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MR. FEDERICO COSTALES, DIRECTOR
EEOC
MIAMI DISTRICT OFFICE
ONE BISCAYNE TOWER SW 2700
2 SOUTH BISCAYNE BLVD.
MIAMI, FL 33131

03 FEB 20 AM 9:05
FILED
DISTRICT
ADMINISTRATIVE
HEARINGS

RE: MORRIS F. PARKER V. VERO BEACH TOYOTA, INC.
EEOC No. 150-AI-2866
FL HR No. 210-1366
PETITION FOR REVIEW

DEAR SIR:

PLEASE FILE THE ATTACHED IN THE RECORDS OF
THE ABOVE REFERENCED CHARGE. YOUR ATTENTION
TO THIS MATTER IS URGENT.

Sincerely

MORRIS F. PARKER
(772) 562-6434

FILED

03 FEB 20 AM 9:05

DIVISION 3
ADMINISTRATIVE
HEARINGS

TO: MR. FEDERICO COSTALES, DIRECTOR
U.S. EQUAL EMPLOYMENT OPORTUNITY COMMISSION
(EEOC)
MIAMI (FLORIDA) DISTRICT OFFICE

FROM: MORRIS F. PARKER, PETITIONER
VERO BEACH. FLORIDA

RE: PETITION (REQUEST) FOR SUBSTANTIVE REVIEW OF THE
ATTACHED DETERMINATION ISSUED BY THE
FLORIDA COMMISSION ON HUMAN RELATIONS (FCHR)
UPON COMPLETION OF INVESTIGATION OF CHARGES OF
RACIAL EMPLOYMENT DISCRIMINATION, I.E.,
MORRIS F. PARKER V. VERO BEACH TOYOTA, INC.,
(PHIL SMITY AUTO GROUP)
EEOC CHARGE #150-AI-2566
FCHR CHARGE #2101366

I. INTRODUCTION:

This petitioner alleges fraud upon EEOC and FCHR. Thus formal request is herein filed with the Director of the EEOC Miami District Office, for substantive review of the attached **Notice of Determination**, allegedly signed by Executive Director of the FCHR, Mr. Derick Daniel.

Pursuant to previsions of Title VII of the 1964 Civil Rights Act of 1964, as amended, the Florida Civil Rights Act of 1992, and provisions of "workshare" arrangements between FCHR and EEOC, the Miami District Office has jurisdiction and is required upon formal request to conduct a review of the above mentioned **Determination**, which includes deliberately false and misleading facts and misrepresentations supposedly derived from the FCHR's alleged investigation of this claimants charges of racial employment discrimination against Vero beach Toyota, Inc., i.e. Phil Smith Auto Group.

According to knowledge, information, and belief, **Attorney G. Russell Petersen**, of **3339 Cardinal drive, Vero beach, Indian River County, Florida**, has secured the cooperation of EEOC employees (Enforcement Supervisor) **Robert Metaxa**, EEOC Investigator **Jacklyn Gabrier**, Enforcement Supervisor **Ossie Black**, Systemic Supervisor **Melodie Jones**, and FCHR employees Intake Manager **Joe Cash**, Investigator **George Bowman**, Assistant Executive Director **Nina Singleton**, Receptionist **Barbara _____**, and others, for the expressed purpose of interception and destroying charges of racial employment discrimination filed in the

1 of 42

EEOC Miami District Office, or FCHR in Tallahassee, against certain employees of Indian River County, Florida.

II. Statement:

About February, 15, 2001, I telephoned the FCHR to inquire of requirements for filing Charges of racial employment discrimination against Vero Beach Toyota, Inc. Several days later I received in the U.S. mail a questionnaire from FCHR, and a pamphlet explaining FCHR's investigative process. I filled out and returned the questionnaire, accompanied with a four-page written charge that included detailed facts and dates in support of this claimant's charges against Vero Beach Toyota, Inc., of racial discrimination in hiring, retaliation and reprisal, hostile racial environment, racial intimidation and harassment, and unequal conditions and privileges of employment.

According to postal records, the material described above was received in the FCHR on about March 1, 2001. On March 15, 2001, I made telephone contact with the FCHR and was connected to an individual who identified himself as **Jose Cash, Intake Manager**. Mr. Cash could not provide a charge number, but insisted that the charge had been forwarded to the EEOC Miami District Office for investigation.

