



AMERSON V ALLSTATE
(ALL-IN-ONE)

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DISCRIMINATION LAWSUITS FILED AGAINST
ALLSTATE INSURANCE COMPANY

SOVEREIGN: US | Federal

CIRCUIT: 11th Circuit

DISTRICT: USALND



0058-01

AMERSON v ALLSTATE

2:09-CV-01986

CAPTION: *Amerson v Allstate*, 2:09-cv-01986 (USALND 2009)

DISTRICT: USALND

CASE NO: 2:09-cv-01986

CASE TYPE: Employment Discrimination

CHARGES: sex

WEBPAGE: 0058_01.html

DOCKET: <https://ecf.alnd.uscourts.gov>

DOCKET ENTRY: {#1}

DOCUMENT: Complaint

DATE: 10/5/2009

PAGES: 4



FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

2009 OCT -5 P 5:06

TONJULA AMERSON,

Plaintiff,

vs.

ALLSTATE INSURANCE COMPANY,

Defendants.

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CASE NC

CV-09-BE-1986-S

JURY TRIAL REQUESTED

DISTRICT COURT
OF ALABAMA

COMPLAINT

I. JURISDICTION

1. This suit is a suit authorized and instituted pursuant to Title VII of the Civil Rights Acts of 1964, as amended, 42 U.S.C. §2000e *et seq.*, Civil Rights Act of 1991, 42 U.S.C. §1981a. and the Civil Rights Act of 1866, 42 U.S.C. §1981. The jurisdiction of the Court is invoked to secure protection of and redress deprivation of rights secured by statutes U.S.C. 42 Section 2000e *et seq.*, 42 U.S.C. §1981a and, 42 U.S.C §1981 providing for injunctive and other relief against sexual discrimination and harassment. Further, the jurisdiction of this Court is invoked pursuant to 28 U.S.C §§1331 and 1334 and 28 U.S.C §§2201 and 2202.

2. Plaintiff has fulfilled conditions precedent to the institution of this action under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C 2000e *et seq.* and the Civil Rights Act of 1991, 42 U.S.C §1981a. Plaintiff timely filed charge (#420-2009-01648) of hostile environment sex discrimination and retaliation with the Equal Employment Opportunity Commission within 180 days of the occurrence of the last discriminatory. (Exhibit A). Plaintiff timely filed this Complaint within 90 days of receipt of the Notice of Right-to-Sue from the Equal Employment Opportunity Commission.

II PARTIES

3. Plaintiff, Tonjula Amerson, is an African-American citizen of the United States, and a resident of Jefferson County in the State of Alabama. At the times mentioned, herein, plaintiff was employed by the defendant, Allstate Insurance Company.

4. Defendant, Allstate Insurance Company (hereinafter, "Allstate") is a corporation whose principal offices are in Birmingham, Alabama.

5. Defendant is an entity subject to suit under Title VII of the Civil Rights act of 1964, 42 U.S.C. §2000e, (b)(g) and (h), §2000e, as amended; the Civil Rights Act of 1991, 42 U.S.C. 1981a and the Civil Rights Act of 1866, 42 U.S.C §1981.

III CAUSES OF ACTION

6. The plaintiff re-alleges and incorporates by reference paragraphs 1-5 above with the same force and effect as if it is fully set out in specific detail herein below.

7. Plaintiff was hired by defendant in 2007 as a claims processing specialist.

8. On January 6, 2009, plaintiff complained to human resources that her supervisor, Jermaine Johnson, was sexually harassing her.

9. Defendant conducted an investigation and the harassment subsided for a period, but later resumed.

10. Plaintiff's supervisor has harassed her by making additional advances at her and has retaliated against plaintiff by not approving off-time for me from the time bank, resulting in the accumulation of additional occurrences of absences that have negatively impacted plaintiff's time and attendance record. These occurrences threatened plaintiff's continued employment with the company and amounted to constructive attempts to terminate her.

12. Plaintiff avers that the sexual harassment was due to sex discrimination and as retaliation for having complained to management about prior sexual harassment.

IV. PRAYER FOR RELIEF

WHEREFORE plaintiff respectfully prays that this court take jurisdiction of this action and after trial:

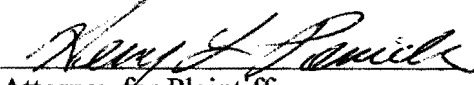
1. Grant plaintiff a declaratory judgement holding that the actions of defendants described herein above violated and continue to violate the rights of the plaintiff as guaranteed by the Civil Rights Act of 1964, as amended, 42 U.S.C. §2000e *et seq.*, the Civil Rights act of 1991, 42 U.S.C. §1981a; and the Civil Rights Act of 1866, 42 U.S.C. §1981.

2. Grant plaintiff a permanent injunction enjoining the defendants, its agents, successors, employees, attorneys, and those acting in concert with the defendants, at the defendants' request, from continuing to violate the Civil Rights Act of 1964, 42 U.S.C. §2000e *et seq.*; the Civil Rights Act of 1991, 42 U.S.C. §1981a; and the Civil Right Act of 1866, 42 U.S.C. §1981.

3. Enter an order requiring the defendants to make the plaintiff whole by awarding her back pay, front pay, lost benefits, other compensatory damages (including mental anguish damages) punitive damages, costs, attorneys fees and expenses.

JURY TRIAL REQUESTED.

Respectfully submitted,


Attorney for Plaintiff
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Plaintiff's Address

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Defendants' Addresses

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Birmingham, AL 35242

APPENDIX



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