

STATE OF MICHIGAN JUDICIAL DISTRICT 22nd JUDICIAL CIRCUIT COUNTY PROBATE	SUMMONS AND COMPLAINT	CASE NO. <i>10-847-CD</i>
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Court address 101 E. Huron Street, P.O. Box 8645, Ann Arbor, MI 48107	Court telephone no. (734) 222-3270
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Plaintiff's name(s), address(es), and telephone no(s). Todd LaPrairie c/o Nacht & Associates, P.C. 101 N. Main Street, Ste. 555 Ann Arbor, MI 48104 (734) 663-7550	v	Defendant's name(s), address(es), and telephone no(s). Willow Run Community Schools 235 Spencer Lane Ypsilanti, MI 48198 (734) 481-8200 Dr. Doris Hope-Jackson 230 Calumet Blvd. Harvey, IL 60426
Plaintiff's attorney, bar no., address, and telephone no. Jennifer B. Salvatore (P66640) 101 N. Main Street, Ste. 555 Ann Arbor, MI 48104 (734) 663-7550		

CLERK'S OFFICE
 COURT CLERK
 JUDICIAL DISTRICT
 22ND JUDICIAL CIRCUIT
 COUNTY PROBATE
 AUG 10 10 2010
 CERTIFIED BY
Laurenca Kesterson

SUMMONS NOTICE TO THE DEFENDANT: In the name of the people of the State of Michigan you are notified:

1. You are being sued.
2. **YOU HAVE 21 DAYS** after receiving this summons to **file a written answer with the court** and serve a copy on the other party **or take other lawful action with the court** (28 days if you were served by mail or you were served outside this state). (MCR 2.111(C))
3. If you do not answer or take other action within the time allowed, judgment may be entered against you for the relief demanded in the complaint.

Issued	This summons expires NOV 09 2010	Court clerk
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*This summons is invalid unless served on or before its expiration date.
 This document must be sealed by the seal of the court.

COMPLAINT *Instruction: The following is information that is required to be in the caption of every complaint and is to be completed by the plaintiff. Actual allegations and the claim for relief must be stated on additional complaint pages and attached to this form.*

Family Division Cases

There is no other pending or resolved action within the jurisdiction of the family division of circuit court involving the family or family members of the parties.

An action within the jurisdiction of the family division of the circuit court involving the family or family members of the parties has been previously filed in _____ Court.

The action remains is no longer pending. The docket number and the judge assigned to the action are:

Docket no.	Judge	Bar no.
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General Civil Cases

There is no other pending or resolved civil action arising out of the same transaction or occurrence as alleged in the complaint.

A civil action between these parties or other parties arising out of the transaction or occurrence alleged in the complaint has been previously filed in the 22nd Circuit Court.

The action remains is no longer pending. The docket number and the judge assigned to the action are:

Docket no. 10-680-CD	Judge Timothy P. Connors	Bar no.
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VENUE

Plaintiff(s) residence (include city, township, or village) Livonia, Michigan	Defendant(s) residence (include city, township, or village) Ypsilanti, Michigan; Harvey, Illinois
Place where action arose or business conducted Ypsilanti, Michigan, Washtenaw County	

Date <u>8-10-10</u>	Signature of attorney/plaintiff <i>Jennifer B. Salvatore</i>
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If you require special accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

PROOF OF SERVICE

SUMMONS AND COMPLAINT
Case No. _____

TO PROCESS SERVER: You are to serve the summons and complaint not later than 91 days from the date of filing or the date of expiration on the order for second summons. You must make and file your return with the court clerk. If you are unable to complete service you must return this original and all copies to the court clerk.

CERTIFICATE / AFFIDAVIT OF SERVICE / NONSERVICE

<input type="checkbox"/> OFFICER CERTIFICATE I certify that I am a sheriff, deputy sheriff, bailiff, appointed court officer, or attorney for a party (MCR 2.104[A][2]), and that: (notarization not required)	OR	<input type="checkbox"/> AFFIDAVIT OF PROCESS SERVER Being first duly sworn, I state that I am a legally competent adult who is not a party or an officer of a corporate party, and that: (notarization required)
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I served personally a copy of the summons and complaint,
 I served by registered or certified mail (copy of return receipt attached) a copy of the summons and complaint, together with _____
List all documents served with the Summons and Complaint

_____ on the defendant(s):

Defendant's name	Complete address(es) of service	Day, date, time

I have personally attempted to serve the summons and complaint, together with any attachments, on the following defendant(s) and have been unable to complete service.

Defendant's name	Complete address(es) of service	Day, date, time

I declare that the statements above are true to the best of my information, knowledge, and belief.