I objected to the referral of the charge to EEOC on ground that previous investigations by EEOC involving **Robert Metaxa** and **Attorney G. Russell Petersen** included elements of fraudulent practices due to be sent to the attention of EEOC Inspector General Aletha Brown. Mr. Cash requested that I put my objections into writing, to which I responded by faxing the attached letter to FCHR Executive Director to a fax number provided by Mr. Cash (please see pages 30 thru 31). Several days later I sent by Federal Express more than 50 pages of documents, including the attached obviously fraudulent EEOC documents from which **Robert Metaxa** appears from nowhere in previous EEOC investigations of charges of racial discrimination against the Indian River County School District, and attempted to dismiss the EEOC filed charges prior to the expiration of 180 days (please see pages 24 thru 27). The findings in the so-called dismissal note by **Mr. Robert Metaxa** were egregiously false and misleading.

At any rate, in spite of my adamant protest that the charge against Vero Beach Toyota, Inc., not be referred to the EEOC Miami District Office, Joe Cash insisted that the charges would be forwarded to EEOC, although the Director had not yet responded to my written request as faxed to his office c/o Mr. Cash. Additionally, for more than 30 days after receipt of the attached letters on pages 28 and 29, the charge against Vero Beach Toyota could not be located: EEOC denied any knowledge of the charge. Finally, after repeated complaints to Mr. Cash, this claimant was advised by Mr. Cash that the charge was being investigated by EEOC Investigator **Jacklyn Gabriel**, who was already known through her involvement in a separate EEOC charge of racial discrimination against Fulford Citrus Harvesting One, Inc. (please see EEOC documents in *Arthr Knight V. Fulford Citrus Harvesting One, Inc.*, on pages 17 thru 23). The enclosed letter on page 21, allegedly signed by Investigator **Gabrier**, provides a partial accounting of **Gabrier's involvement in fraudulent activities prior to receipt of the FCHR filed charge against Vero Beach Toyota, Inc.**

This claimant's interaction with Investigator **Gabrier**, found **Ms. Gabriel** forever defensive and downright hostile. She would not seek out the address for Vero Beach

Toyota's parent company, **Phil Smity Auto Group** of Ft. Lauderdale, Florida. Consequently, **Mr. Ossie Black**, whose signature supposedly appear on the attached **Notice of Right to Sue** in a separate charge (see pages 18 thru 20). **Mr. Black** assured this claimant that **Gabrier** would find the address. The attached written EEOC charge was supposedly drafted by Investigator **Garbier** (please see page ____).

Wholly dissatisfied and convinced that **Gabrier** and **Black** were employed outside of EEOC processes to work on behalf of **Attorney G. Russell Petersen**, and Vero Beach Toyota, this claimant made telephone contact with the EEOC field office in Washington, D.C., at about the same time that complaint was filed against FCHR through the office of **State Represenative Stan Mayfield**, and spoke with an individual who identified himself as Wyndell **Robertson**. After hearing my complaint, Mr. Robinson assured me that he would order the charge deferred to the FCHR. The attached letter on pages ____ thru 34-35, signed by an unknown individual, signing for an unknown individual, represents FCHR's official acknowledgment of receipt of the charges of racial employment discrimination against Vero beach Toyota as deferred.

For more than a year after dissemination of the above letter, FCHR has yet to initiate an investigation into the charge; in fact. According to **Mr. Cash** an investigation had not bee assigned to the charge. So on September 12, 2002, this claimant mad e a surprise visit to the FCHR office in Tallahassee, and spoke with an individual who identified herself as Assistant Deputy Director Nina Singleton. Ms. Singleton reviewed the documents on pages ____ thru ____, and was left copied of each document. Ms. Singleton also received proof of Fed Ex delivery of material addressed to **Executive Director Derrick Daniels**. Ms. Singleton assured me that an investigator would be immediately assigned to the case. Several days later a letter was received from FCHR advising me that **FCHR Investigator George Bowman was assigned to investigate the charges.**

Several days layer I spoke with **Mr. Bowman** about the charge. I advised **Mr. Bowman** of my experience is suggesting that the records belonging in the charge was long ago destroyed. **Mr. Bowman appeared uninformed.**

Several weeks later the enclosed, after attempting to first settle the charge, the attached material on pages ____ thru ____ was received in the U.S. mail.

