOA enlists the help of credentialed actuaries (volunteers) These volunteers grade the exams Marilou Halim is an admitted FSA Exam Grader (she has been grading exams since Pre-2013) Moreover, every Allstate FSA can be an exam grader. The exams are graded in a subjective manner (the grader can grade it however they please) Kirk Higgins took one of these exams (ILALP) Kirk Higgins is a black man I believe that the reason he was not given a passing grade is because Allstate management conspired to be the graders on his exam. - They would have been able to identify my exam by my name - They would have been able to identify my exam by my ID - They would have been able to identify his exam by my handwriting. - They would have been able to identify his exam via clandestine methods - They would have been able to identify his exam with the help of the SOA Management was fully aware of the negative impact that this would have on Kirk Higgins' employment status. Management did not do this to non-black employees
RESPONSE:	The exams can determine the fate of an employee at Allstate (at management's discretion).
OUTCOME:	Racial Discrimination The exams significantly affect compensation, promotion, and employment status
EVIDENCE:	SOA (Society of Actuaries) - Evidence: • List of All FSA Exam Graders (ILADP, ILACSP) Allstate – Evidence: • List of Exam Graders • List of employees who had 2 consecutive exam failures Complainant Inquisition on exams (while employed with Allstate vs as an external employee)

EVENT 303	Kaz Nagai's Constant Mocking & Ridicule
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WHO:	Kaz Nagai	
WHAT:	Constant Mocking & Ridicule	
WHERE:	Office. Lunches.	
WHEN:	2014 - ∞	
HOW:	Bicycle	Since my first week at Allstate, I rode my bike to work. Mr. Nagai had been working there for 6 months prior. He never rode his bike. All of a sudden, Mr. Nagai compelled himself to ride his bike. He began joking (to anybody within earshot) about his new cycling commute. He'd joke about how sweaty he'd get; how smelly it would make him; He'd joke about needing a shower He was mocking me.
	Gym	Since my first week at Allstate, I went to the gym. Mr. Nagai had been working here for 6 months prior. He never went to the gym. All of a sudden, Mr. Nagai compelled himself to go to the gym. Again, he began joking (to anybody within earshot) about his new regimen He'd joke about "working on his core" – a direct mock of my prior quote He'd joke about how sweaty he'd get; He'd ridicule my meal plan by displaying large fruits on his desk He'd do triceps extensions and workouts in the middle of meetings He was mocking me
	Christmas	Our department had an annual Christmas luncheon. It was held at a pasta house Christmas 2013, I bought a Christmas hat, but I didn't wear it Christmas 2014, I walked in with the Christmas hat. People made comments on it. Mr. Nagai witnessed the exchange. Within 2 weeks, Mr. Nagai compelled himself to arrive at work in a Christmas hat. While in the cubicles, he said something along the lines of "Look who's got a Christmas hat now." He then spends the next few weeks recruiting others to join in on the charade. Christmas 2015, Mr. Nagai shows up to work in a complete Santa Claus outfit. He was mocking me
	Verbal	I told someone they had nice shoes one day For the next two weeks Mr. Nagai would yell out "Nice shoes" "I like your shoes" to people passing by in the hallway He was mocking me

RESPONSE:	Asked my manager if I could work from home. Asked my manager if I go home early due to the harassment. Changed my seat. I continued to focus on work.
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OUTCOME:	Harassment. Bullying. Marginalizing
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EVIDENCE:	Allstate – Interview: - Kaz Nagai (harasser) - Anyone who worked in the Actuarial Department between Jan 2014 & Aug 2016 (witnesses)
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EVENT 304	Kaz Nagai's Constant Surveillance And Invasion of Space & Privacy
WHO:	Kaz Nagai
WHAT:	Constant Surveillance and Invasion of Space
WHERE:	Office. Street.
WHEN:	July 2014 - ∞
HOW:	Around April 2014, Mr. Nagai (the primary harasser) had secured a standing desk from management His subsequent stance gave him a birds-eye view of every movement I made He would enact the following behaviors: 1. Watch me as I worked at my cubicle 2. Watch me as I went to the bathroom 3. Watch me as I went to the kitchen 4. Watch me as I went to a meeting 5. Watch me as I went to go study 6. Watch me as I walked down the hallway 7. Watch me as I had conversations with other people in different aisles 8. Eavesdrop on my telephone conversations The surveillance didn't stop at the office. He would do the following: 1. Drive by my home 2. Honk his horn at me while I rode my bicycle on the sidewalk 3. Walk right behind me at 6am as I entered the building 4. Shadow me as I arrived on the weekends (even at 6am!) There was virtually no where I could go without his gaze there to follow
RESPONSE:	I would try my best to ignore Mr. Nagai. I would try my best to avoid Mr. Nagai. I would avoid having telephone conversations when Mr. Nagai was around. I would take most of my bathroom breaks on a separate floor; beyond his leering gaze. I would avoid walking over to my manager's desk; so as to avoid the piercing gaze
OUTCOME:	Extreme discomfort. Disgust. Deprivation of privacy. An undying need to get out of his line of sight.
EVIDENCE:	Allstate – Interview: • Kaz Nagai (harasser) • Anyone who worked in the Actuarial Department between Jan 2014 & Aug 2016 (witnesses) • Anyone who ever ventured up to the 7th floor between Jan '14 & Aug '16 (witnesses) Allstate – Evidence: • Financial Records (shows the purchase that Allstate made to help Mr. Nagai invade space)

EVENT 305	Kaz Nagai's Threat Of "You're Next [to suffer]" While Putting His Finger In My Face
WHO:	Kaz Nagai
WHAT:	Kaz Said, "I just took this exam down. Yes!!" then he turns directly to me, puts his finger in my face, and shouts, "You're Next!!"
WHERE:	7 th Floor, Cubicles
WHEN:	Fall 2014
HOW:	Kaz Nagai, Phil Kite, and I were in our cubicles. Kaz just learned that he passed his recent actuarial exam. Phil & I congratulated him on his success. Kaz stood up. Then he exulted, "I just took this exam down. Yes!!" Then he turned directly towards me, stepped forward, and threateningly said, "You're Next!!!" It was completely unprovoked; as just seconds earlier I was congratulating him for passing his exam. He never made these threats to non-black actuaries.
RESPONSE:	I said nothing. I just resumed work; no matter what, I was going to focus on doing excellent work.
OUTCOME:	Hostile Work Environment Ostracism
EVIDENCE:	Allstate – Interview: - Kaz Nagai (he was the transgressor) - Phil Kite (he was the witness) Aggrieved - Elias Makere (target of harassing threats)

EVENT 306	Marilou Halim's Profane Summer Screamfest
WHO:	Marilou Halim
WHAT:	A profanity-laced tirade
WHERE:	Office. Hallway/doorway.
WHEN:	Mid-August 2015
HOW:	The day before, we learned that the father of one of our staff members had passed away. That night, I went to the store to purchase a condolence card. It was typical for our department to circulate one in support of our colleagues. Earlier that morning, I brought the card in; I signed it; and I made a checklist of names for the pass-around. Since there were about 3-4 people who were out of the office, I put red x's next to their names. Then I placed the card + checklist on Mrs. Halim's desk so that she'd be the 1st recipient. Later that morning, I was sitting in a small room studying alone (Huddle Room 7A); my back was to the glass door. The office was full. Mrs. Halim knocked once then barged in before I could turn around to see who was there. She left the door ajar (so anyone could hear her). She began yelling at me, "Did you buy this? Don't do that! It pisses me off!! You've undermined me! I bought a card!! There are other signatures on here" – unless other people take items off of her desk then she was wrong (I was the only signature on there). So, either she intentionally ignored the facts or she angrily jumped to conclusions She repeats herself, "It ticks me off!! You're not the one to do that! It pisses me off!"
RESPONSE:	I surmised that her hostile outburst was retaliation for me having a closed door meeting with my manager a couple of weeks before. Prior to the outburst, she had made indirect quips at me for having "meetings with your manager; not good". Note: that meeting was to inform my manager of my strong desire to sit somewhere else. I was sure that many other employees heard her berating me. I stopped buying condolence cards. I stopped asking to have closed door meeting with my manager. I minimized contact with everyone in the department. I felt uncomfortable walking down the hallways. In fact, I would walk without my eyeglasses so that I couldn't make out people's faces; in fear of the contempt & ridicule stored within.
OUTCOME:	Verbal abuse. Hostility. Ostracism. Hostile Work Environment
EVIDENCE:	Allstate – Interview: • Marilou Halim (she hurled profanity at complainant) • Paul Ramirez (witness – his seat is within earshot) • Richard Schaefer (witness – sits adjacent to the room of hostility)

EVENT 307	Lisa Henry's Repeated Physical Assaults
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WHO:	Lisa Henry	
WHAT:	Acts of Violence & Intimidation: Dismissively thrown fruits; Disrespectfully thrown candy; Violently thrown paper	
WHERE:	Office. Cubicles. Conference Rooms	
WHEN:	Spring 2016	
HOW:	Fall 2015	Lisa dismissively throws a banana at me • I'm sitting at my desk working quietly • Lisa comes by to pick up paper from the printer • On her way out she dismissively throws a banana at me while murmuring something • They land on my desk
	Spring 2016	Lisa disrespectfully throws candy at me • I'm sitting at one of the front cubicles working quietly • Lisa comes over to request I attend another one of her phantom "coaching sessions" • I refuse by stating that it was retaliation for filing an ethics report • She disrespectfully throws a couple of starburst candies at me • They land on my desk
	Spring 2016	Lisa violently throws paper at me • I'm sitting in a small huddle room alone • Lisa enters • Lisa asks several times whether I want to have the phantom "coaching session" with her • I reply, "No, it is clearly retaliation for the ethics report I filed." • Lisa violently throws paper at me. I flinched. It landed inches away from me

RESPONSE:	Fall 2015	I continued working quietly I eventually put the banana in the kitchen for anyone else to take
	Spring 2016	I continued working quietly I tried to downplay the scene that she just made by nodding my head I eventually put the candy in the kitchen for anyone else to take
	Spring 2016	I stayed in the huddle room for an extra 30 minutes It seemed like others saw her do it; and possibly saw her angrily stammer away I downplayed the humiliation by not making eye contact with anyone for the rest of the day.

