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\*\*\*\*\*

IN THE CIRCUIT COURT OF THE  
FOURTH JUDICIAL CIRCUIT,  
IN AND FOR DUVAL COUNTY, FLORIDA

\*\*\*\*\*

\*\*\*\*\*

ELIAS MAKERE, FSA, MAAA  
(Plaintiff)

- against -

HON. E. GARY EARLY, ALJ  
(Defendant)

\*\*\*\*\*

\*\*\*\*\*

VERIFIED CIVIL COMPLAINT

\*\*\*\*\*

§768 FS, 42 USC §1983  
May 14, 2021

---

*JURY TRIAL DEMANDED*

---

♪

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*Deep in the chambers of a state agency, a man cried foul of a corporation's conduct. With due speed, the agency transmitted his two fundamental sounds to a nearby hearing officer.*

*An officer, however, with corrupted hearing. An officer, however, who insisted that only one sound was made; eschewing the second for the echoed, stereotyped tales of his fathers.*

*His perjurous actions were not sound. For they ran afoul of **the man** - and **the grounds** that constituted **the land** which his **forefathers found**.*

-----

♪

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**ABBREVIATIONS**

ALJ	Administrative Law Judge
DOAH	Division of Administrative Hearings (Florida)
FCHR	Florida Commission on Human Relations
FS	Florida Statute (2020)



**II. JURISDICTION: AMOUNT**

2. Pursuant to Art. V §5 FL Constitution and §48.193(1)(a) FS Plaintiff seeks declaratory relief, injunctive relief, and damages in excess of thirty thousand dollars (\$30,000) - exclusive of interest, costs, and attorney fees.

**III. JURISDICTION: PARTIES**

3. At all times material hereto, Plaintiff was a resident of Jacksonville, FL (Duval County).

4. Defendant - at various times material hereto - performed his work in Duval County. Furthermore, Defendant was an administrative law judge (see §120.65 FS) for Florida's Division of Administrative Hearings. A state agency for the territory's executive branch of government (see §20.22(2)(f) FS).

**IV. JURISDICTION: VENUE**

5. Pursuant to §47.011 FS, venue is properly laid in this tribunal.

**V. STATUTORY PREREQUISITES**

6. It appears that no administrative remedies need to be exhausted before initiating this lawsuit. Indeed, DOAH does not have a legal procedure for amending the unlawful conduct of its officers. As such, this lawsuit will be Defendant's first chance to atone for his actions; and therefore this matter is ripe for proceeding.

**VI. STATEMENT OF THE FACTS**

7. Plaintiff fell into Defendant's grasp by virtue of a lawsuit he filed against a private corporation. A brief review of that case is important for contextualizing Defendant's conduct.

Originating Lawsuit (State Agency, *Makere v Allstate*)

8. On June 30, 2017, Plaintiff filed an employment discrimination complaint with the FCHR. Pursuant to §760.11(1), he alleged that his former employer (Allstate Insurance Company) had violated his civil rights on the basis of race **and** sex (see **Exhibit A**).

9. On September 8, 2017, Allstate denied **both** allegations (see **Exhibit B**). Stating that it fired Plaintiff for a legitimate reason. Specifically, because he had failed an actuarial exam (see **Exhibit C**):

*"Complainant was terminated solely because he failed his [FSA] exam."*

- Allstate Insurance Company, 9/8/17

10. On December 15, 2017, the FCHR concluded its investigation. Notably affirming that race **and** sex were the basis of Plaintiff's complaint (see **Exhibit D**).

11. On January 19, 2018, Plaintiff filed his Petition for Relief with the FCHR. Just as in his original charge, he listed only race and sex as the protected characteristics for his complaint (see **Exhibit E**). Thus, pursuant to §760.11(7) FS and §120.569 FS, the FCHR transmitted it to DOAH.

12. After a series of irregularities (authority breaches, deposition sit-ins, recusals, etc.), Defendant became the administrative hearing officer over Plaintiff's case (circa November 13, 2018).

13. Despite the procedural incongruities, the facts continued to develop in Plaintiff's favor; heavily. Facts which included - but were not limited to:

- a. Unwanted date requests; racist dolls, racist characterizations;
- b. Cursing at Plaintiff for buying a condolence card;
- c. Death threats; smear campaigns; lethal attacks;

14. Importantly, Allstate made it known that many of its *other* employees had also failed exams. Yet, Allstate never fired any of them. This was the '*smoking gun*' for proving that Allstate's reason for terminating Plaintiff's employment was a pretext.