III. Statement of the Issues:

- 1. Whether the Attached Notice of Determination, allegedly signed by FCHR Executive Director Mr. Derrick Daniels, constitute an official and legitimate legal document, sanctioned by the FCHR and the State of Florida, or whether each of the several so-called finding included in the Notice of Determination is supported by evidence found in official records now held by FCHR in Tallahassee.**
- 2. Whether the attached documents or letters, supposedly from EEOC employees Robert Metaxa; Jackylyn Gabriel; Ossie Black; and Melody Jones, are official and legitimate documents or letters, or whether said documents or letters may be found in certain EEOC records from which the letters or documents emerged**
- 3. Whether the collection of attached material, supposedly from EEOC and FCHR, provides the appearances of a pattern of misconduct involving EEOC Employee Robert Metaxa, and outside private attorney G. Russell Petersen**

IV. Conclusion:

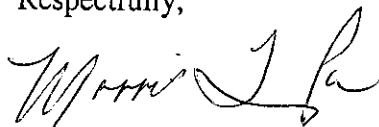
This Director's office, and the EEOC, have the necessary resources for a timely conclusion as to whether the attached **Notice of Determination** is in fact a fraudulent document. Meanwhile, an instant review of the contents of the attached **Determination**, in the context within which the **Determination** emerged, would undoubtedly require an instant conclusion of apparent misconduct associated with the drafting and dissemination of the **Determination** through the U.S. mail.

First of all, the application of FCHR rules and regulations for conducting investigations of charges of racial employment discrimination, would suggest without equivocation that the dissemination of the **Determination** and accompanying instructions for filing a **Claim for Relief** is but a trick. The trick is to divert attention away from the required issuance of **A Notice of Right to Sue** and to surreptitiously obtain information that should already be in the record --- suggesting the destructing of records and potential evidence in Title VII litigation.

Indeed, findings included in ground for a no-cause determination are infinitely false and misleading, and are derived from faulty analysis of which heresy is treated as fact. The FCHR, or any other source, misrepresents the truth when suggesting that the record includes information obtained from this claimant's witnesses, when in fact FCHR investigator **Mr. George Bowman** refused to make use of telephone numbers provided in the original FCHR questionnaire --- requiring instead that the witnesses provide essays describing their knowledge of the discriminatory conduct described in this claimant's original charge against Vero Beach Toyota, Inc.

Accordingly, the first order of business ought to be a determination as to whether a record exists in this matter. If not, no further review may be necessary before a determination of fraud upon both FCH and EEOC, perpetrated on behalf of **G. Russell Petersen** and Vero Beach Toyota.

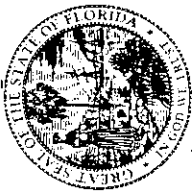
Respectfully,



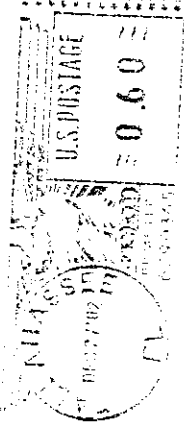
Morris F. Parker 01/29/03

2758 18TH AVE

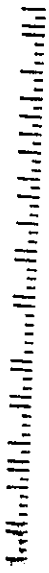
VERO BEACH, FL 32960



**Florida Commission
on Human Relations**
2009 Apalachee Parkway Suite #100
Tallahassee, Florida 32301-4830



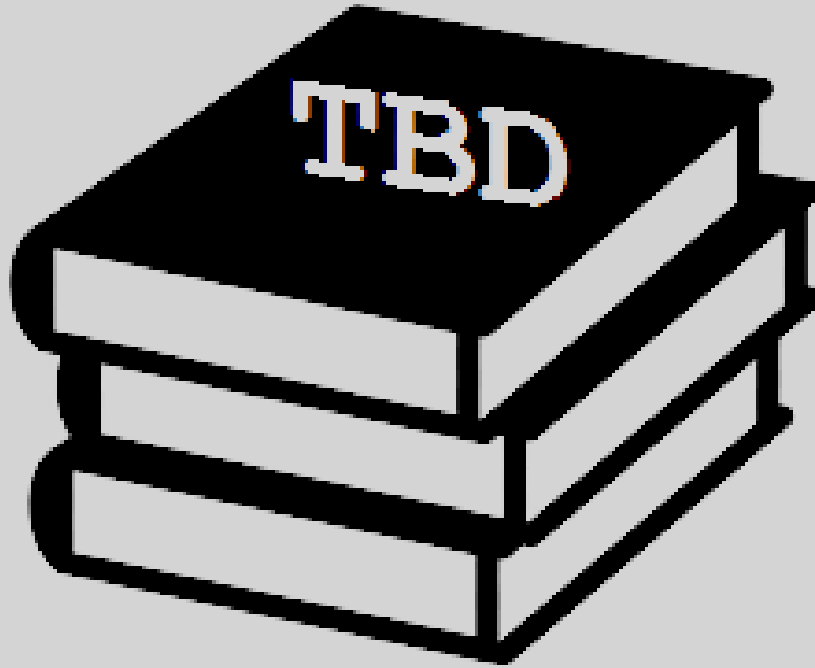
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