OUTCOME:	Hostile Work Environment. Brazen displays of animosity. Subjugation
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EVIDENCE:	Allstate – Interview: • Lisa Henry (violent perpetrator) • Antwan Jenkins (witnessed Lisa admit to the violence & intimidation) • Kelly Bermudez (witnessed Lisa admit to the violence & intimidation) • Richard Schaefer (witnessed Lisa admit to the violence & intimidation)
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EVENT 308	Phil Kite's Knife Threats & Rubber Band Shooting
WHO:	Phil Kite
WHAT:	Knife Threats
WHERE:	Office. Cubicles.
WHEN:	Spring 2014, Summer 2014.
HOW:	Spring 2014: During normal conversation, Mr. Kite told me to turn around. – BAM – rubber band straight into my right eye. The office was full. Summer 2014: During normal conversation Mr. Kite wielded a knife with the blade, out and ominously looks in my direction. We were less than 10 feet away from one another. He said something to the effect of, "I'll put one of these on you." The office was full.
RESPONSE:	He does it again a few weeks later. Whenever a discussion of violence or workplace violence comes up I mention Mr. Kite's knife threats.
OUTCOME:	Intimidation. Lawlessness. Brazen displays of intolerance. Subjugation and displays of power.
EVIDENCE:	Allstate – Interview: • Phil Kite (violent perpetrator) • Kaz Nagai (witness)

EVENT 309	Lisa Henry Repeatedly Tries To Force Me To Sign an Improper Document
WHO:	Lisa Henry
WHAT:	My manager, Lisa Henry, repeatedly tries to force me to sign an illegitimate document
WHERE:	7 th Floor
WHEN:	Spring 2016 – Summer 2016
HOW:	Managers conduct annual performance reviews on their direct reports every year In 2016, Lisa Henry drafted an illogical, inaccurate, and immoral final review I disagreed with it I reported it And I made it clear that I would not sign the document I told her that her inaccurate review was an act of retaliation On numerous occasions, Lisa would come over to me to either coax me into signing it or force me to sign it ➤ Coaxing Efforts: On at least one occasion, Lisa said “You have to sign the final review. It’s a condition of your employment.” ➤ Forcing Efforts: While I was sitting in the front cubicle, Lisa threw an object at me after I refused to sign the document. Ms. Henry never tried to coerce non-black employees. Ms. Henry never acted violently towards non-black employees.
RESPONSE:	I just continued to focus on producing high quality actuarial work. Note: I never signed that illegitimate document
OUTCOME:	Terms & Conditions of Employment
EVIDENCE:	Allstate – Interview: • Lisa Henry Allstate – Evidence: ➤ Annual Performance reviews for Elias Makere (2014 Final Review, 2015 Final Review) Aggrieved Person: • Elias Makere (aggrieved person)

EVENT 310	Extended Retaliation
WHO:	Allstate Corporation, Respondent PERSON 407, Non-Party
WHAT:	Allstate commissioned a non-party, PERSON 407, to harass and defame the Petitioner in retaliation (for filing suit).
WHERE:	Florida, Online
WHEN:	2017-2018
HOW:	<u>Veiled Threat</u> February 2018, PERSON 407 told the Petitioner to “pray to God about [having filed suit]”. The Petitioner saw it as a veiled threat. 407 then filed a document with the DOAH; making inflammatory remarks. The Respondent soon followed up with compounding hearsay. The Petitioner told the Court that he believed that the Respondent commissioned 407 to attack the Petitioner. <u>Harassment in Violation of 120.569(2)(e)</u> March 2018, PERSON 407 filed an improper document [with the DOAH] to humiliate and defame the Petitioner. The Petitioner filed for sanctions (one against the Respondent, one against 407). <u>Impunity</u> PERSON 407 told the Court that he believed his non-party status granted him the liberty to attack the Petitioner (paraphrasing). Soon thereafter, he continued his fervent forays. <u>Zealous Activity</u> As of now, PERSON 407 has filed more pleadings than one of the Respondent’s four attorneys of record (Koutsodendris). 5 vs 2. The Respondent – in effect – has turned 407 into its fifth lawyer: <u>Explicit Link to Respondent</u> June 21, 2018, the Respondent emailed PERSON 407 and encouraged him to file pleadings on its behalf. Pleadings that 407 was not authorized to file. The Respondent also asked 407 to avoid writing anything that could negatively impact the Respondent’s pleadings. On June 25, 2018, 407 obliged by filing another improper document. <u>Additional Suspensions</u> The Petitioner believes that the Respondent has commissioned additional retaliatory acts. In short, a non-party individual threatened and zealously harassed the Petitioner. The Petitioner long believed that the Respondent was behind it. And now the Petitioner has proof (see <u>Exhibit B</u>).
RESPONSE:	Ask & Avoid: The Petitioner has been (1) asking for more evidence; and (2) avoiding unneeded contact
OUTCOME:	Retaliation (§760 Florida Statutes). Defamation (§836).
EVIDENCE:	Hard Evidence: • Email (6/21/18) [From: Allstate To: PERSON 407] • Email (2/12/18) [From: PERSON 407 To: Petitioner] • Allstate’s March 2018 pleading (violation of hearsay rule) • PERSON 407’s March 2018 pleading (defamatory, harassing, inaccurate) • Petitioner’s Motions for Sanctions (against Allstate, against 407)

EVENT 311	Lethal Retaliation
WHO:	Allstate Corporation, Respondent PERSON 105, Employee PERSON 110, Non-Party
WHAT:	The Petitioner suspects that the Respondent commissioned a non-party, PERSON 110, to lethally attack the Petitioner in retaliation (for filing suit).
WHERE:	Jacksonville, FL; Jacksonville Beach, FL
WHEN:	March 10, 2018 May 12, 2018
HOW:	November/December 2015, ≈ 7PM EST, Allstate Campus The Threat After work, in the parking lot, the Petitioner gathered his bicycle to head home. His bicycle was about 80m from the office's door. As he entered the driveway, a tall, bearded man approached. The man said, "<i>be careful on your bike</i>", in an ominous tone. The Petitioner immediately took it as a veiled threat (as in '<i>watch your back</i>'). Within a few weeks, the Petitioner learned that the man was PERSON 105 (see EVENT 019). March 10, 2018, 12AM EST, Jacksonville, FL The Hit The Petitioner was riding his bicycle home; following his typical route at his typical time. He was wearing his helmet, and his bicycle was fitted with working headlights and taillights. His route included a main roadway. The roadway had three lanes in each direction, a 10m median, and street lights within 50m of one another (ie, well-lit). The speed limit was 45 mph. The Petitioner crossed the main roadway at the intersection. As he neared the median, a car struck him head on. The car's windshield threw him into the air – and he [presumably] landed in the grassy median. Which was where the emergency crew found him - unconscious. He suffered the following injuries (1) left leg contusion (≈ 50mm wide, ≈ 15mm deep); (2) sprained shoulder; (3) embedded glass in his scalp; (4) concussion. The car was reportedly going 45 mph. The driver was PERSON 110 (Matthew Myrick). Considering the Petitioner's injuries and the circumstances, he believes [sans helmet that] he could have (a) died; (b) been paralyzed; and/or (c) fallen comatose. It was a near-fatal event. May 12, 2018, 12AM EST, Jacksonville Beach, FL The Miss The Petitioner was once again riding his bicycle home; (same route, same time, more safety gear). The Petitioner spotted a car approaching him from behind. So, the Petitioner created more space. The car, however, continued its collision course with the Petitioner. It got so close that it forced the Petitioner to dive out of the way. The Petitioner landed in someone's driveway; and suffered some minor cuts to his knees and arms. He dodged another hit. Prior to this civil action, the Petitioner had never experienced anything like The Threat, The Hit, or The Miss in his dozens of years of bicycle riding. The Petitioner suspects that the Respondent commissioned The Hit to bring an end to this case. As such, he has asked the Respondent about PERSON 110. He will need to request more information.
RESPONSE:	Heightened suspicion. Request for Information. Physical recovery.
OUTCOME:	Retaliation (§ 760 Florida Statutes). Attempted Manslaughter (§782.07).
EVIDENCE:	Hard Evidence: Crash Report Additional evidence will be sought in discovery.

PART 2 SECTION V – EVENTS – PATTERN OF DISCRIMINATION

This section describes Allstate’s long pattern of discrimination.

PATTERN OF DISCRIMINATION	“400” Series	PAGE 49
<u>EVENT 401</u> Masculinity Insults I		<u>PAGE 50</u>
<u>EVENT 402</u> Masculinity Insults II		<u>PAGE 51</u>
<u>EVENT 403</u> Masculinity Insults III		<u>PAGE 52</u>
<u>EVENT 404</u> History of Racially-Inspired Job Terminations		<u>PAGE 53</u>
<u>EVENT 405</u> Deliberate Ostracism		<u>PAGE 54</u>
<u>EVENT 406</u> Contemptuous Displays		<u>PAGE 55</u>
<u>EVENT 407</u> Discriminatory Compensation		<u>PAGE 56</u>
<u>EVENT 408</u> Pointed Personnel Practices		<u>PAGE 57</u>
<u>EVENT 409</u> Collusion		<u>PAGE 58</u>
<u>EVENT 410</u> Orchestrated Discrimination by the CEO		<u>PAGE 59</u>

EVENT 401	Masculinity Insults (Part 1 of 3)	
WHO:	Kaz Nagai	
WHAT:	Mr. Nagai would hurl direct & indirect insults at me by trying to imply that I wasn't straight	
WHERE:	Office. Cubicles.	
WHEN:	June 2014 - ∞	
HOW:	June 2014	I was sitting at my desk. Another employee comes over, and we start talking. Mr. Nagai was eavesdropping. Somehow she talks about how she was going to lunch with some other female staff. Mr. Nagai asks her, "It's an all girl lunch? Are you going to take Elias with you?" She had a look of confusion in her head. She walked away silently. I said nothing. The conversation ended
	Fall 2015	I was standing up in the aisle. I was briefly talking to Louis Posick about casual stuff Mr. Nagai was next to Mr. Posick Somehow we start talking about rooms Mr. Nagai says, "Like coming out of your closet?" Louis looks at him and orders him to stop. Then he begins whispering to Mr. Nagai The conversation was over
RESPONSE:	I just sat back down and continued to work	
OUTCOME:	Constant Harassment & Attempted Humiliation They were grasping at anything to justify their need to distance themselves from a black man in the actuarial department	
EVIDENCE:	Allstate – Interview: - Kaz Nagai (he was the one hurling the insults) - Louis Posick (he was Kaz's manager, he witnessed the insults)	