15. Moreover, at the hearing, three other revelations were cementing:

- a. Allstate granted the work-from-home privilege to its *other* employees. An accommodation it denied to Plaintiff on countless occasions.
- b. Allstate made Plaintiff pay \$1,025 for an actuarial exam fee; a payment it never required any of its *other* employees to make.
- c. Allstate paid Plaintiff an annual salary that was significantly lower than his similarly situated comparators.

16. These core facts rendered Plaintiff's lawsuit (against Allstate) a textbook case of employment discrimination. One which - unfortunately - ran counter to widespread propaganda (as foretold by the Ku Klux Klan itself; and its progenies).

17. Faced with these probative facts, Defendant went on the attack.

Defendant's Unlawful Conduct: (A) Spoliation of Evidence

18. On November 30, 2018, during the moments in which the payment disparity was being revealed (see ¶15b, *supra*), Defendant ordered Plaintiff to cease questioning.

19. After the hearing - around January 9, 2019 - Plaintiff asked Defendant for a redress of the cessation order (citing due process). He further detailed the importance of the requested testimony/revelation.

20. Two days later (January 11, 2019), Plaintiff received a copy of the hearing transcript. It was missing one page (and one page only). That crucial page was the one that contained testimony on the payment disparity (§15b) - and Defendant's cessation order.

a. It must be noted that DOAH's clerk told Plaintiff (over the phone) that Defendant was the person who scanned/photocopied the transcript.

b. It is also important to note that prior to this date, Plaintiff had never requested a hearing transcript on his case.

i. Plaintiff suspects that Defendant knew this, and was preying on Plaintiff's novice (Plaintiff was *pro se*).

21. Given these circumstances - and upon Plaintiff's information/belief - Defendant willfully and knowingly hid evidence.

Defendant's Unlawful Conduct: (B) Perjury

22. Defendant took it one step further, though, by making a wholesale removal of Plaintiff's sex discrimination charge.

23. On April 19, 2019, Defendant entered his Recommended Order ("RO").

24. The first page of the document had a section titled "*Statement of the Issue*". Where Defendant excluded Plaintiff's sex discrimination charge (see **Exhibit F**).

25. The second page had a section titled "*Preliminary Statement*". Where Defendant continued to exclude Plaintiff's sex discrimination charge. This time, however, Defendant made the fateful declaration that Defendant never complained of sex discrimination prior to the DOAH proceedings (see ¶11, *supra*) (see **Exhibit G**).

"[Plaintiff], also *for the first identifiable time*, alleged that Allstate, and in particular [Plaintiff's manager], engaged in sexually provocative and inappropriate behaviors, which [Plaintiff] alleged to be "sexual harassment and discrimination""

- The Honorable E. Gary Early, ALJ | 4/18/19 | Florida

26. Defendant repeated that highlighted line (ie, "*for the first identifiable time*") several more times throughout his authored RO.

27. The statement, of course, was false.

28. Plaintiff did charge Allstate with sex discrimination.

a. He did so in his original charge (6/30/17, see ¶8);

b. Allstate acknowledged the sex basis (9/8/17, ¶9); and

c. The FCHR explicitly ruled on the basis of sex (12/15/17, ¶10)

29. Nevertheless, the force and effect of Defendant's statement made the FCHR change its tune.

30. On June 27, 2019, the FCHR issued its Final Order ("FO"). In which it listed race as the only protected characteristic in Plaintiff's complaint (see **Exhibit H**); and adopted Defendant's ruling.

31. Defendant's lie had its intended effect.

32. Now, it is important to recognize that Defendant knew he was lying.

#### Defendant's Knowledge of the Truth

33. Prior to authoring his RO, Defendant deliberately acknowledged that the sex discrimination charge was in Plaintiff's originating complaint.

34. On February 6, 2019, Allstate moved Defendant to take official recognition of the FCHR's Determination (under §90.201 FS).<sup>1/</sup>

35. That state-issued Determination letter read, in pertinent part, as follows (highlights added):

*"Complainant worked for Respondent as an Actuary. Complainant alleged that Respondent discriminated against him based on his race and sex."*

- The FCHR | 12/15/17 | Florida

36. On February 18, 2019, Defendant granted the motion. Thereby cementing - unequivocally - that he **knew** that Plaintiff charged Allstate with sex discrimination. He said the following (highlights added).