Service fee	Miles traveled	Mileage fee	Total fee
\$		\$	\$

Signature _____

Name (type or print) _____

Title _____

Subscribed and sworn to before me on _____, _____ County, Michigan.
Date

My commission expires: _____ Date Signature: _____
Deputy court clerk/Notary public

Notary public, State of Michigan, County of _____

ACKNOWLEDGMENT OF SERVICE

I acknowledge that I have received service of the summons and complaint, together with _____ Attachments

_____ on _____
Day, date, time

_____ on behalf of _____

Signature _____

STATE OF MICHIGAN

IN THE 22ND CIRCUIT COURT FOR THE COUNTY OF WASHTENAW

TODD LAPRAIRIE,

Plaintiff,

Case No. 10-⁸⁴⁷-CD

v

Hon.

Timothy R. Connors

WILLOW RUN COMMUNITY SCHOOLS, and
DR. DORIS HOPE-JACKSON,

Defendants.

JENNIFER B. SALVATORE (P66640)
NACHT & ASSOCIATES, P.C.
Attorney for Plaintiff
101 N. Main Street, Ste. 555
Ann Arbor, MI 48104
(734) 663-7550

FILED
10 10 2010
Washtenaw County

A civil action between these parties or other parties arising out of the transaction of the occurrence alleged in the complaint has been previously filed in this Court, where it was given docket number 10-680-CD and was assigned to Judge Connors. The action remains pending.

COMPLAINT AND JURY DEMAND

NOW COMES Plaintiff, TODD LAPRAIRIE, by and through his attorneys, NACHT & ASSOCIATES, P.C., and hereby complains of Defendants, WILLOW RUN COMMUNITY SCHOOLS, and DR. DORIS HOPE-JACKSON as follows:

PARTIES AND JURISDICTION

1. Plaintiff Todd LaPrairie ("Plaintiff" or "Mr. LaPrairie") is an individual who resides in Wayne County, Michigan.
2. Defendant Willow Run Community Schools ("Defendant" or "Willow Run") is a public school district with its principal place of business in Washtenaw County, Michigan.

3. Defendant Dr. Doris Hope-Jackson (“Defendant” or “Dr. Hope-Jackson”) was, at all relevant times, the Superintendent of Willow Run Community Schools.

4. Claims in this lawsuit include race discrimination under the Elliott-Larsen Civil Rights Act, Family and Medical Leave Act Retaliation, violation of the Fourteenth Amendment’s due process protections, intentional infliction of emotional distress, breach of contract, and negligence.

5. The amount in controversy in this case exceeds Twenty-Five Thousand (\$25,000) Dollars.

6. This Court has subject matter jurisdiction over this case based on this Court’s general subject matter jurisdiction.

7. Venue is proper in Washtenaw County because Defendants conduct business in Washtenaw County, and all material facts arise out of Plaintiff’s employment for Defendant in Washtenaw County.

GENERAL ALLEGATIONS

8. Plaintiff hereby realleges and incorporates by reference paragraphs 1-7 above.

9. Plaintiff is a white male who worked for the Willow Run Community School District for over 30 years.

10. For the first 20 years of his employment, Plaintiff worked in various positions in the maintenance department.

11. In January 1998, Plaintiff was promoted to the position of interim supervisor of transportation for the district.

12. In September 1998, Plaintiff was promoted to the position of supervisor of buildings and grounds.

13. While in the position of supervisor of buildings and grounds, Plaintiff worked for and with five different superintendents and business managers. He was on the steering committee that helped guide the district through a six-year, \$52 million bond project. During this time, Plaintiff was evaluated on several occasions by different individuals and received excellent evaluations.

14. In 2003, Plaintiff received the “extra distance” award, which was voted on by his peers. Mr. LaPrairie received the award because he went above and beyond the normal duties of his job.

15. In a June 2007 Evaluation, Superintendent Ron Ciranna stated that Mr. LaPrairie “tries to please everyone...and always has ideas on how things can be done differently. Todd is a great representative for our district and always says good things about Willow Run.” Mr. Ciranna further stated, “Mr. LaPrairie has the highest standards of personal and professional ethics. I trust him completely.” “Mr. LaPrairie is a relentless worker and manager...Todd is a prize member of my team that I fully trust with little or no supervision.”