EVENT 402	Masculinity Insults (Part 2 of 3)
WHO:	Catherine Wallace Bethea; close friend of Kaz Nagai's (primary harasser)
WHAT:	Implying that I wasn't straight and that I had an STD
WHERE:	Office. Cubicles.
WHEN:	2014
HOW:	A blood drive was recently held on our campus I donated blood; Ms. Bethea donated blood, too. I was walking back to my desk. Ms. Bethea made her way to our cubicles, and was standing in the aisle. The topic became the blood drive, and Ms. Bethea squared off on me. "You know they're going to test your blood, right? You might have something." She continued on (keep in mind that she's a very loud talker). "You might have something..." then she started to stutter; correcting herself ..."they might find out you're pregnant." She continued on with her monologue; quite boisterously. She was implying that I wasn't straight and that I had an STD. Both of which were false implications. She did this because I was black (she never made such implications towards non-black employees).
RESPONSE:	My manager comes over to the cubicles. She ushers Catherine away. She asks me if I'm okay. I reply nonchalantly as if it didn't matter. The stage was set, though.
OUTCOME:	Hostile work environment. Constant harassment; widespread harassment. Ms. Bethea was carrying out Mr. Nagai's harassing theme of masculinity insults.
EVIDENCE:	Allstate – Interview: • Catherine Wallace Bethea (aggressor) • Kaz Nagai (witness) • Phil Kite (witness) • Lisa Henry (witness) • Louis Posick (witness)

EVENT 403	Masculinity Insults (Part 3 of 3)	
WHO:	Louis Posick Richard Schaefer	
WHAT:	Insults of "Closet actuary" in an attempt to demean me and find ulterior justification for their racial discrimination	
WHERE:	Office. Electronic file. Rich's office	
WHEN:	Spring 2015 – Spring 2016	
HOW:	Louis Posick	I sent a file to Louis Posick. He sent it back, within it he wrote something along the lines of, "Don't be a closet actuary"
	Richard Schaefer	I was in a meeting with Mr. Schaefer & my manager, Lisa Henry We were talking about work. Somehow Mr. Schaefer begins a monologue on the office. He utters the following, "This is not the place for a closet actuary".
RESPONSE:	The term "closet actuary" has never existed in the profession. It was coined by Louis Posick as a way to demean & ostracize me in an attempt to find an ulterior justification for his racial discrimination I ignored their dissent and continued to focus on doing excellent actuarial work.	
OUTCOME:	Widespread harassment	
EVIDENCE:	Allstate – Interview: • Louis Posick (he was the first transgressor) • Richard Schaefer (he was the 2nd transgressor) • Lisa Henry (she was the witness to Rich's attack) Allstate – Evidence: • Impromptu Actuarial Survey (the file that Louis Posick wrote the insult	

EVENT 404	In a 2-year timespan, Allstate Fired 6 People From My Area, 5 of Whom Were Black													
WHO:	Allstate													
WHAT:	On the 7th floor alone, I am aware of 6 people who were fired; 5 of them 6 were black. This is alarming because there were only about 10 black people in the entire staff (≈ 200 people).													
WHERE:	Jacksonville, FL 7 th Floor													
WHEN:	Spring 2014 – Spring 2016													
HOW:	The following people were abruptly terminated <table><thead><tr><th>Black¹</th><th>Non-Black</th></tr></thead><tbody><tr><td>Pam Bernaba</td><td>Lidiya Olsen</td></tr><tr><td>Bryce ???</td><td></td></tr><tr><td>Winston ???</td><td></td></tr><tr><td>Ms. Bryant</td><td></td></tr><tr><td>Sandy Spruill</td><td></td></tr></tbody></table> ¹ African American/Black There is less than a 10% chance for this to have happened at random (ie, it's highly likely that race was a factor)		Black ¹	Non-Black	Pam Bernaba	Lidiya Olsen	Bryce ???		Winston ???		Ms. Bryant		Sandy Spruill	
Black ¹	Non-Black													
Pam Bernaba	Lidiya Olsen													
Bryce ???														
Winston ???														
Ms. Bryant														
Sandy Spruill														
RESPONSE:	I just continued to focus on doing high quality work, and putting our customer's first. No matter what, I was going to focus on servicing the customer.													
OUTCOME:	A pattern of firing a grave disproportion of black people Racial discrimination													
EVIDENCE:	Non-Allstate – Interview: • Bryce (black contract employee whose employment at Allstate abruptly ended) • Ms. Bryant (black contract employee whose employment at Allstate abruptly ended) • Sandy Spruill (black contract employee whose employment at Allstate abruptly ended) • Winston (black contract employee whose employment at Allstate abruptly ended) • Lidiya Olsen (non-black contract employee whose employment at Allstate abruptly ended) Allstate – Evidence: • HR Information (dates of employment for all named employees)													

EVENT 405	Louis Posick Exclaims That "Someone Like Me" Devalues The Profession To Ostracize Me and Classify Me As An Inferior Employee
WHO:	Louis Posick
WHAT:	Louis angrily rants, "Your recent credentials water down the profession. 'Someone like you' devalues the profession. Your ASA makes mine worth less. That's the problem I have."
WHERE:	Copper Bar & Grill
WHEN:	June 2014 (Week of the 16 th)
HOW:	We were having a going away lunch for a woman on the finance team About eight of us were sitting at the table. Louis was sitting on the opposite side of the bench, about three seats down. Roughly 10-15 minutes into our meal Louis goes on an unprovoked rant about how I make things worse for the profession: "Your recent credentials water down the profession. 'Someone like you' devalues the profession. Your ASA makes mine worth less. That's the problem I have." People start laughing. I was the only black person at the table; and the only black actuary in the department. I passed the actuarial exams like everyone else; I passed the VEEs like everyone else; I got my credentials like everyone else. The only difference was that I was black and everyone else was non-black. "Someone like me" was clearly a cover for "black people"; especially with his tone.
RESPONSE:	The finance woman turns to me incredulously and quips, "so, <i>what</i> do you do?" As if to say that Louis' comments have rendered me useless. That was the last time I voluntarily attended a lunch with Louis.
OUTCOME:	Professional indignation Subjugation Ostracism based on race
EVIDENCE:	Allstate – Interview: • Louis Posick (he made the unprovoked comment that effectively segregated me) • Kaz Nagai (witness, continued the racial harassment) • Paul Ramirez, Mike Prendes, Cassie Smith Victor Ciurte (they were all in attendance)

EVENT 406	Contemptuous Displays
WHO:	Nasreen Ali
WHAT:	Nasreen always feigned disgust towards me by demonstratively scooting her chair away, sliding away, or jerking herself away from me.
WHERE:	Jacksonville, FL
WHEN:	Spring 2014 – Summer 2016
HOW:	Every chance that Nasreen got she would demonstrate her contempt for my existence within the actuarial department. At department lunches, she would give me dirty looks while interrupting my contributions to the conversation. She would also rudely brush by me while I held the door for everyone. She never did these things to any of the non-black actuaries. Even worse, in staff meetings she would scoot her chair away from me in feigned disgust. Her intent was to depict me as an indignant being not worthy of the lowest forms of respect. This was her signal to management that she sided with their discriminatory stance. Nasreen never acted this way towards non-black actuaries. In the hallways, Nasreen would give me dirty looks, ignore my simple greetings, and rush past as if I were subhuman. She never acted this way towards non-black actuaries.
RESPONSE:	I just continued to focus on doing high quality work, and putting our customer's first. No matter what, I was going to focus on servicing the customer.
OUTCOME:	Racial Harassment – a violation of Allstate's terms & conditions Hostile Work Environment General Acrimony
EVIDENCE:	Allstate – Interview: • Nasreen Ali (she was the perpetrator) • Jennifer McKinsey (she witnessed a few of the acts at the department lunches) • Richard Schaefer (witness) • Lisa Henry (witness) • Marilou Halim (witness) • Virtually anybody from the actuarial department (life insurance side – especially)

EVENT 407	Allstate Paid Me Less Than The Lowest Actuarial Salary - On Account Of Race
WHO:	Allstate
WHAT:	My annual salary was below the lowest industry amount for actuaries with my experience & tenure; this was because of my race (black people comprise less than 1% of the profession , and are widely discriminated against)
WHERE:	Jacksonville, FL
WHEN:	July 2014 – July 2016
HOW:	My salary was roughly \$72,000 in July 2014 I had 2 years of experience I had my ASA (actuarial credential) Salaries for ASAs with 1-3 years of experience range from \$74,000 to \$115,000¹ At my manager's discretion, my salary was constantly prohibited from growth. The reasons given were false, frivolous, and flagrantly bigoted: 1) 2014 Reason = "Email communications" – she failed to cite any examples; she never mentioned emails until my Annual Review. She was fleecing me. 2) 2015 Reason = "Coaching Session" – my manager fabricated coaching sessions in which she allegedly scolded me on behavior – coaching sessions that never existed. The company gave her ample opportunity to provide evidence to support her claims, she failed. 3) 2015 Quote = "If you're not perfect then you don't get a satisfactory rating. I'm not following any company guideline, this is how I choose to grade you. I choose to shackle the monkey before it becomes a gorilla." – The last sentence played on the long-held racist characterization of a black person as a monkey. She later repeated this exact quote in a 2016 meeting. Management was intentionally carrying out this act of racial discrimination; they did not want a black actuary to progress.
RESPONSE:	I just continued to focus on doing high quality work, and putting our customer's first. No matter what, I was going to focus on servicing the customer. I reminded myself that there was a monkey sitting on my desk – after all – this was just par for the course.
OUTCOME:	Racial discrimination affecting compensation
EVIDENCE:	Non-Allstate – Evidence (DW Simpson, LLC): ¹ DW Simpson Actuarial Salary Survey (http://www.dwsimpson.com/salary) Allstate – Evidence: • Allstate's Actuarial Compensation History