*"[Allstate's] Motion for Official Recognition requests that official recognition be taken of the Notice of Determination: No Reasonable Cause, and of the Determination: No Reasonable Cause, both of which were issued by the Florida Commission on Human Relations on December 15, 2017. Those documents provided the point of entry to [Plaintiff] for this proceeding."*

- The Honorable E. Gary Early, ALJ | February 18, 2019 | Florida

37. Thus, Defendant's repeated "statements" to the contrary were a known lie (a massive lie - in fact).

38. A lie that impacted the outcome of Plaintiff's lawsuit against Allstate. A case which sought monetary damages (among other things).

## **VII. ULTIMATE FACTS**

39. Defendant broke the law in his quest to deny Plaintiff relief.

Defendant:

- a. hid evidence (see ¶18-21); and
- b. committed perjury (see ¶22-38).

40. Defendant was not performing a judicial function when he scanned/photocopied the case's transcript.

41. Defendant did not have authority to determine whether Plaintiff charged Allstate with race/sex discrimination; only the FCHR had such subject matter jurisdiction.

**VIII. LEGAL APPLICATION**

**COUNT I: FIRST AMENDMENT RIGHT TO LEGAL PROTECTION | 42 USC §1983**

42. Plaintiff hereby restates and realleges each and every factual allegation contained in Section VI (Paragraphs 7 through 41).
43. Defendant's unlawful actions (individually and in total) abridged Plaintiff's right to petition the State of Florida for a redress of his grievances against Allstate Insurance Company.
44. While acting under the color of state law (§120.569 FS, §120.65 FS), Defendant denied Plaintiff access to the state's court system (see §760.11(7) FS). An act that violated Plaintiff's First Amendment right (1<sup>st</sup> Amendment US Constitution).
45. Defendant did so via evidence tampering and perjury (§837.06 FS).

**COUNT II: FIFTH AMENDMENT RIGHT TO DUE PROCESS | 42 USC §1983**

46. Plaintiff hereby restates and realleges each and every factual allegation contained in Section VI (Paragraphs 7 through 41).
47. Defendant's unlawful actions (individually and in total) abridged Plaintiff's right to due process. It is well settled that a violation of due process occurs when an agency excludes/removes a legal basis from a claimant's discrimination charge.
48. Thus, while acting as a state hearing officer (§120.569 FS, §120.65), Defendant violated Plaintiff's constitutional rights (5<sup>th</sup> Amendment US Constitution) by criminally removing the sex discrimination basis from his complaint.

**COUNT III: FOURTEENTH AMENDMENT RIGHT TO EQUAL PROTECTION | 42 USC §1983**

49. Plaintiff hereby restates and realleges each and every factual allegation contained in Section VI (Paragraphs 7 through 41).

50. Defendant's unlawful actions (individually and in total) abridged Plaintiff's right to a fair trial on the matters litigated.

51. While acting as the administrative law judge on Plaintiff's case (ie, under the '*color of state law*' - §120.569 FS, §120.65 FS) - Defendant discriminatorily prevented Plaintiff from attaining the legal protections that Florida afforded other similarly-situated people.

52. Defendant did so when he (a) suppressed crucial evidence (§18-21); and (b) perjured himself (§22-38).

53. As such, Defendant violated Plaintiff's constitutional rights to the "equal protection of [§760.11 FS]" (14<sup>th</sup> Amendment US Constitution).

**COUNT IV: SUPREMACY CLAUSE | 42 USC §1983**

54. Plaintiff hereby restates and realleges each and every factual allegation contained in Section VI (Paragraphs 7 through 41).

55. Defendant's unlawful actions (individually and in total) breached Article VI Section 2 of the US Constitution (ie, the "Supremacy Clause"). He did so when he usurped the federal government's power to protect Plaintiff from 1<sup>st</sup>, 5<sup>th</sup>, and 14<sup>th</sup> amendment violations.

**COUNT V: PERJURY**

56. Plaintiff hereby restates and realleges each and every factual allegation contained in Section VI (Paragraphs 7 through 41).

57. Defendant - infused with the power bestowed upon him by statute - broke the law (§837.06 FS) by making a false statement of material fact. He sold his falsehood to another state agency - which was acting in its official capacity (§22-30).

58. That agency (the FCHR) bought his lie; and thereby cemented Defendant's violation of Plaintiff's constitutional rights (1<sup>st</sup> Amendment - access to the court; 5<sup>th</sup> Amendment - due process; 14<sup>th</sup> Amendment - equal protection; Art. VI §2 - supremacy clause).

