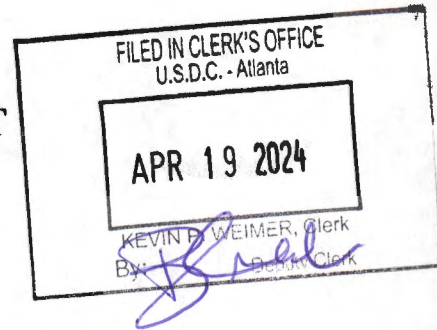


**THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA CIRCUIT**



LINDELL YVETTE MILLER

Plaintiff,

v.

CITY OF STOCKBRIDGE,
YOLANDA BARBER, ALFONSO
THOMAS, and VANESSA
HOLIDAY

Defendants.

)
)
) Civil Action No. 1:23-CV-04022-
) MHC-JEM

) JURY TRIAL DEMANDED
)
)
)

AMENDED COMPLAINT

COMES NOW Lindell Yvette Miller, *pro se*, and files this Amended Complaint against the City of Stockbridge, Yolanda Barber, Alfonso Thomas, and Vanessa Holiday, for discrimination on the basis of national origin in violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e *et seq.* and violation of the Georgia Whistleblower Protection Act, Ga. Code Ann. § 45-1-4, showing the Honorable Court as follows:

JURISDICTION

1.

The Court's jurisdiction over this controversy is based on 28 U.S.C. § 1331 and other relevant law.

VENUE

2.

The unlawful employment practices alleged below were committed within the State of Georgia. Accordingly, venue lies in the United States District Court for the Northern District of Georgia under 28 U.S.C. § 1391(b).

PARTIES

3.

Plaintiff is a citizen of the State of Georgia and a resident of this judicial district.

4.

City of Stockbridge is a political subdivision of the State of Georgia.

5.

Yolanda Barber (“Barber”) is a citizen of the State of Georgia and a resident of this judicial district.

6.

Alfonso Thomas (“Thomas”) is a citizen of the State of Georgia and a resident of this judicial district.

7.

Vanessa Holiday (“Holiday”) is a citizen of the State of Georgia and a resident of this judicial district.

STATEMENTS OF FACTS

8.

Plaintiff timely filed Charge of Discrimination 410-2021-02179 with the Equal Employment Opportunity Commission on February 4, 2022.

9.

Plaintiff filed the instant action within 90 days of receipt of a Notice of Right to Sue.

10.

Plaintiff fully exhausted his administrative remedies.

11.

Plaintiff timely filed the instant complaint within 90 days of his receipt of the Notice of Right to Sue.

12.

On or about January 19, 2019, Plaintiff was hired by the City of Stockbridge for a position in the Procurement Division.

13.

Yolanda Barber (“Barber”), a City of Stockbridge City Council member, had unsuccessfully applied for a job with the Procurement Division, which Ms. Miller later headed.

14.

Vanessa Holiday (“Holiday”) is the City Clerk of the City of Stockbridge.

15.

On or about November 11, 2021, Kerri Stewart and Charisma Webster, employees of the City of Stockbridge, reportedly heard Holiday make discriminatory remarks about “island people.”

16.

On multiple occasions during Plaintiff’s employment with the City of Stockbridge, Holiday made derogatory comments about people from “the islands,” referring to them as “rude and weird.”

17.

Plaintiff is of Bahamian-American descent.

18.

Defendants knew that Plaintiff was of Bahamian-American descent.

19.

On December 6, 2019, Defendant Holiday harassed Plaintiff for adhering to state statutes regarding procurement procedures, expressing displeasure when Plaintiff refused to bypass checks and balances required by law.

20.

Holiday engaged in ongoing harassment including bullying, belittling, targeting, and blaming Plaintiff without cause, actions that were exacerbated upon Defendant Barber's council appointment on January 1, 2020.

21.

On numerous occasions from March to June 2020, Defendant Holiday sent emails falsely accusing Plaintiff of procedural errors, often requesting documents and processes already completed by Plaintiff, contributing to an oppressive and stressful work environment.

22.

From on and or about June 23, 2020 through October 21st, 2021 Councilwoman Barber. Directed Randy Knighton. City manager. Not to forward a high-growth landscaping contract to the City Council for award because Councilwoman Barber did not want the contract to be awarded.

23.

On or about August 26th, 2020. The mayor sent Plaintiff an e-mail apologizing to her for how she was treated during the City Council meeting.

24.

On November 24th, 2020, the city hired an independent company to conduct a climate study of the city. The investigation results confirmed overwhelming evidence of bullying and harassment by Holiday and Barber.

25.

On or about June 11, 2021. Plaintiff reported concerns about Holiday to Renee Wheeler (“Wheeler”), the HR Manager. The city attorney, Jeremy T. Berry, was informed and directed Wheeler to investigate.

26.

On or about June 24, 2021: Plaintiff made another complaint following an incident involving mistreatment of her assistant by Holiday.

27.

On or about June 25, 2021, Holiday entered Plaintiff's office without permission and removed vendor packages.

28.

Defendant Holiday exhibited increasingly irrational and invasive behavior, including breaking into an office to retrieve and tamper with confidential files in June 2021.

29.