EVENT 408	Management Hires 9 People To Replace Me (8 of which I was responsible for training)
WHO:	Richard Schaefer Marilou Halim
WHAT:	Hiring of the SnapQuote Team
WHERE:	Office
WHEN:	August 2015 – April 2016
HOW:	Mrs. Halim and Mr. Schaefer ignited the search for new staff Staff that they were poising to have replace me They involved me in the interview & training process for 5 of them The employees were to sit right next to me. The excuse given was that there was no room for them anywhere else However, there was plenty of space in other parts of the building They were the only people in the actuarial department who didn't sit with their managers Mr. Schaefer was visibly choked up when he explained where they would be sitting. He was struggling to tell his lies. Ultimately, nine people were hired. A manager was promoted to the team as well. That manager was sent to sequester my work It was a bureaucratic maneuver He said his primary goal was to consolidate the SnapQuote programs. However, he never consolidated any of them In fact, it took me a mere 1.5 hours to produce the demo which showed two SnapQuotes being consolidated. Allstate management intentionally hired these nine people with the purpose of removing a black man from the actuarial department.
RESPONSE:	I continued to perform excellent actuarial work I engaged with the new staff members, and treated them great I taught the new staff members a myriad of technical things that were specific to their required skills I supplied the new staff members with anything I could I remained withdrawn from the actuarial department
OUTCOME:	Sending the message that they wanted someone else to be in my shoes (a non-black person). Ostracism. A part of the ongoing racial discrimination. They wanted a non-black person to assume my responsibilities, since a black man "devalues" the actuarial profession.
EVIDENCE:	Allstate – Interview: - Richard Schaefer (he orchestrated everything from the interviews to the work sequestration) - Marilou Halim (she ordered the search, lied to everyone about my employment, and goaded me for an argument)

EVENT 409	The Actuarial Department Colludes With My Prior Employer (of whom I filed an EEOC complaint) To Ostracize Me Because I'm Black
WHO:	Lisa Henry
WHAT:	Allstate's actuarial management reached out to my former employer (of whom I filed an EEOC complaint against) to discover how far they could compromise my career
WHERE:	Jacksonville, FL
WHEN:	Winter 2014 through August 2016
HOW:	In Spring 2016, amid the investigation she was under for retaliation, Lisa Henry made trips to my former employer – who was 600+ miles away. Genworth Harassment & Discrimination: Racial: • In May 2012, of the 6 people who passed an actuarial (MLC), I was the only one denied the company bonus. • Despite using the least amount of the company's money • Despite using the least amount of time (I had been an employee for only 90 days; while others had more than a year) • Richard Bosworth Worthington repeatedly used the "n-word" towards me • He often greeted me with stereotypical "hood" dialog • He engaged with other coworkers in racially charged commentary & jokes - Richard, Seth, and Danish Iqbal regularly came by my desk to give their typical "...a black guy, a lawyer, and an accountant walk into a bar" jokes Sexual: • On Friday, February 10, Erica Flynt shouts to me, "That's why we hired you. To make me happy. We hired you to make me happy." She did this in front of our team; and in front of the Chief Actuary (David Armstrong). • Passive Aggressive behavior: After it became clear that I wasn't going to go along with it (≈ 1 month), the hostility rose. Erica Flynt & Allyson Beam would often say things like, "Oh yeah, [a man] is so great. He's way better than <i>him</i>." The <i>him</i> was designed to mean Elias (based on tone & context). The effect was to demean me by using another man as the lever. • Inappropriate Suggestions: Erica Flynt would suggest work-related tasks based on people's looks. In Spring 2012, when I was talking to Greg Franklin about a routine task, he indicated that I'd need assistance from people in finance. Out of nowhere, Erica Flynt yells, "Oh, Uma Chetty! You should talk to her. She's pretty. She's very pretty. You should talk to her." She had created an over-sexualized environment.
EVIDENCE:	Allstate – Evidence: • Lisa Henry's Work Calendar (MS Outlook)

EVENT 410	The Actuarial Department Gets Elevated To Upper Management Once My Termination Receives Approval
WHO:	Greg Guidos Richard Schaefer
WHAT:	Allstate's resident CEO elevated the Actuarial department to upper management under the condition that Richard Schaefer terminated my employment
WHERE:	Jacksonville, FL 7 th Floor, 8 th Floor
WHEN:	July/August 2016
HOW:	In 2016, the Actuarial department was being considered for a move up to the 8th floor (with senior management). If a move were to happen, it would not happen until the following year (at the earliest). After management failed my actuarial exam (thus permitting my termination) in July 2016, CEO Greg Guidos gave Chief Actuary Richard Schaefer the green light to move to the 8th floor. The migration would be complete by October 2016 (well ahead of the 2017+ anticipation date)
RESPONSE:	I continued to focus on work
OUTCOME:	Racial Discrimination The advancement of the actuarial department was contingent upon the eradication & ostracism of its black members
EVIDENCE:	Allstate – Interview: - Greg Guidos (directly question what factored into the Actuarial department's election; ask about the timing of the decision) - Richard Schaefer (directly question what factored into the election; ask about the timing of the decision)

PART 2 SECTION VI – EVENTS – SEXUAL HARASSMENT & DISCRIMINATION

This section contains several acts of sexual harassment and discrimination that Allstate committed.

PATTERN OF DISCRIMINATION	"500" Series	PAGE 60
<u>EVENT 501</u> Managerial Requests for Dinner-&-a-Movie		<u>PAGE 61</u>
<u>EVENT 502</u> Unwanted Arm & Back Rubs from Management		<u>PAGE 62</u>
<u>EVENT 503</u> Management's Inappropriate Comments About my Pants		<u>PAGE 63</u>
<u>EVENT 504</u> Management's Requests for 450-mile road trips		<u>PAGE 64</u>
<u>EVENT 505</u> Management Requests a Deeply Compromised Outing		<u>PAGE 65</u>
<u>EVENT 506</u> Blatant Sexual Discrimination		<u>PAGE 66</u>

EVENT 501	Manager Requests for Dinner-and-a-Movie
WHO:	Lisa Henry
WHAT:	My manager requests that I join her for dinner & a movie on a Saturday night.
WHERE:	Office. Lisa's Desk. 7 th Floor
WHEN:	On a Saturday. Within the first month of my employment at Allstate
HOW:	It was at the end of the day; on a Saturday. Near nightfall. The office was mainly empty. I packed up my belongings and tried to tell Lisa goodbye. She asked me to join her and her husband David for dinner. Then she says we'll go to the movies. She had asked me this before (I had refused). The difference – this time – was that she also mentioned that David probably wouldn't be able to make it; and that it would be just the two of us. That's when I responded with, "Well, I can't make it because Laurel is coming to town today. She's made plans for us." I walked away and went home.
RESPONSE:	I was in near tears. I didn't want to believe that she just asked that. My whole body was in shock. This was exactly what I had gone through at Genworth
OUTCOME:	Subjugation. Solitude. I was at the bottom and I wouldn't be able to lean on my manager for support; without some moral compromise. As time went on, Lisa made fewer blatant requests.
EVIDENCE:	Allstate – Interview: • Lisa Henry (she made the date request) • David Henry (husband - the social fishing rod)

EVENT 502	Arm & Back Rubs From Management
WHO:	Lisa Henry
WHAT:	My manager would rub my back and shoulders while I sat & worked
WHERE:	Office Cubicles
WHEN:	Winter 2014
HOW:	was sitting at my desk. I was wearing a red shirt. Lisa enters my cubicle and stands behind me (this was a small, middle cubicle with limited space). She says something about my shirt. Then she leans in with her breasts perched against my back, and she rubs my arms (from the shoulder to the elbow). From there she rubs my back. It lasted about 5 seconds. A coworker was sitting across from me, and I believe he looked over and saw what she did.
RESPONSE:	Fear. I feared that I would get punished if I didn't go along with her behavior
OUTCOME:	Sexual harassment. Discomfort. Fear. Unease. The realization that I wouldn't be able to lean on her for any support
EVIDENCE:	Allstate – Interview: • Lisa Henry (she is the one who committed the act) • Kaz Nagai (witness)

EVENT 503	Inappropriate Comments About My Pants from Management
WHO:	Lisa Henry
WHAT:	My manager would routinely make inappropriate comments about how my pants looked
WHERE:	Office. Lisa's Desk. Cubicles
WHEN:	2014 - ∞
HOW:	Lisa would make inappropriate comments about how my pants looked. She would sometimes stare at my beltline, and below my beltline. The comments were usually along the lines of 'Nice pants'; 'Those look good on you'.
RESPONSE:	Silence
OUTCOME:	Sexual Harassment Discomfort. Unease
EVIDENCE:	Allstate – Interview: • Lisa Henry (she was the person making the comments) Aggrieved Person: • Get his testimony

EVENT 504	Requests for 450-Mile Road Trips From Management
WHO:	Lisa Henry
WHAT:	Lisa would ask me to drive to Atlanta with her for a business trip
WHERE:	Office
WHEN:	January 2014 – February 2014
HOW:	I was preparing to take a trip up to Atlanta for an actuarial course Part of the preparation involved getting a rental car. Lisa asked me a half-dozen times if we could make the trip together. It seemed really awkward; seeing how she didn't need to attend. She even called the rental car agency, and asked if I was there alone (ie, to see if my girlfriend was with me).
RESPONSE:	Richard Schaefer seemed disturbed when he witnessed the way that Lisa was carrying on I made the trip to Atlanta by myself
OUTCOME:	Sexual Harassment Discomfort. Realization that I wouldn't be able to lean on Lisa for support.
EVIDENCE:	Allstate – Interview: • Lisa Henry (she was the transgressor) • Richard Schaefer (witness) Allstate – Evidence: • Telephone records Aggrieved Person: • Get his testimony