**COUNT VI: INTENTIONAL TORT | §768 FLORIDA STATUTES**

59. Plaintiff hereby restates and realleges each and every factual allegation contained in Section VI (Paragraphs 7 through 41).

60. Defendant - at all times material hereto - knew that his actions would harm Plaintiff; and intended for his conduct to do just that. His unlawful actions exhibited malice, bad faith, and willful disdain for Plaintiff's civil rights.

**IMMUNITY**

61. The Doctrine of Judicial Immunity does not attach to this case for three fundamental reasons.

62. First, Defendant was not performing a judicial act. The evidence concealment that he committed while scanning the trial transcript was an administrative task which DOAH's clerical employees could have done.

63. Secondly, the matters that he forced himself onto were outside of his jurisdiction. It is well settled that the FCHR has sole jurisdiction over determining the subject matter of a discrimination complaint (ie, whether a complaint alleges age, race, sex, etc.).

64. Thirdly, and perhaps most importantly, Defendant broke the law (§837.06 FS - perjury). Immunity does not cover legal violations.

**DAMAGES**

65. As a direct and proximate result of said acts, Plaintiff has suffered - and continues to suffer - financial loss and loss of earning capacity. Plus, he has suffered (and continues to suffer) mental anguish, distress, pain, great expense, inconvenience, professional damage and other pecuniary and nonpecuniary losses.

66. As a further result of Defendant's constitutional breaches, Plaintiff has incurred legal fees and will continue to incur legal fees.

**RESERVATION OF RIGHTS**

67. Defendant's unlawful acts and discriminatory patterns demonstrate disdain for Plaintiff's rights; thereby justifying an award of punitive damages at trial. Upon an evidentiary showing and hearing, Plaintiff reserves the right to amend his pleadings to assert a claim for punitive damages against Defendant (please see §768.72 FS).

68. Plaintiff may retain an attorney to represent him in prosecuting this action and if so will be obligated to pay him/her a reasonable fee.

a. Pursuant to Chapter 57 FS (and 42 USC §1988), Plaintiff is entitled to request that the Court allow him to recover his reasonable attorney's fees incurred in successfully prosecuting this cause, should he retain an attorney.

**REQUEST FOR JURY TRIAL**

69. Pursuant to Art. I. §22 of the Florida Constitution (also see Rule 1.430 Fla. R. Civ. P., and the 7<sup>th</sup> Amendment of the United States Constitution), Plaintiff respectfully requests that this honorable Court grant him a trial by jury on all issues so triable.

**REQUEST FOR RELIEF**

70. WHEREFORE Plaintiff respectfully requests that this Court enter judgment in favor of Plaintiff and against Defendant on all claims herein, and enter an Order providing the following relief:

- a. Declaring that Defendant violated Title XLV Florida Statutes;
- b. Declaring that Defendant violated §1983;
- c. Enjoining Defendant from committing further violations of Title XLV and/or §1983;
- d. Awarding Plaintiff compensatory damages (back pay, front pay, including interest, lost fringe benefits, etc.) which Defendant's unlawful acts precluded him from obtaining.
- e. Awarding Plaintiff the cost of this action, together with reasonable attorney's fees (if any).
- f. Awarding Plaintiff pre-judgment interest.
- g. Awarding Plaintiff punitive damages; and
- h. Awarding such other and further relief as is just, equitable, and proper.



Dated this 14<sup>th</sup> day of May 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 SERVICE**

I HEREBY CERTIFY that on this 14<sup>th</sup> day of May 2021, I electronically filed the foregoing with the Clerk of Courts by using the Florida Courts E-filing Portal.

**CERTIFICATE OF GOOD FAITH**

I HEREBY CERTIFY that pursuant to Rule 11 Fed. R. Civ. P. the foregoing (1) has been submitted in good faith; (2) is supported by existing law; (3) is supported by indisputable evidence (and will likely be compounded with further evidence); and (4) the complaint otherwise complies with the requirements of Rule 11.

**/s/ Elias Makere**

## Verification Under Oath Pursuant to §92.525 FS and 28 USC §1746

I declare under penalty of perjury that the foregoing is true and correct. Moreover, the ultimate, material facts laid out above come from publicly available sources. Thus, they are not subject to dispute because *"they are capable of accurate and ready determination by resort to sources whose accuracy cannot be questioned"*. Some of the other facts are based on information and belief. These two elements come from my own personal observation, knowledge, and experience – coupled with circumstantial evidence of the matter.

