

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF FLORIDA

U.S. DISTRICT COURT  
NORTHERN DISTRICT OF FLORIDA  
TALLAHASSEE, FLORIDA

06 NOV -3 PM 3:14

4

RECEIVED

4:06 cv 508 - SPM / WCS

UNITED STATES OF AMERICA,

Plaintiff,

Civil Action No. \_\_\_\_\_

v.

THE DISTRICT BOARD OF TRUSTEES  
OF TALLAHASSEE COMMUNITY  
COLLEGE,

Defendant.

CLERK  
U.S. DISTRICT CT.  
NORTHERN DISTRICT OF FLORIDA  
TALLAHASSEE, FLORIDA

2006 NOV -2 AM 11:05

M

FILED

COMPLAINT

Plaintiff, the United States of America, alleges:

1. This action is brought on behalf of the United States to enforce the provisions of Title VII of the Civil Rights Act of 1964, *as amended*, 42 U.S.C. § 2000e, *et seq.* ("Title VII").
2. This Court has jurisdiction of the action under 42 U.S.C. § 2000e-5(f) and 28 U.S.C. § 1345.
3. Defendant, the District Board of Trustees of Tallahassee Community College ("TCC") is a corporate, governmental body created pursuant to the laws of the State of Florida.
4. TCC is a person within the meaning of 42 U.S.C. § 2000e(a) and an employer within the meaning of 42 U.S.C. § 2000e(b).
5. TCC has subjected Clifford H. Wimberly to discrimination on the basis of his race, African American, in violation of Section 703(a) of Title VII, 42 U.S.C. § 2000e-2(a), among

other ways, by:

(a) Failing or refusing to hire Mr. Wimberly for the position of HomeSafenet Trainer; and

(b) Failing or refusing to take appropriate action to remedy the effects of the discriminatory treatment of Mr. Wimberly.

6. The Equal Employment Opportunity Commission ("EEOC") received a timely charge (Charge No.15A-2003-00309) filed by Mr. Wimberly on or about May 28, 2003 alleging that he had been discriminated against on the basis of race when he was not hired for the position of HomeSafenet Trainer by TCC. Pursuant to Section 706 of Title VII, 42 U.S.C. § 2000e-5, the EEOC investigated the charge, found reasonable cause to believe that a violation occurred, attempted unsuccessfully to achieve through conciliation a voluntary resolution of the charge, and subsequently referred the matter to the United States Department of Justice.

7. All conditions precedent to the filing of suit have been performed or have occurred.

WHEREFORE, plaintiff prays that the Court grant the following relief:

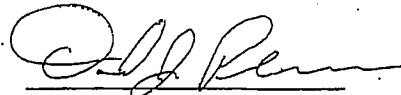
Enjoin TCC from failing or refusing to:

- (1) provide sufficient remedial relief to make charging party Clifford H. Wimberly whole for the loss he has suffered as a result of the discrimination alleged against him in this Complaint;
- (2) take other appropriate nondiscriminatory measures to overcome the effects of the discrimination.

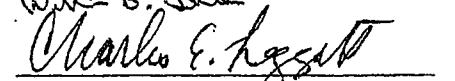
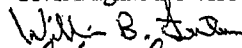
The plaintiff prays for such additional relief as justice may require, together with Plaintiff's costs and disbursements in this action.

WAN J. KIM  
Assistant Attorney General  
Civil Rights Division

By:



DAVID J. PALMER  
Chief, Employment Litigation Section  
Civil Rights Division



WILLIAM B. FENTON  
CHARLES E. LEGGOTT  
United States Department of Justice  
Civil Rights Division  
Employment Litigation Section, PHB  
950 Constitution Avenue, N.W.  
Washington, D.C. 20530  
(202) 514-0548  
(202) 514-1005 (fax)