EVENT 505	Manager Requests Another Social Outing
WHO:	Lisa Henry
WHAT:	My manager requests that I join her for a night of bowling
WHERE:	Jacksonville, FL 7 th Floor Complainant's Desk
WHEN:	August 9 th /10 th 2016
HOW:	It was at the end of the day; on a Tuesday/Wednesday. The office was mainly empty. I was sitting at my desk. Lisa came over to me, and asked me if I wanted to go bowling with her. I told her no. I had repeatedly refused her passes in the past. So, today was going to be no different. She stood there in disbelief – after all, we had a looming meeting on Friday. This was my apparent salvo to get in good graces with her. On Friday, August 12, 2016, Lisa informed me that I was being terminated. As the electronic records show, on Wednesday, August 10th, 2016 Ms. Henry ordered the HR department to approve my termination. This was the day following my very last refusal to go out with her.
RESPONSE:	Termination
OUTCOME:	Sexual Harassment. Intimidation. Deliberately compromised my terms & conditions of employment. Interfered with my work performance.
EVIDENCE:	Allstate – Interview: • Lisa Henry (transgressor) Aggrieved Person: • Get his testimony

EVENT 506	Blatant Sex Discrimination
WHO:	Lisa Henry Marilou Halim
WHAT:	My manager tells me that I was prohibited from attending the department lunch because of my gender.
WHERE:	Jacksonville, FL 7 th Floor Complainant's Desk
WHEN:	Spring 2016
HOW:	The actuarial department held lunches on a monthly basis. The department head, Richard Schaefer, maintains that it is important to have these sorts of team exercises. In Spring 2016, I replied to the meeting request to confirm my attendance. The following day, Lisa Henry (my manager), informed me that I wouldn't be allowed to attend because I was a man. She voluntarily explained that Marilou Halim ordered it that way.
RESPONSE:	I just continued performing excellent actuarial work, and putting the customer first. Nothing was going to interfere with that.
OUTCOME:	Sexual Discrimination
EVIDENCE:	Allstate –Interview: • Lisa Henry (she relayed the message of sex discrimination) • Marilou Halim (she ordered the sex discrimination) Aggrieved Person: • Elias Makere

PART 3 SECTION I – PEOPLE – DISCRIMINATORS

This section identifies & summarizes the discriminators involved in Allstate’s unlawful employment practice.

Note: Some of the people categorized as “discriminators” may have played additional roles (eg, PERSON 005 was a discriminator, harasser, and witness).

DISCRIMINATORS	“000” Series	PAGE 67
<u>PERSON 001</u> Mr. Richard Schaefer		<u>PAGE 68</u>
<u>PERSON 002</u> Mr. Greg Guidos		<u>PAGE 69</u>
<u>PERSON 003</u> Ms. Lisa Henry		<u>PAGE 70</u>
<u>PERSON 004</u> Ms. Marilou Halim		<u>PAGE 71</u>
<u>PERSON 005</u> Mr. Louis Posick		<u>PAGE 72</u>
<u>PERSON 006</u> Mr. Scott Randles		<u>PAGE 73</u>
<u>PERSON 007</u> Mr. Paul Ramirez		<u>PAGE 74</u>
<u>PERSON 008</u> Ms. Marianne Poriecca		<u>PAGE 75</u>

PERSON 001	Richard Schaefer, Chief Actuary
RELATION:	Executive Manager. Had regular, direct contact with complainant.
ROLE:	Major participant in employment discrimination
VIOLATIONS:	Complainant charges Mr. Schaefer with: (1) Orchestrating racial harassment (2) Orchestrating racial discrimination (3) Cultivating a hostile work environment (4) Retaliating against complainant for reporting racial harassment & discrimination (5) Spearheading the cover up (6) Facilitating racial discrimination in compensation (7) Facilitating termination of complainant (8) Violating Allstate's Terms & Conditions
ADD'L INFO:	Mr. Schaefer has access to: (A) Financial records (B) Compensation information (C) Complete contact information for almost every person named in this document Mr. Schaefer is: • Mr. Guidos' direct report • The manager of Ms. Henry and Ms. Halim
WHERE:	Last Known Whereabouts: Allstate Corporation 1776 American Heritage Life Dr. Jacksonville, FL 32224

PERSON 002	Greg Guidos, CEO
RELATION:	Executive. Had rare, direct contact with complainant.
ROLE:	Cultivated the discrimination
VIOLATIONS:	Complainant charges Mr. Guidos with: (1) Orchestrating racial harassment (2) Orchestrating racial discrimination (3) Cultivating a hostile work environment (4) Retaliating against complainant for reporting racial harassment & discrimination (5) Spearheading the cover up (6) Facilitating racial discrimination in compensation (7) Facilitating termination of complainant (8) Violating Allstate's Terms & Conditions
ADD'L INFO:	Mr. Guidos has access to: (A) Financial records (B) Compensation information (C) Complete contact information for almost every person named in this document Mr. Guidos is: • The manager of Mr. Schaefer • The top executive at Allstate Benefits (wholly owned subsidiary of Allstate)
WHERE:	Last Known Whereabouts: Allstate Corporation 1776 American Heritage Life Dr. Jacksonville, FL 32224

PERSON 003	Lisa Henry, AVP & Actuary
RELATION:	Actuarial Manager. Had frequent, direct contact with complainant.
ROLE:	Major Participant in employment discrimination.
VIOLATIONS:	Complainant charges Ms. Henry with: (1) Direct violence (2) Direct racial harassment (3) Direct racial discrimination (4) Direct sexual harassment (5) Igniting a hostile work environment (6) Trivializing racial harassment & discrimination (7) Spearheading the cover up (8) Facilitating racial discrimination in compensation (9) Facilitating termination of complainant (10) Violating Allstate's Terms & Conditions
ADD'L INFO:	Ms. Henry is: • Personal friends with Ms. Boland (active participant in employment discrimination) • Mr. Schaefer's direct report
WHERE:	Last Known Whereabouts: Allstate Corporation 1776 American Heritage Life Dr. Jacksonville, FL 32224

PERSON 004	Marilou Halim, AVP & Actuary
RELATION:	Actuarial Manager. Had regular, direct contact with complainant.
ROLE:	Active Participant in employment discrimination. Harasser
VIOLATIONS:	Complainant charges Ms. Halim with: (1) Direct Hostility (2) Igniting the termination of complainant (3) Direct Sex Discrimination
ADD'L INFO:	Ms. Halim has (A) Admitted to being an FSA Exam Grader (ie, a suspect in EVENT 301 and EVENT 302) (B) Granted non-black employees the permission to work from home (see EVENT 005) Ms. Halim is • Mr. Schaefer's direct report
WHERE:	Last Known Whereabouts: Allstate Corporation 1776 American Heritage Life Dr. Jacksonville, FL 32224

PERSON 005	Louis Posick, AVP & Actuary
RELATION:	Actuarial Manager. Had daily, direct contact with complainant.
ROLE:	Discrimination Commander. Harassment Commander.
VIOLATIONS:	Complainant charges Mr. Posick with: (1) Direct racial discrimination (2) Encouraging racial harassment (3) Encouraging racial discrimination (4) Direct hostility (5) Violating Allstate's Terms & Conditions
ADD'L INFO:	Mr. Posick is: • Mr. Randles' direct report • The manager of Mr. Nagai, Mr. Kite, and Mr. Ciurte • Close personal friends with Mr. Nagai
WHERE:	Last Known Whereabouts: Allstate Corporation 1776 American Heritage Life Dr. Jacksonville, FL 32224

PERSON 006	Scott Randles, VP & Actuary
RELATION:	Actuarial Manager. Had regular, direct contact with complainant.
ROLE:	Discrimination Supporter. Harassment Enabler.
VIOLATIONS:	Complainant charges Mr. Randles with: (1) Enabling racial harassment (2) Supporting racial discrimination (3) Direct hostility (4) Violating Allstate's Terms & Conditions
ADD'L INFO:	Mr. Randles is: • Mr. Schaefer's direct report • The manager of Mr. Posick and Mr. Ramirez
WHERE:	Last Known Whereabouts: Allstate Corporation 1776 American Heritage Life Dr. Jacksonville, FL 32224

PERSON 007	Paul Ramirez, AVP & Actuary
RELATION:	Actuarial Manager. Had regular, direct contact with complainant.
ROLE:	Discrimination Supporter. Harassment Enabler.
VIOLATIONS:	Complainant charges Mr. Ramirez with: (1) Enabling racial harassment (2) Supporting racial discrimination (3) Direct hostility (4) Violating Allstate's Terms & Conditions
ADD'L INFO:	Mr. Ramirez is: • Mr. Randles' direct report • The former manager of Mr. Ciurte • Close personal friends with Mr. Nagai • The president of the SOA's Technology Section
WHERE:	Last Known Whereabouts: Allstate Corporation 1776 American Heritage Life Dr. Jacksonville, FL 32224

PERSON 008	Marianne Poriecca, IT Manager
RELATION:	Manager. Did not have any direct contact with complainant.
ROLE:	Active participant in employment discrimination & harassment
VIOLATIONS:	Complainant charges Ms. Poriecca with: (1) Direct racial discrimination (2) Following management's orders to get complainant fired (3) Violating Allstate's Terms & Conditions
ADD'L INFO:	
WHERE:	Last Known Whereabouts: Allstate Corporation 1776 American Heritage Life Dr. Jacksonville, FL 32224

PART 3 SECTION II – PEOPLE – HARASSERS

This section identifies & summarizes the harassers involved in Allstate’s unlawful employment practice.

Note: Some of the people categorized as “harassers” may have played additional roles (eg, PERSON 108 was a harasser and a witness).