Executed on this 14<sup>th</sup> day of May 2021.

UNITED STATES OF AMERICA



5/14/2021

---

Elias Makere, Plaintiff/Affiant

---

### Endnotes:

<sup>1/</sup> in the administrative realm, "official recognition" = "judicial notice"

Note: an electronic copy of this document can be downloaded from:  
[www.TextBookDiscrimination.com/Pages/Misc/EarlyPerjury/](http://www.TextBookDiscrimination.com/Pages/Misc/EarlyPerjury/)

# EXHIBIT A

Charge of Discrimination

From: Plaintiff  
To: State Agency (FCHR)  
6/30/2017

[marked]

(first page only)

RACIAL DISCRIMINATION | ALLSTATE CORPORATION | FLORIDA | 6/30/2017

201701432

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

Phone 904.294.0026  
Fax  
Email [inquiry.allstate@gmail.com](mailto:inquiry.allstate@gmail.com)



## EMPLOYMENT DISCRIMINATION

Racial Discrimination, Sex Discrimination

This document introduces the racial discrimination of a former Allstate employee. The discrimination involved racist dolls, epithets, hostility, ostracism, discrimination of terms/conditions/compensation, and termination. I am looking for justice, an examination of the facts, and an eradication of Allstate's racial discrimination.

RECEIVED  
ALLSTATE CORPORATION  
JUN 30 2017  
2017 JUN 30 PM 12:32

# EXHIBIT B

Position Statement

From: Allstate  
To: State Agency (FCHR)  
9/8/2017

(note: Allstate = Plaintiff's former employer)

[marked]

(first page only)



**Charmaine Neal**  
Lead Consultant  
Workforce Relations Team  
Human Resources

September 8, 2017

Alicia Maxwell  
Employment Investigator  
Florida Commission on Human Relations  
4075 Esplanade Way, Room 110  
Tallahassee, FL 32399

Re: Charge No.: FCHR 201701432  
Complainant: Elias Makere  
Respondent: Allstate Insurance Company

Investigator Maxwell,

This letter sets forth the position of Respondent, Allstate Insurance Company (“Allstate”), regarding the above-referenced charge of discrimination. I am serving as the contact person; therefore, please address all communications to my attention.

The facts set forth in this letter are based upon a preliminary investigation of the circumstances of the allegations against Allstate.<sup>1</sup> It is Allstate’s policy not to discriminate with regard to race, sex, age, national origin, sexual orientation, gender identity/gender expression, citizenship, disability, and status as a veteran with a disability or veteran of the Vietnam Era (Exhibit 1-Policy Guide). As outlined below, the allegations of discrimination based upon race and sex discrimination from Elias Makere (hereinafter “Ms. Makere” or “Complainant”) are without merit.

FACTS

# EXHIBIT C

Allstate's Termination Rationale  
(ie, Allstate fired Plaintiff "solely" for failing an exam)

From: Defendant  
To: State Agency (FCHR)  
9/8/17

[marked]

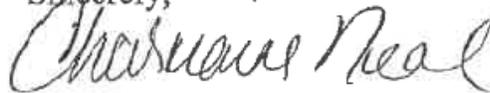
Complainant was terminated solely because he failed to pass his ASA exam and as a result, he became ineligible to maintain his status in the Allstate Financial Actuarial Career Program (ACP).

Lastly, Complainant's allegation that more African-American actuarial employees were involuntarily terminated is without merit. Complainant was the only employee that Respondent terminated in his department between 2014 and 2016.

#### CONCLUSION

Complainant's charge of discrimination based upon race without merit. Accordingly, Respondent requests that this Charge be dismissed in its entirety. Should you have any additional questions, please do not hesitate to contact me at (847) 402-7367.