In or around August 2021. During a City Council meeting broadcast on Facebook. Councilwoman Barbara and Councilman Thomas falsely stated that bids for potential contracts were not being appropriately advertised.

30.

On or about August 17 and 18, 2021: Plaintiff emailed various city officials including the City Manager Randy Knighton and the City Treasurer John Wiggins, detailing ongoing harassment by Holiday, Thomas, an Barber.

31.

Wanna above August 19, 2021., The City Attorney audited the Procurement Division's Standard Operating Procedure Manual. Councilwoman Barber made multiple request via e-mail demanding that the City Manager justify hiring Plaintiff.

32.

On December 1, 2021, Plaintiff informed Human Resources that she suffered a panic attack after the City Council meeting because of Councilman Thomas's false statements and accusations.

33.

On May 30, 2023, I was advised by the City Treasurer that the City Attorney issued Councilwoman Barber a cease and desist order to stop making false claims about Plaintiff and the Procurement Division during public City Council meetings.

34.

Plaintiff notified the City of Stockbridge's Human Resources that he was being subjected to harassment and intimidation based on her national origin on May 30, 2023, May 1, 2023, April 25, 2023, April 24, 2023, April 21, 2023, February 23, 2023, February 7, 2023, and October 10, 2022.

35.

Upon information and belief, the City of Stockbridge's Human Resources department failed to investigate any of Plaintiff's complaints of harassment based on her protected status.

36.

Defendant's nondiscriminatory basis for refusing to hire Plaintiff is a pretext.

37.

On or about August 5, 2022, the Georgia Department of Corrections made a conditional offer of employment to Plaintiff for the position of Correctional Officer I at Metro Reentry Facility.

38.

On or about May 30th, 2023. During the City Council meeting at 6:00 PM aired on Facebook, Councilwoman Barbara and Councilwoman Thomas publically made false statements alleging that the procurement division lacked effectiveness, accountability, and efficiency.

39.

On or about September 27, 2023, Plaintiff resigned her position with City of Stockbridge due to the ongoing harassment and discrimination to which she was subjected by Defendants.

40.

Defendants' actions culminated in a pervasive hostile work environment, characterized by constant scrutiny, unfounded accusations, and public disparagement, all aimed to undermine Plaintiff's professional integrity and mental well-being.

CLAIMS FOR RELIEF

CAUSE OF ACTION I

**HARASSMENT AND DISPARATE TREATMENT ON THE BASIS OF
NATIONAL ORIGIN IN VIOLATION OF TITLE VII OF THE CIVIL RIGHTS
ACT OF 1964, 42, U.S.C. § 2000E *et seq***

41.

Paragraphs 1-40 are incorporated by reference as if fully set forth herein.

42.

**Defendants' conduct constitutes harassment and discrimination based on
national origin and violation of Title VII the Civil Rights Act of 1964.**

43.

**As a direct and proximate cause of Defendants harassing and discriminatory
conduct. Plaintiff was constructively discharged from her employment with the
City of Stockbridge on September 27, 2023.**

44.

**As a direct and proximate result of Defendants' unlawful actions, Plaintiff
has suffered and continues to suffer substantial losses in employment, career
opportunities, emotional distress, and humiliation.**

**CAUSE OF ACTION II
HARASSMENT AND DISPARATE TREATMENT ON THE BASIS OF
NATIONAL ORIGIN IN VIOLATION OF TITLE VII OF THE CIVIL RIGHTS
ACT OF 1964, 42, U.S.C. § 2000E *et seq***

45.

Paragraphs 1-39 are incorporated by reference as if fully set forth herein.

46.

Barber interfered with the City of Stockbridge's procedure process in an attempt to steer the procurement to a vendor of her choosing.

47.

Plaintiff disclosed Barber's interference to the City Manager.

48.

Subsequent to Plaintiff's disclosure of Barber's unlawful actions, Barber, Holiday, and Thomas subjected Plaintiff to a campaign of public retaliatory harassment, making derogatory comments about her professional capabilities, thereby diminishing her employability and reputation.

49.

Barber, Holiday, and Thomas maintained their campaign of retaliatory harassment, ultimately creating an overtly hostile workplace that forced Plaintiff's resignation.

50.

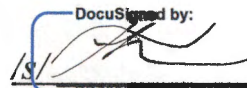
As a direct and proximate consequence of Defendants' unlawful retaliatory practices, Plaintiff has suffered a loss of income, including past and future salary, benefits, and other company-sponsored benefits.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully prays for judgment against Defendant as follows:

- (a) Monetary judgment representing back pay, front pay, compensatory damages, including lost wages, and all other sums of money, including retirement benefits and other employment benefits, together with pre and post-judgment interest on said amounts;**
- (b) Declaratory judgment holding that Defendants' violated Plaintiff's rights under Title VII of the Civil Rights Act of 1964;**
- (c) Declaratory judgment holding that Defendants' violated Plaintiff's rights under Georgia Whistleblower's Act;**
- (d) Injunction restraining Defendant from engaging in any further practice of discriminating against prospective employees based on their age;**
- (e) For the costs of suit and expenses**

Respectfully submitted this 19th day of April 2024.

DocuSigned by:

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Lindell Y. Miller
20 Fox Chase Ct.
Stockbridge, GA 30281