HARASSERS	“100” Series	PAGE 76
<u>PERSON 101</u> Ms. Patricia Boland		<u>PAGE 77</u>
<u>PERSON 102</u> Ms. Catherine Bethea		<u>PAGE 78</u>
<u>PERSON 103</u> Mr. Kaz Nagai		<u>PAGE 79</u>
<u>PERSON 104</u> Mr. Phil Kite		<u>PAGE 80</u>
<u>PERSON 105</u> Mr. David Dickson		<u>PAGE 81</u>
<u>PERSON 106</u> Mr. Matthew Miller		<u>PAGE 82</u>
<u>PERSON 107</u> Ms. Patti Leister (Medina)		<u>PAGE 83</u>
<u>PERSON 108</u> Ms. Nasreen Ali		<u>PAGE 84</u>
<u>PERSON 109</u> Mr. Michael Prendes		<u>PAGE 85</u>

PERSON 101	Patricia Boland, Underwriter
RELATION:	Non-manager. Had regular, direct contact with complainant.
ROLE:	Active participant in employment discrimination
VIOLATIONS:	Complainant charges Ms. Boland with: (1) Direct racial harassment (2) Direct racial discrimination (3) Direct hostility (4) Following management's orders to get complainant fired (5) Violating Allstate's Terms & Conditions
ADD'L INFO:	Ms. Boland is: • Personal friends with Mr. Schaefer (major participant in discrimination) • Personal friends with Ms. Henry (major participant in discrimination)
WHERE:	Last Known Whereabouts: Allstate Corporation 1776 American Heritage Life Dr. Jacksonville, FL 32224

PERSON 102	Catherine Bethea, Accountant
RELATION:	Non-Manager. Had regular, direct contact with complainant.
ROLE:	Harasser. Enabler.
VIOLATIONS:	Complainant charges Ms. Bethea with: (1) Hurling masculinity insults towards complainant (2) Placating <u>Mr. Nagai</u>'s desires to harass & demean complainant
ADD'L INFO:	Ms. Bethea is: • Close personal friends with <u>Mr. Nagai</u> (primary participant in racial harassment)
WHERE:	Last Known Whereabouts: Allstate Corporation 1776 American Heritage Life Dr. Jacksonville, FL 32224

PERSON 103	Kaz Nagai, Actuarial Associate
RELATION:	Non-Manager. Had constant, direct contact with complainant.
ROLE:	Harasser. Primary Aggressor. Harassment Commander.
VIOLATIONS:	Complainant charges Mr. Nagai with: (1) Direct racial harassment (2) Direct racial discrimination (3) Direct Hostility (4) Retaliating against complainant for complaining about harassment (5) Facilitating indirect racial harassment [to be committed by his friends] (6) Violating Allstate's Terms & Conditions
ADD'L INFO:	Mr. Nagai is: • Close personal friends with Ms. Bethea (harassment enabler) • Close personal friends with Mr. Kite (major harasser) • Close personal friends with Mr. Ramirez (harassment enabler) • Mr. Posick's direct report
WHERE:	Last Known Whereabouts: Allstate Corporation 1776 American Heritage Life Dr. Jacksonville, FL 32224

PERSON 104	Phil Kite, Actuarial Associate
RELATION:	Non-Manager. Had constant, direct contact with complainant.
ROLE:	Harasser. Major Aggressor. Harassment Enabler.
VIOLATIONS:	Complainant charges Mr. Kite with: (1) Direct violence (2) Direct racial harassment (3) Direct racial discrimination (4) Direct Hostility (5) Receiving superior treatment due to race (6) Placating Mr. Nagai's desires to harass & demean complainant (7) Retaliating against complainant for complaining about harassment (8) Violating Allstate's Terms & Conditions
ADD'L INFO:	Mr. Kite is: • Close personal friends with Mr. Nagai • Mr. Posick's direct report
WHERE:	Last Known Whereabouts: Allstate Corporation 1776 American Heritage Life Dr. Jacksonville, FL 32224

PERSON 105	David Dickson, VP of Information Technology
RELATION:	Manager. Had direct contact with complainant.
ROLE:	Active participant in employment discrimination & harassment
VIOLATIONS:	Complainant charges Mr. Dickson with: (1) Direct racial discrimination (2) Direct hostility (3) Following management's orders to get complainant fired (4) Violating Allstate's Terms & Conditions
ADD'L INFO:	Mr. Dickson is: • Personal friends with <u>Mr. Schaefer</u> (major participant in discrimination) • The perpetrator named in a 2016 ethics report • The manager of <u>Mr. Miller</u>
WHERE:	Last Known Whereabouts: Allstate Corporation 1776 American Heritage Life Dr. Jacksonville, FL 32224

PERSON 106	Matthew Miller, IT Associate
RELATION:	Non-Manager. Had direct contact with complainant.
ROLE:	Active participant in employment discrimination & harassment
VIOLATIONS:	Complainant charges Mr. Miller with: (1) Direct racial discrimination (2) Following management's orders to get complainant fired (3) Violating Allstate's Terms & Conditions
ADD'L INFO:	Mr. Miller is: • The accomplice of the perpetrator who was named in a 2016 ethics report • Mr. Dickson's direct report
WHERE:	Last Known Whereabouts: Allstate Corporation 1776 American Heritage Life Dr. Jacksonville, FL 32224

PERSON 107	Patti Leister (Medina), Senior Marketing Associate
RELATION:	Non-Manager. Had regular, direct contact with complainant.

ROLE:	Active participant in employment discrimination & harassment
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VIOLATIONS:	Complainant charges Ms. Leister with: (1) Direct racial discrimination (2) Following management's orders to damage complainant's employment status (3) Violating Allstate's Terms & Conditions
ADD'L INFO:	Ms. Leister has access to: (A) The full name for contract employee Bryce ??? (B) The full name for contract employee ??? Bryant (C) The full name for contract employee Winston ???

WHERE:	Last Known Whereabouts: Allstate Corporation 1776 American Heritage Life Dr. Jacksonville, FL 32224
---------------	--

PERSON 108	Nasreen Ali, Senior Actuarial Associate
RELATION:	Non-Manager. Had rare, direct contact with complainant.

ROLE:	Benefactor. Witness. Harasser.
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VIOLATIONS:	Complainant explains that Ms. Ali: (1) Was the recipient of superior treatment because she was not black. (2) Witnessed various acts of hostility & harassment (3) Engaged in harassment of the complainant
ADD'L INFO:	

WHERE:	Last Known Whereabouts: Allstate Corporation 1776 American Heritage Life Dr. Jacksonville, FL 32224
---------------	--

PERSON 109	Michael Prendes, Senior Actuarial Associate
RELATION:	Non-Manager. Had direct contact with complainant.

ROLE:	Witness. Enabler
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VIOLATIONS:	Complainant charges Mr. Prendes with: (1) Witnessing hostile & discriminatory acts committed against complainant (2) Direct hostility
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ADD'L INFO:	Mr. Prendes is: • Personal friends with Mr. Nagai (primary participant in racial harassment) • Ms. Halim's direct report
--------------------	---

WHERE:	Last Known Whereabouts: Allstate Corporation 1776 American Heritage Life Dr. Jacksonville, FL 32224
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PART 3 SECTION III – PEOPLE – BENEFACTORS

This section identifies & summarizes the benefactors of Allstate’s unlawful employment practice.

Note: Some of the people who were not categorized as “benefactors” may have played the role (eg, PERSON 301 was a witness and a benefactor).

BENEFACTORS	“200” Series	PAGE 86
<u>PERSON 201</u> Ms. Patricia Boland		<u>PAGE 87</u>
<u>PERSON 202</u> Ms. Catherine Bethea		<u>PAGE 88</u>

PERSON 201	Bridget Tennant, Actuarial Consultant
RELATION:	Non-Manager. Had frequent, direct contact with complainant.
ROLE:	Bystander. Witness.
VIOLATIONS:	Complainant explains that Ms. Tennant: (1) Heard complainant confide in her workplace harassment
ADD'L INFO:	
WHERE:	Last Known Whereabouts: Allstate Corporation 1776 American Heritage Life Dr. Jacksonville, FL 32224

PERSON 202	Tanya Dostie (Larimer), Senior Actuarial Associate
RELATION:	Non-Manager. Had direct contact with complainant.
ROLE:	Bystander. Witness.
VIOLATIONS:	Complainant explains that Ms. Dostie: (1) Was the recipient of superior treatment because she was not black.
ADD'L INFO:	
WHERE:	Last Known Whereabouts: Allstate Corporation 1776 American Heritage Life Dr. Jacksonville, FL 32224

PART 3 SECTION IV – PEOPLE – WITNESSES

This section identifies & summarizes the witnesses to Allstate’s unlawful employment practice.

Note: Some of the people categorized as “witnesses” may have played additional roles (eg, PERSON 301 was a witness and a benefactor).

WITNESSES	“300” Series	PAGE 89
<u>PERSON 301</u> Mr. Victor Ciurte		<u>PAGE 90</u>
<u>PERSON 302</u> Mr. Michael Parsons		<u>PAGE 91</u>
<u>PERSON 303</u> Ms. Cassie Smith		<u>PAGE 92</u>
<u>PERSON 304</u> Ms. Catrice Hathorn		<u>PAGE 93</u>
<u>PERSON 305</u> Mr. Alex Vlassov		<u>PAGE 94</u>
<u>PERSON 306</u> Ms. Jennifer McKinsey		<u>PAGE 95</u>
<u>PERSON 307</u> Ms. Melisa “Lesa” Rivers		<u>PAGE 96</u>
<u>PERSON 308</u> Ms. Caroline Levy		<u>PAGE 97</u>
<u>PERSON 309</u> Mr. Rodney Ashford		<u>PAGE 98</u>
<u>PERSON 310</u> Ms. Janice Bradley		<u>PAGE 99</u>
<u>PERSON 311</u> Ms. Antwan Jenkins		<u>PAGE 100</u>
<u>PERSON 312</u> Ms. Kelly Bermudez		<u>PAGE 101</u>
<u>PERSON 313</u> Mr. Ellis Manucy		<u>PAGE 102</u>

PERSON 301	Victor Ciurte, Senior Actuarial Associate
RELATION:	Non-Manager. Had direct contact with complainant.