Sincerely,



Charmaine Neal  
Human Resources Lead Consultant

Attachments

Page 4 of 4

# EXHIBIT D

Notice of Determination

From: State Agency (FCHR)  
To: Plaintiff/Allstate/Defendant's Agency  
12/15/2017

[marked]



**Rick Scott**  
Governor

*State of Florida*  
**Florida Commission on Human Relations**

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**Rebecca Steele**  
Chair  
**Michelle Wilson**  
Executive Director

FCHR No. 201701432

Mr. Elias Makere  
3709 San Pable Road S., #701  
Jacksonville, FL 32224

**COMPLAINANT**

Allstate Corporation  
c/o Ms. Charmaine Neal, HR-Workforce Relations Lead Consultant  
2775 Sanders Rd. F5  
Northbrook, IL 60062

**RESPONDENT**

**DETERMINATION: NO REASONABLE CAUSE**

Complainant filed a complaint of discrimination alleging that Respondent violated the Florida Civil Rights Act of 1992. The Florida Commission on Human Relations has completed its investigation of this matter.

Complainant worked for Respondent as an Actuary. Complainant alleged that Respondent discriminated against him based on his race and sex. However, the investigation did not support Complainant's allegations. The investigation did not reveal enough evidence to establish that Complainant reported discriminatory harassment to Respondent. Complainant alleged that Respondent graded his required exams so that he would fail as an excuse to terminate him based on his race. However, the investigation revealed that the required exams were administered and graded anonymously by "The Society of Actuaries" and not Respondent. Therefore, the Respondent could not have been responsible for Complainant failing his exams. Complainant was terminated for failing his exam and not securing a non-actuarial position. The investigation did not reveal evidence of discrimination.

On the basis of the report from the Commission's Office of Employment Investigations and recommendation from the Commission's Office of General Counsel, pursuant to the authority delegated to me as Executive Director of the Florida Commission on Human Relations, I have determined that no reasonable cause exists to believe that an unlawful practice occurred.

Michelle Wilson

Dated: Dec. 15, 2017

# EXHIBIT E

Petition for Relief

From: Plaintiff  
To: State Agencies (FCHR/DOAH)  
1/19/2018

[marked]

(first page only)

Elias Makere, ASA  
3709 San Pablo Rd S, 701  
Jacksonville, FL 32224

Phone 904.294.0026  
Fax  
Email [inquiry.allstate@gmail.com](mailto:inquiry.allstate@gmail.com)



## PETITION SUPPLEMENT

*Employment Discrimination (Race, Sex)*

Here is the supplement to the Petition for Relief form. This document will begin with a description of the items in dispute. From there, the remaining pages exist to familiarize you with the case (legal elements, timeline, events, people, secured evidence, and requested evidence).

Petitioner: Elias Makere, Former Allstate Employee  
Dates: April 2014 – October 2016  
Race: Black  
Sex: Male  
Existence of Retaliation? Yes

000032

# EXHIBIT F

Recommended Order

From: Defendant  
To: State Agency (FCHR)  
4/19/2019

[marked]

(Pages 1 and 2 only)

**{Defendant's removal of sex discrimination charge}**

STATE OF FLORIDA  
DIVISION OF ADMINISTRATIVE HEARINGS

ELIAS MAKERE,

Petitioner,

vs.

Case No. 18-0373

ALLSTATE INSURANCE COMPANY,

Respondent.

RECOMMENDED ORDER

Pursuant to notice, this case was heard in Jacksonville, Florida, on July 31, 2018, before Lawrence P. Stevenson, and on November 28 through 30, 2018, and January 29, 2019, before E. Gary Early, designated Administrative Law Judges of the Division of Administrative Hearings ("DOAH").

APPEARANCES

For Petitioner: Elias Makere, pro se  
No. 701  
3709 San Pablo Road South  
Jacksonville, Florida 32224

For Respondent: Carmen Rodriguez, Esquire  
Law Offices of Carmen Rodriguez, P.A.  
Suite 411  
15715 South Dixie Highway  
Miami, Florida 33157

STATEMENT OF THE ISSUE

Whether Petitioner, Elias Makere, was subject to an unlawful employment practice by Respondent, Allstate Insurance

Company ("Respondent" or "Allstate"), on account of his race or due to retaliation for his opposition to an unlawful employment practice in violation of section 760.10, Florida Statutes.

PRELIMINARY STATEMENT

On June 30, 2017, Petitioner filed an eight-page complaint of discrimination ("Complaint of Discrimination") with the Florida Commission on Human Relations ("FCHR") which alleged that Respondent violated section 760.10 of the Florida Civil Rights Act of 1992 ("FCRA"), by discriminating against him on the basis of his race or as retaliation.

On December 15, 2017, the FCHR issued a Determination: No Cause, and a Notice of Determination: No Cause, by which the FCHR determined that reasonable cause did not exist to believe that an unlawful employment practice occurred.

