

23RD JUDICIAL DISTRICT COURT
PARISH OF ASCENSION
STATE OF LOUISIANA

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PARISH OF ASCENSION

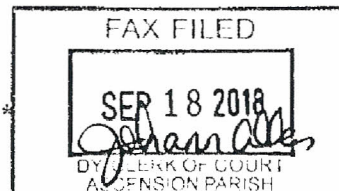
NUMBER 123,264 DIVISION " 2018 SEP 21 A 9:52

CATHY DERBONNE

BY Johann Allen
CLERK OF COURT
PARISH OF ASCENSION

VERSUS

CITY OF GONZALES, LOUISIANA



PETITION

The Petition of Cathy Derbonne, a resident of the full age of majority of Ascension Parish,

Louisiana, respectfully represents:

1.

Made defendant herein is the City of Gonzales, Louisiana, a municipality domiciled in the Parish of Ascension, State of Louisiana, which is justly and truly indebted unto Petitioner for all sums as are reasonable under the premises, attorney's fees as allowed by law, all costs of these proceedings, legal interest thereon from the date of demand until paid, and all such other relief to which Petitioner is entitled at law or in equity.

2.

On July 31, 2017, Petitioner was hired by the City of Gonzales to transition into the position of City Clerk/Chief Administrative Officer replacing Clay Stafford, who was retiring. At all times, Gonzales was Petitioner's employer within the meaning and intent of Federal and Louisiana law, employing greater than 100 individuals.

3.

At all times pertinent hereto, Clay Stafford and Mayor Barney Arceneaux were Petitioner's supervisors with immediate and successively higher authority over Petitioner.

4.

On September 15, 2017, Petitioner met with Arceneaux regarding a proposed across the board raise of 2% for all employees. In the process of reviewing City documents and a proposed spreadsheet, Petitioner discovered that several employees would receive raises higher than the proposed 2% and, further, that several employees were reflected on the spread sheet with lower base, pre-raise pay than as actually reflected in the City's payroll system.

5.

When she met with Arceneaux on September 15, 2017, he initially told her, after she presented the spreadsheet and accompanying data, that he wanted to meet with her in his truck, so they could have some "privacy." The two then went outside to his truck and Petitioner began discussing the figures and differences between the spread sheet and the City's actual records.

6.

When Petitioner got into Arceneaux's truck, she made an innocent comment that the situation was awkward for her and that she did not want to be accused of having an affair as she was informed another high-ranking employee and female staff member had. Arceneaux then commented: "I'd be okay with that". Petitioner told Arceneaux she was not interested and changed the subject back to the numbers and raise spread sheet.

7.

Upon arrival back at City Hall, Arceneaux announced he was leaving for the day. Petitioner then went into the building and went to HR Generalist, Tammy Williams, and reported the uncomfortable exchange which had just taken place with Arceneaux. She and Williams also discussed the then pending EEOC matter, the settlement of another, and morale within the City as a result.

8.

On Monday, September 18, 2017, when Petitioner arrived at work, Arceneaux called Petitioner into a meeting at which time he began grilling her about how she knew about the referenced affair, did she know about details regarding the settlement of the claim involving that matter, and who else, to her knowledge, knew. Petitioner responded that she knew because Stafford had given her the EEO files to review and which included that claim and others, details regarding same, and settlement information.

9.

The next day, September 19, 2017, Petitioner was called into a meeting wherein she was terminated for the false reason of violating City Ordinances regarding unwillingness/failure to perform duties and discourteous conduct toward others. During that meeting, councilman Neal Bourque and Arceneaux told Petitioner that she was not a good fit, that the Mayor was not comfortable working with her, that she is the new "girl" on the block and the rest are not

comfortable with her, that the Mayor did not like the way she acts or the way she is with certain people.

10.

Petitioner contends she was terminated on account of her gender and in retaliation/reprisal for her protected activities including publication of the incorrect payroll data, reporting, opposing, protesting sexual harassment in the workplace.

11.

Petitioner timely filed a Charge of Discrimination with the EEOC which, in turn, sent written notice of the Charge, along with a request that the City engage in mediation, which the City refused. Petitioner received the attached Notice of Right to Sue dated August 21, 2018. All conditions prerequisite to this lawsuit under Federal law, namely, Title VII, and Louisiana, namely, La. R.S. 23:301, *et seq.*, and La. R.S. 23:967, have been met and complied with.

12.

As a result of the situation sued upon herein, Petitioner sustained damages which include, but are not limited to, past and future lost wages and benefits, extreme emotional distress, humiliation, embarrassment, loss of earning capacity, mental anguish.

13.

Petitioner is entitled to and desires an award of attorney's fees pursuant to Federal and Louisiana law.

14.

Petitioner is entitled to and desires award of all such other relief to which she is entitled at law or in equity.

15.

Petitioner is entitled to and desires trial by jury.

WHEREFORE, Petitioner, Cathy Derbonne, prays for trial by jury and after due proceedings are had there be Judgment herein in her favor and against defendant City of Gonzales, Louisiana, for all sums as are reasonable under the premises, attorney's fees, all costs of these proceedings, legal interest thereon from the date of judicial demand until paid, and all such other relief to which Petitioner is entitled at law or in equity.

Respectfully submitted,

By: 

Jill L. Craft, T.A., #20922

W. Brett Conrad, Jr., #37639

Attorney at Law, LLC

330 Government Street

Baton Rouge, Louisiana 70802

(225) 663-2612

PLEASE SERVE:

City of Gonzales, Louisiana
Through its Mayor
Barney Arceneaux
120 S. Irma Boulevard
Gonzales, Louisiana 70737

23RD JUDICIAL DISTRICT COURT
PARISH OF ASCENSION
STATE OF LOUISIANA

RECEIVED AND FILED
SHERYL HANNA
CLERK OF COURT

2018 SEP 21 A 9:52

NUMBER 123,264 DIVISION "E"

Johanna Allen
CLERK OF COURT
ASCENSION PARISH, LA.

CATHY DERBONNE

VERSUS

CITY OF GONZALES, LOUISIANA



VERIFICATION

STATE OF LOUISIANA

PARISH OF East Baton Rouge

BEFORE ME, the undersigned Notary Public personally came and appeared:

Cathy Derbonne

A resident of the full age of majority of Ascension Parish, Louisiana, who upon being duly sworn did depose and state that she is the Petitioner in the above and foregoing Petition, that she has read same and all facts and alleges are true and correct.

Cathy Derbonne

SWORN TO AND SUBSCRIBED before me, Notary Public, this 19 day of September, 2018.

[Signature]