ROLE:	Bystander. Witness.
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VIOLATIONS:	Complainant explains that Mr. Ciurte: (1) Witnessed several hostile & discriminatory acts
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ADD'L INFO:	Mr. Ciurte is: • Mr. Posick's direct report • Mr. Ramirez's former direct report
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WHERE:	Last Known Whereabouts: Allstate Corporation 1776 American Heritage Life Dr. Jacksonville, FL 32224
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PERSON 302	Michael Parsons, Reports Developer
RELATION:	Contract Employee. Had daily, direct contact with complainant.
ROLE:	Knowledgeable Person.
VIOLATIONS:	Complainant believes that Mr. Parsons: (1) Witnessed slander, rumormongering, and propaganda being used to marginalize complainant
ADD'L INFO:	Additional Info: • Mr. Parsons was hired by <u>Ms. Halim</u> • In late 2015, Mr. Parsons unwittingly said this to the complainant: "I don't know why they say [all these negative things] about you"
WHERE:	Last Known Whereabouts: Allstate Corporation 1776 American Heritage Life Dr. Jacksonville, FL 32224

PERSON 303	Cassie Smith, Accountant
RELATION:	Non-Manager. Had direct contact with complainant.
ROLE:	Witness.
VIOLATIONS:	Complainant maintains that Ms. Smith: (1) Was a witness to <u>Mr. Posick's</u> racially subjugating tirade of 2014.
ADD'L INFO:	Additional Info: • Ms. Smith left Allstate in June/July 2014 • Ms. Smith's full name can probably be retrieved from Catherine Wallace Bethea • Ms. Smith's contact information can probably be retrieved from Ms. Bethea
WHERE:	Last Known Whereabouts: Allstate Corporation 1776 American Heritage Life Dr. Jacksonville, FL 32224

PERSON 304	Catrice Hathorn, Underwriter
RELATION:	Non-Manager. Had direct contact with complainant.
ROLE:	Witness.
VIOLATIONS:	Complainant maintains that Ms. Hathorn: (1) Was a witness to Ms. Boland's racial harassment & discrimination.
ADD'L INFO:	Additional Info: Ms. Hathorn was a contract employee (probably via Kelly Services)
WHERE:	Last Known Whereabouts: Allstate Corporation 1776 American Heritage Life Dr. Jacksonville, FL 32224

PERSON 305	Alex Vlassov, Underwriter
RELATION:	Non-Manager. Had direct contact with complainant.
ROLE:	Witness.
VIOLATIONS:	Complainant maintains that Mr. Vlassov: (1) Was a witness to Ms. Boland's racial harassment & discrimination.
ADD'L INFO:	Additional Info: • Mr. Vlassov was a contract employee (probably via Kelly Services)
WHERE:	Last Known Whereabouts: Allstate Corporation 1776 American Heritage Life Dr. Jacksonville, FL 32224

PERSON 306	Jennifer McKinsey, Compliance Manager
RELATION:	Manager. Had infrequent contact with complainant.
ROLE:	Witness.
VIOLATIONS:	Complainant maintains that Ms. McKinsey: (1) Was a witness to Mr. Nagai's admission of placing a racist doll on complainant's desk. (2) Was a witness to Ms. Ali's harassing gestures at department lunches
ADD'L INFO:	Additional Info: • Ms. McKinsey transferred out of the Actuarial department in 2015. • Ms. McKinsey's last name may have changed. Mr. Schaefer has her contact information.
WHERE:	Last Known Whereabouts: Allstate Corporation 1776 American Heritage Life Dr. Jacksonville, FL 32224

PERSON 307	Melissa “Lesa” Rivers, Administrative
RELATION:	Manager. Had infrequent contact with complainant.
ROLE:	Witness.
VIOLATIONS:	Complainant maintains that Ms. Rivers: (1) Was a witness to Ms. Henry’s racially offensive rhetoric in Spring 2016 (see EVENT 407)
ADD’L INFO:	Additional Info: • Ms. Rivers goes by “Lesa” (spelled with an “e” to signify that her full name is <u>M</u>elissa)
WHERE:	Last Known Whereabouts: Allstate Corporation 1776 American Heritage Life Dr. Jacksonville, FL 32224

PERSON 308	Caroline Levy, Administrative
RELATION:	Manager. Had rare contact with complainant.

ROLE:	Witness.
--------------	-----------------

VIOLATIONS:	Complainant maintains that Ms. Levy: (1) Was a witness to Ms. Henry's racially offensive rhetoric in Spring 2016 (see EVENT 407)
ADD'L INFO:	Additional Info: • I might have Ms. Levy's name wrong. • Nevertheless, she was in the meeting with Ms. Rivers & Ms. Henry.

WHERE:	Last Known Whereabouts: Allstate Corporation 1776 American Heritage Life Dr. Jacksonville, FL 32224
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PERSON 309	Rodney Ashford, Administrative
RELATION:	Manager. Had infrequent contact with complainant.
ROLE:	Witness.
VIOLATIONS:	Complainant maintains that Rodney: (1) Was a witness to Ms. Henry's racially offensive rhetoric in Spring 2014 (see EVENT 202)
ADD'L INFO:	Additional Info: • I cannot remember Rodney's last name. • Ms. Henry can identify him. • Ms. Halim can identify him. • He worked on the AllApp® implementation team.
WHERE:	Last Known Whereabouts: Allstate Corporation 1776 American Heritage Life Dr. Jacksonville, FL 32224

PERSON 310	Janice Bradley, Actuarial Support
RELATION:	Non-Manager. Had regular, direct contact with complainant.
ROLE:	Witness.
VIOLATIONS:	Complainant maintains that Ms. Bradley: (1) Grimaced when she saw the racist doll that Mr. Nagai had placed on my desk
ADD'L INFO:	Additional Info: Ms. Bradley worked in the actuarial department
WHERE:	Last Known Whereabouts: Allstate Corporation 1776 American Heritage Life Dr. Jacksonville, FL 32224

PERSON 311	Antwan Jenkins, HR Consultant
RELATION:	Manager. Had direct contact with complainant.
ROLE:	Witness. Trivialized Managerial Violence & Subterfuge.
VIOLATIONS:	Complainant explains that Mr. Jenkins: (1) Witnessed Ms. Henry admit to subjecting complainant to violence & intimidation
ADD'L INFO:	Mr. Jenkins is: • A person who helped investigate the 2016 ethics complaint filed against Mr. Dickson • A person who helped investigate the 2016 ethics complaint filed against Ms. Henry • A person who helped investigate the 2016 ethics complaint filed against Mr. Schaefer
WHERE:	Last Known Whereabouts: Allstate Corporation 1776 American Heritage Life Dr. Jacksonville, FL 32224

PERSON 312	Kelly Bermudez, HR Consultant
RELATION:	Non-Manager. Had direct contact with complainant.

ROLE:	Witness. Trivialized Managerial Violence & Subterfuge.
--------------	---

VIOLATIONS:	Complainant explains that Ms. Bermudez: (1) Witnessed Ms. Henry admit to subjecting complainant to violence & intimidation
ADD'L INFO:	Ms. Bermudez is: • A person who helped investigate the 2016 ethics complaint filed against Mr. Dickson • A person who helped investigate the 2016 ethics complaint filed against Ms. Henry • A person who helped investigate the 2016 ethics complaint filed against Mr. Schaefer

WHERE:	Last Known Whereabouts: Allstate Corporation 1776 American Heritage Life Dr. Jacksonville, FL 32224
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PERSON 313	ELIC MANUCY, HR MANAGER
RELATION:	Manager. Had rare, direct contact with complainant.
ROLE:	Witness.
VIOLATIONS:	Complainant explains that Mr. Manucy: (1) Told Complainant that he was fired (2) Told Complainant that the reason behind his termination was "extremely rare"
ADD'L INFO:	
WHERE:	Last Known Whereabouts: Allstate Corporation 1776 American Heritage Life Dr. Jacksonville, FL 32224

PART 3 SECTION V – PEOPLE – PERSONS WITH KNOWLEDGE

This section identifies & summarizes the people with knowledge.

Note: Some of the people who were not categorized “people with knowledge” may have played the roles (eg, PERSON 312 was a witness, discriminator, and a person with knowledge).

PERSONS WITH KNOWLEDGE	“400” Series	PAGE 103
<u>PERSON 401</u> Ms. Monica Wirtz		<u>PAGE 104</u>
<u>PERSON 402</u> Mr. Bryce ???		<u>PAGE 105</u>
<u>PERSON 403</u> Ms. ??? Bryant		<u>PAGE 106</u>
<u>PERSON 404</u> Ms. Sandy Spruill		<u>PAGE 107</u>
<u>PERSON 405</u> Mr. Winston ???		<u>PAGE 108</u>
<u>PERSON 406</u> Ms. Lidiya Olsen		<u>PAGE 109</u>
<u>PERSON 407</u> Mr. Kirk Higgins		<u>PAGE 110</u>
<u>PERSON 408</u> Ms. Pam Bernaba		<u>PAGE 111</u>

PERSON 401	Monica Wirtz, Actuarial Program Coordinator
RELATION:	Had routine, electronic contact with complainant.
ROLE:	Record Keeper. Overseer. Person of Knowledge
VIOLATIONS:	Complainant charges Ms. Wirtz with: (1) Knowledge of unequal treatment within Allstate's actuarial program
ADD'L INFO:	Ms. Wirtz has access to: (A) Actuarial Exam Data (of every Allstate employees)
WHERE:	Last Known Whereabouts: Allstate Corporation 1776 American Heritage Life Dr. Jacksonville, FL 32224

PERSON 402	Bryce ???, Contractor - Marketing
RELATION:	Contract Employee. Worked on 7 th Floor. African-American
ROLE:	Employment with Allstate came to an abrupt end.
VIOLATIONS:	Complainant explains that Bryce's: (1) Abrupt end to employment was racially biased
ADD'L INFO:	Additional Info: • Bryce worked at Allstate in 2015 • Bryce's full name can probably be retrieved from Patti Leister (Medina) • Bryce's contact information can probably be retrieved from Patti Leister (Medina)
WHERE:	Last Known Whereabouts: Allstate Corporation 1776 American Heritage Life Dr. Jacksonville, FL 32224

PERSON 403	??? Bryant, Contractor - Marketing
RELATION:	Contract Employee. Worked on 7 th Floor. African-American

