

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION**

KRISTEN CAMPANELLA

PLAINTIFF

VERSUS

CAUSE NO. 1:16cv127-GHD-DAS

OKTIBBEHA COUNTY, MISSISSIPPI

DEFENDANT

JURY TRIAL DEMANDED

COMPLAINT

This is an action to recover actual damages and injunctive relief for sex discrimination. The following facts support this action:

1.

Plaintiff KRISTEN CAMPANELLA is an adult resident citizen of 600 Broad Street, Starkville, Mississippi 39759.

2.

Defendant OKTIBBEHA COUNTY, MISSISSIPPI is a political subdivision of the State of Mississippi. At all relevant times, Defendant was an employer within the meaning of the Civil Rights Act of 1964, as amended. Defendant may be served with process upon the Clerk of Chancery Court of Oktibbeha County, Monica W. Banks, 101 East Main Street, Starkville, Mississippi 39759.

3.

This Court has federal question jurisdiction under 28 U.S.C.A. § 1331, and civil rights jurisdiction under 28 U.S.C.A. § 1343, for causes of action arising under Title VII of the Civil Rights Act of 1964, as amended.

4.

Plaintiff filed the EEOC charge, attached hereto as Exhibit "A." The allegations in the EEOC charge are incorporated herein by reference. Plaintiff has received the right-to-sue letter, attached hereto as Exhibit "B," and institutes this suit within ninety (90) days of receipt of the right-to-sue letter, dated April 20, 2016.

5.

Plaintiff is employed by EMA/E911 of Defendant Oktibbeha County, having begun as a dispatcher and ultimately being promoted to deputy director.

6.

Plaintiff's former immediate supervisor, Director Jim Britt, entertains prejudice against females, the details of which are stated in the attached EEOC charge.

7.

Upon retiring, Mr. Britt, because of his animosity toward females, misrepresented to the Oktibbeha County Board of Supervisors that Plaintiff was not interested in being his replacement.

8.

Because of the misrepresentations of Mr. Britt, and because some members of the Board also wanted a male for the position, the Board did not give Plaintiff the position of director of EMA/E911 upon Britt's retirement. Instead, Defendant hired as director a career law enforcement officer who

had no experience whatsoever and who lacked even the most basic qualifications for the position. Plaintiff's application contained numerous certifications and letters of recommendation, including, but not limited to, the recommendation of the highly-respected former Sheriff of Oktibbeha County. While the successful applicant was an excellent law enforcement officer, he lacked even the basic knowledge to operate the EMA/E911 system, but relies upon Plaintiff to show him how to do the job of director.

9.

Plaintiff was not hired for the job of Director of EMA/E911 because of her gender, female.

10.

Plaintiff has suffered lost income and mental anxiety and stress as a result of Defendant's actions.

REQUEST FOR RELIEF

Plaintiff requests actual damages in an amount to be determined by a jury, and for reasonable attorneys' fees, costs and expenses.

RESPECTFULLY SUBMITTED, this the 7th day of July, 2016.

KRISTEN CAMPANELLA, Plaintiff

By: /s/ Jim Waide

Jim Waide, MS Bar No. 6857

waide@waidelaw.com

WAIDE & ASSOCIATES, P.A.

Post Office Box 1357

Tupelo, MS 38802-1357

(662) 842-7324 / Telephone

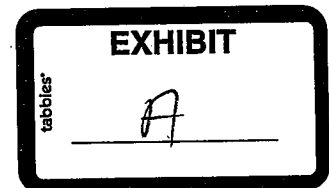
(662) 842-8056 / Facsimile

ATTORNEYS FOR PLAINTIFF

CHARGE OF DISCRIMINATION		AGENCY <input type="checkbox"/> <input type="checkbox"/>	CHARGE NUMBER
This form is affected by the Privacy Act of 1974; See Privacy Act Statement before completing this form.			
_____ and EEOC State or local Agency, if any			
NAME (Indicate Mr., Ms., Mrs.) Ms. Kristen Campanella		HOME TELEPHONE (Include Area Code) 662-418-1403	
STREET ADDRESS 600 Broad Street		CITY, STATE AND ZIP CODE Starkville, MS 39759	DATE OF BIRTH 7-11-78
NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one list below.)			
NAME Oktibbeha County, Mississippi	NUMBER OF EMPLOYEES, MEMBERS 50+	TELEPHONE (Include Area Code) 662-338-1076	
STREET ADDRESS 100 Jefferson Street		CITY, STATE AND ZIP CODE Starkville, MS 39759	COUNTY Oktibbeha
CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es))		DATE DISCRIMINATION TOOK PLACE EARLIEST (ADEA/EPA) LATEST (ALL)	
<input type="checkbox"/> RACE <input type="checkbox"/> COLOR <input checked="" type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> AGE <input type="checkbox"/> RETALIATION <input type="checkbox"/> NATIONAL ORIGIN <input type="checkbox"/> DISABILITY <input type="checkbox"/> other		5-18-15	
		<input type="checkbox"/> continuing action	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):			
Respondent did not hire me for the combined position of EMA/E911 Director because of my sex (female). I have been employed by EMA/E911 with Respondent, beginning as a dispatcher and then promoted to Deputy Director. My immediate supervisor, Jim Britt, is prejudice against females. Britt made disparaging remarks critical of an Area Coordinator. I saw no basis for these remarks, other than she was a female. Also, Britt treated females in a disparaging fashion, making sexual advances and sexual comments toward women. When Britt left the position, I applied for the position. Britt, because of his sexual bias, misrepresented to the Board of Supervisors that I was not interested in the position. When I learned that Britt had told the Board that I was not interested in the position, I filed a formal application. Even then, Britt made statements to the Board indicating that I did not want the position, and also made false statements to them that I had limited job duties. In fact, I was the only qualified person for the job, and I have superior qualifications. I have received multiple certifications from the Board of Standards and Training from the Department of Public Safety, pertinent to my E911 duties. I was the only person in the County who is a Mississippi Certified Emergency Manager certified through the Mississippi Civil Defense Emergency Management Agency. I have almost fifteen (15) years experience. I am the only person in the County who knows how to perform the duties of EMA/E911 Director. I was not selected for the job, and, instead, a deputy sheriff (male) was selected, who had no qualifications. (Continued on Page Two)			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or telephone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.		NOTARY - (When necessary for State and Local Requirements)	
		I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief	
I declare under penalty of perjury that the foregoing is true and correct.		SIGNATURE OF COMPLAINANT	
6-11-15	<i>Kristen Campanella</i>		
Date	Charging Party (Signature)	SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (Day, month, and year)	