On January 19, 2018, Petitioner filed a 231-page Petition for Relief (the "Petition") with the FCHR. The Petition included allegations of racial discrimination for which there is no evidence of their having been presented to FCHR or having been part of the FCHR investigation. The Petition also, for the first identifiable time, alleged that Allstate, and in particular Lisa Henry, engaged in sexually provocative and inappropriate behaviors, which Petitioner alleged to be "sexual harassment and discrimination." He alleged that "[t]he FCHR ignored these events."

# EXHIBIT G

Recommended Order

From: Defendant  
To: State Agency (FCHR)  
4/19/2019

[marked]

(2nd page only)

**{defendant's perjury}**

Company ("Respondent" or "Allstate"), on account of his race or due to retaliation for his opposition to an unlawful employment practice in violation of section 760.10, Florida Statutes.

PRELIMINARY STATEMENT

On June 30, 2017, Petitioner filed an eight-page complaint of discrimination ("Complaint of Discrimination") with the Florida Commission on Human Relations ("FCHR") which alleged that Respondent violated section 760.10 of the Florida Civil Rights Act of 1992 ("FCRA"), by discriminating against him on the basis of his race or as retaliation.

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been part of the FCHR investigation. The Petition also, for the first identifiable time, alleged that Allstate, and in particular Lisa Henry, engaged in sexually provocative and inappropriate behaviors, which Petitioner alleged to be "sexual harassment and discrimination." He alleged that "[t]he FCHR ignored these events."

# EXHIBIT H

FCHR Final Order  
Exclusion of Sex Discrimination Complaint

From: State Agency (FCHR)  
To: Defendant/Plaintiff/Allstate  
6/27/2019

[marked]

(first page only)

**{end result of Defendant's 'massive lie' }**

STATE OF FLORIDA  
COMMISSION ON HUMAN RELATIONS

ELIAS MAKERE,

EEOC Case No. None

Petitioner,

FCHR Case No. 2017-01432

v.

DOAH Case No. 18-0373

ALLSTATE INSURANCE COMPANY

FCHR Order No. 19-044

Respondent.

**FINAL ORDER DISMISSING PETITION FOR  
RELIEF FROM AN UNLAWFUL EMPLOYMENT PRACTICE**

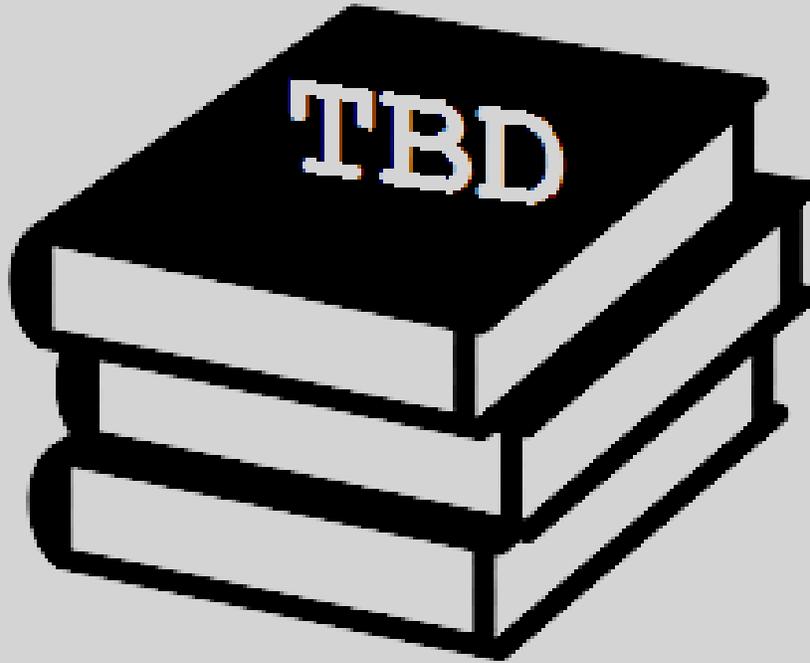
Preliminary Matters

Petitioner Elias Makere filed a complaint of discrimination pursuant to the Florida Civil Rights Act of 1992, Sections 760.01 - 760.11, Florida Statutes (2016), alleging that Respondent, Allstate Insurance Company, committed unlawful employment practices by harassing and terminating Petitioner on the basis of Petitioner's race (Black). Petitioner also alleged that Respondent unlawfully retaliated against Petitioner.

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