ROLE:	Employment with Allstate came to an abrupt end.
--------------	---

VIOLATIONS:	Complainant explains that Ms Bryant's: (1) Abrupt end to employment was racially biased
ADD'L INFO:	Additional Info: • Ms. Bryant worked at Allstate in 2015 • Ms. Bryant's full name can probably be retrieved from Patti Leister (Medina) • Ms. Bryant's contact information can probably be retrieved from Patti Leister (Medina)

WHERE:	Last Known Whereabouts: Allstate Corporation 1776 American Heritage Life Dr. Jacksonville, FL 32224 Note: Ms. Bryant was no longer working at Allstate when complainant left the company
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PERSON 404	Sandy Spruill, Accountant
RELATION:	Non-Manager. Worked on 7th Floor. African-American

ROLE:	Employment with Allstate came to an abrupt end.
--------------	--

VIOLATIONS:	Complainant explains that Ms. Spruill's: (1) Abrupt end to employment was racially biased
ADD'L INFO:	Additional Info: • Ms. Spruill first day of employment at Allstate prior to 2015 • Ms. Spruill's contact information can probably be retrieved from Catherine Wallace Bethea

WHERE:	Last Known Whereabouts: Allstate Corporation 1776 American Heritage Life Dr. Jacksonville, FL 32224
---------------	--

PERSON 405	Winston ???, Contractor – Legal
RELATION:	Contract Employee. Worked on 7 th Floor. African-American
ROLE:	Employment with Allstate came to an abrupt end.
VIOLATIONS:	Complainant explains that Winston's: (1) Abrupt end to employment was racially biased
ADD'L INFO:	Additional Info: • Winston worked at Allstate in 2015 • Winston's full name can probably be retrieved from Patti Leister (Medina) • Winston's contact information can probably be retrieved from Patti Leister (Medina)
WHERE:	Last Known Whereabouts: Allstate Corporation 1776 American Heritage Life Dr. Jacksonville, FL 32224

PERSON 406	Lidiya Olsen, Accountant
RELATION:	Non-Manager. Worked on 7th Floor.
ROLE:	Employment with Allstate came to an abrupt end.
VIOLATIONS:	Complainant charges Allstate: (1) Racial discrimination¹ ¹ Complainant believes that racial discrimination was at play due to the fact that Ms. Olsen was the only non-black employee whose employment came to an abrupt end during complainant's tenure. Five of the other six employees (whose employment came to an abrupt end) were black.
ADD'L INFO:	Additional Info: • Ms. Olsen worked at Allstate in 2015 • Ms. Olsen's full name can probably be retrieved from Catherine Wallace Bethea • Ms. Olsen's contact information can probably be retrieved from Ms. Bethea
WHERE:	Last Known Whereabouts: Allstate Corporation 1776 American Heritage Life Dr. Jacksonville, FL 32224

PERSON 407	Kirk Higgins, Actuarial Associate
RELATION:	Non-Manager. Has met complainant once. African-American
ROLE:	Knowledgeable Person.
VIOLATIONS:	Complainant believes that Mr. Higgins: (1) Received inferior treatment from the respondent. (2) Fled Allstate due in large part to the treatment he received
ADD'L INFO:	Additional Info: • Mr. Higgins left Allstate in July/August 2013 • Mr. Higgins was the black actuary who worked at Allstate prior to complainant • Mr. Higgins probably has a lot of information
WHERE:	Last Known Whereabouts: Allstate Corporation 1776 American Heritage Life Dr. Jacksonville, FL 32224

PERSON 408	Pam Bernaba, Accountant
RELATION:	Non-Manager. Worked on 7th Floor. African-American
ROLE:	Employment with Allstate came to an abrupt end.
VIOLATIONS:	Complainant explains that Ms. Bernaba's: (1) Abrupt end to employment was racially inspired
ADD'L INFO:	Additional Info: • Ms. Bernaba's first day of employment at Allstate was prior to 2015 • Ms. Bernaba's contact information can probably be retrieved from Catherine Wallace Bethea
WHERE:	Last Known Whereabouts: Allstate Corporation 1776 American Heritage Life Dr. Jacksonville, FL 32224

PART 3 SECTION VI – PEOPLE – COMPANIES

This section identifies & summarizes the companies involved in Allstate's unlawful employment practice.

COMPANIES		
	"900" Series	PAGE 112
<u>PERSON 901</u> Allstate Insurance Company		PAGE 113
<u>PERSON 902</u> Genworth Financial		PAGE 114
<u>PERSON 903</u> ACE Manuals, LLC		PAGE 115

PERSON 901	Allstate Insurance Company, Respondent
RELATION:	Respondent. Former Employer.

ROLE:	Racial Discriminator. Racial Harasser. Sexual Discriminator. Sexual Harasser.
--------------	--

VIOLATIONS:	Complainant maintains that Allstate: (1) Emboldens racial harassment (2) Emboldens racial discrimination (3) Cultivates a hostile work environment (4) Cultivates retaliation against complainant for reporting racial harassment & discrimination (5) Spearheads the cover up (6) Facilitates racial discrimination in compensation (7) Facilitates termination of complainant (8) Dishonors its own Terms & Conditions
ADD'L INFO:	Additional Info: • Allstate employed complainant between November 2013 and August 2016

WHERE:	Last Known Whereabouts: <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th>CORPORATE OFFICE</th> <th>HEADQUARTERS</th> </tr> </thead> <tbody> <tr> <td> Allstate Corporation 1776 American Heritage Life Dr. Jacksonville, FL 32224 800.521.3535 www.allstatebenefits.com </td> <td> Allstate Corporation 2700 Sanders Rd Northbrook, IL 60070 800.340.0475 877.810.2920 www.allstate.com </td> </tr> </tbody> </table>	CORPORATE OFFICE	HEADQUARTERS	Allstate Corporation 1776 American Heritage Life Dr. Jacksonville, FL 32224 800.521.3535 www.allstatebenefits.com	Allstate Corporation 2700 Sanders Rd Northbrook, IL 60070 800.340.0475 877.810.2920 www.allstate.com
CORPORATE OFFICE	HEADQUARTERS				
Allstate Corporation 1776 American Heritage Life Dr. Jacksonville, FL 32224 800.521.3535 www.allstatebenefits.com	Allstate Corporation 2700 Sanders Rd Northbrook, IL 60070 800.340.0475 877.810.2920 www.allstate.com				

PERSON 902	Genworth Financial, Company
RELATION:	Former Employer.

ROLE:	Racial Discriminator. Racial Harasser. Sexual Discriminator. Sexual Harasser.
--------------	--

VIOLATIONS:	Complainant maintains that Genworth: (1) Emboldens racial harassment (2) Emboldens racial discrimination (3) Cultivates a hostile work environment (4) Cultivates retaliation against complainant for reporting racial harassment & discrimination (5) Spearheads the cover up (6) Facilitates racial discrimination in compensation (7) Facilitates termination of complainant (8) Dishonors its own Terms & Conditions
ADD'L INFO:	Additional Info: • Genworth employed complainant between February 2012 and April 2013

WHERE:	Last Known Whereabouts: <table border="1" style="margin: 10px auto; width: 80%;"> <thead> <tr> <th style="text-align: center;">HEADQUARTERS</th> </tr> </thead> <tbody> <tr> <td> Genworth Financial 6620 W. Broad St. Richmond, VA 23230 904.448.8980 888.436.9678 www.genworth.com </td> </tr> </tbody> </table>	HEADQUARTERS	Genworth Financial 6620 W. Broad St. Richmond, VA 23230 904.448.8980 888.436.9678 www.genworth.com
HEADQUARTERS			
Genworth Financial 6620 W. Broad St. Richmond, VA 23230 904.448.8980 888.436.9678 www.genworth.com			

PERSON 903	Society of Actuaries, Company
RELATION:	Governing body for actuaries.

ROLE:	Facilitator
--------------	--------------------

VIOLATIONS:	Complainant maintains that the SOA: (1) Is complicit in Allstate's racial discrimination & harassment (2) Emboldens racial harassment (3) Facilitates racial discrimination (4) Supports the cover up (5) Facilitates racial discrimination in compensation (6) Facilitates termination of black actuaries (7) Dishonors its own Terms & Conditions
ADD'L INFO:	Additional Info: • Since 2015, the SOA has concealed information regarding unethical member conduct • Since 2016, the SOA has refused to supply requested evidence pertaining to this case • In July 2017, the SOA sent the complainant a race-based survey shortly after he filed FCHR complaint

WHERE:	Last Known Whereabouts: <table border="1" style="margin-left: 20px;"> <tr> <td style="text-align: center;">HEADQUARTERS</td> </tr> <tr> <td> Society of Actuaries 475 N. Martingale Rd, Suite 600 Schaumburg, IL 60173 847.706.3500 </td> </tr> </table>	HEADQUARTERS	Society of Actuaries 475 N. Martingale Rd, Suite 600 Schaumburg, IL 60173 847.706.3500
HEADQUARTERS			
Society of Actuaries 475 N. Martingale Rd, Suite 600 Schaumburg, IL 60173 847.706.3500			

Appendix

Agency:

CORPORATE OFFICE
Florida Commission on Human Relations 4075 Esplanade Way. Room 110 Tallahassee, FL 32399-7020 850.488.7082

Respondent:

CORPORATE OFFICE	HEADQUARTERS
Allstate Corporation 1776 American Heritage Life Dr. Jacksonville, FL 32224 800.521.3535	Allstate Corporation 2700 Sanders Rd Northbrook, IL 60070 800.340.0475 877.810.2920

Petitioner:

Name	Elias Makere
Phone	904.294.0026
Email	justice.actuarial@gmail.com



Petitioner's Signature

4/10/2019

Date

Williams, DarLinda

From: justice.actuarial@gmail.com
Sent: Wednesday, April 10, 2019 8:00 AM
To: FCHR Website Email
Subject: Complaint | Employment Discrimination | Makere v Allstate
Attachments: EEOC-Form-5.pdf; 0a_Complaint_001_Employment.pdf

Good Morning FCHR,

May you please investigate my employment discrimination complaint against Allstate Insurance Company?

Thank you,

Elias Makere, Complainant
904.294.0026 | justice.actuarial@gmail.com
3709 San Pablo Rd. S. #701
Jacksonville, FL 32224

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