EEOC FORM 5 (Test 10/94)

B0 m



Kristen Campanella
EEOC Charge
Page Two

All of the deputy sheriff's experience has been in law enforcement, and if I remain employed, I will have to train him on everything so he can learn his job. Respondent hired him because my former boss, Britt, has a prejudice against females, and falsified my qualifications to the Board. Except for Britt's sexual bias against me, I believe the Board would have hired me.

I request the EEOC to investigate and determine whether there is any legitimate non-discriminatory reason for not being given the position of EMA/E911 Director, except for my sex (female) in violation of the Civil Rights Act of 1964, as amended.



U.S. Department of Justice
Civil Rights Division

CERTIFIED MAIL
7010 0290 0000 2011 7631

950 Pennsylvania Avenue, N.W.
Karen Ferguson, EMP, PHB, Room 4239
Washington, DC 20530

April 20, 2016

Ms. Kristen Campenella
c/o Jim Waide, Esquire
Law Offices of Waide & Associates
332 North Spring Street
Tupelo, MS 38804

Re: EEOC Charge Against Oktibbeha County E911
No. 423201501640

Dear Ms. Campenella:

Because you filed the above charge with the Equal Employment Opportunity Commission, and more than 180 days have elapsed since the date the Commission assumed jurisdiction over the charge, and no suit based thereon has been filed by this Department, and because you through your attorney have specifically requested this Notice, you are hereby notified that you have the right to institute a civil action under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e, et seq., against the above-named respondent.

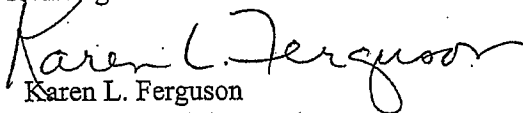
If you choose to commence a civil action, such suit must be filed in the appropriate Court within 90 days of your receipt of this Notice.

The investigative file pertaining to your case is located in the EEOC Jackson Area Office, Jackson, MS.

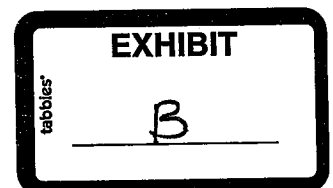
This Notice should not be taken to mean that the Department of Justice has made a judgment as to whether or not your case is meritorious.

Sincerely,

Vanita Gupta
Principal Deputy Assistant Attorney General
Civil Rights Division

by 
Karen L. Ferguson
Supervisory Civil Rights Analyst
Employment Litigation Section

cc: Jackson Area Office, EEOC
Oktibbeha County E911



CIVIL COVER SHEET 1:16cv127-GHD-DAS

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Kristen Campanella

DEFENDANTS

Oktibbeha County, Mississippi

(b) County of Residence of First Listed Plaintiff Oktibbeha

(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant _____

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

(c) Attorneys (Firm Name, Address, and Telephone Number)

Jim Waide, Waide & Associates, P.A., P.O. Box 1357, Tupelo, MS 38802 - 662.842.7324

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff
- 3 Federal Question (U.S. Government Not a Party)
- 2 U.S. Government Defendant
- 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

	PTF	DEF		PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-- Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS			
<input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input checked="" type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding
- 2 Removed from State Court
- 3 Remanded from Appellate Court
- 4 Reinstated or Reopened
- 5 Transferred from Another District (specify)
- 6 Multidistrict Litigation - Transfer
- 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
 28 USC Sec 1331; 28 USC Sec 1343.

Brief description of cause:
 This is an action to recover damages and injunctive relief for sex discrimination.

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. **DEMAND \$** _____
 CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE _____ DOCKET NUMBER _____

DATE: 07/07/2016 SIGNATURE OF ATTORNEY OF RECORD: /s/ JIM WAIDE

FOR OFFICE USE ONLY
 0537-1339252

RECEIPT # _____ AMOUNT \$400 APPLYING IFP _____ JUDGE GHD MAG. JUDGE DAS