16. In the fall of 2007, the District hired Dr. Hope-Jackson as the new Superintendent for the District. Dr. Hope-Jackson came to the district after having significant problems at several school districts she had worked for in Illinois, including (1) in Calumet, Illinois, where she was fired as superintendent in April 2006 after she tried to remove the district’s special education director; (2) in Harvey, Illinois – where she had experienced numerous problems, including an EEOC charge of discrimination and a federal lawsuit filed by a district employee alleging reverse race discrimination by Dr. Hope-Jackson and a hostile work environment for white employees under her supervision; and (3) in Dolton School District #149, where she was suspended and placed on administrative leave after a negative mid-year performance evaluation.

Dr. Hope-Jackson sued the school district, and agreed to resign as part of a settlement agreement with the district, all in one academic year as superintendent there.

17. As soon as Dr. Hope-Jackson came to the Willow Run District, she engaged in the same sort of conduct she had engaged in before: namely, she harassed, scrutinized, and treated Plaintiff and other white employees poorly. Within a year of her coming to the District, she had pushed out or fired three of the four white men on the administrative council.

18. In September 2007, after only a few brief conversations and meetings, Dr. Hope-Jackson's assistant stated to Plaintiff on behalf of Dr. Jackson that "Dr. Jackson does not feel that you are happy working for Willow Run and you should seek employment elsewhere."

19. When Plaintiff refused to resign his position, Dr. Hope-Jackson engaged in a campaign to drive him out of his job.

20. In April 2008, the year following his glowing review from Superintendent Ciranna, Dr. Hope-Jackson evaluated Plaintiff as "sub-par." One of the reasons cited by Dr. Jackson is that the hot water did not reach the faucet quickly enough in the administration building. When Plaintiff tried to respond to his negative evaluation in writing (as permitted under the Collective Bargaining Agreement), Dr. Hope-Jackson told Plaintiff that it would do no good to respond, because she had already taken his evaluation to the Board.

21. In or around October 2007, Dr. Jackson stated to Plaintiff and another employee that she would not be paying a particular custodian for overtime because she was not happy with the custodian's performance at a district event. When Plaintiff informed Dr. Jackson that the custodian had already been paid overtime, Dr. Jackson issued Plaintiff a written reprimand.

22. On July 1, 2008, Plaintiff went on FMLA leave for shoulder surgery.

23. On October 21, 2008, Plaintiff returned from his approved FMLA leave and was informed that he had been relieved of his normal duties, his position was to be eliminated, and he was being put on a special assignment. This “special assignment” involved Dr. Hope-Jackson assigning Plaintiff to a building that had no heat, no water, and no bathroom facilities during the months of December 2008 through mid-April 2009.

24. The building that Plaintiff was assigned to had previously been vacated and was being used to store furniture and other teaching supplies. Plaintiff’s “special assignment” consisted of organizing and taking inventory of the furniture and supplies, distributing the supplies to teachers, and eventually arranging for the remainder of supplies to be auctioned off.

25. During the time that Plaintiff was placed on “special assignment,” Dr. Hope-Jackson interfered with his ability to use his work e-mail. Upon information and belief, she instructed District IT staff to alter Plaintiff’s e-mail account so that he could not send or print e-mails.

26. On June 30, 2009, Plaintiff was terminated by Dr. Jackson under the pretext that his position was being eliminated.

27. In fact, his position was not eliminated. Rather, Plaintiff’s responsibilities as Supervisor of Buildings and Grounds were given to a less qualified, African-American male.

28. When Plaintiff filed a grievance challenging his termination, Dr. Hope-Jackson intentionally violated Mr. LaPrairie’s rights under the Collective Bargaining Agreement by informing him (falsely) that he had no right to pursue his grievance beyond Step 3 (to arbitration).

29. In violation of the Collective Bargaining Agreement, Plaintiff was not offered the position of Director of Transportation, which he was qualified for and had the requisite seniority to assume.

30. Other white employees were also discriminated against by Dr. Hope-Jackson, who created a hostile work environment for numerous employees in an effort to drive them out of the District and replace them with African-American employees. For example:

- a. During an administrative council meeting in April 2008, Assistant Principal and Athletic Director at the Willow Run middle school, Brian Schroeder, a white male, presented MEAP data that showed improvements in all areas for the second year in a row. When he explained that the improved test scores were the result of quality teachers focusing their time to address student needs, Dr. Hope-Jackson tried to undermine his statement by alleging that the improvements were due to teachers cheating on the MEAP and standard assessments. Dr. Hope-Jackson then asked Mr. Schroeder “to bet his job on it.” She told him: “I will appreciate and expect your resignation turned into me by the end of the week.”
- b. On another occasion, Mr. Schroeder was in his office when a member of maintenance staff showed up and said he had been sent by Dr. Hope-Jackson to get the chairs out of his office because they match the décor in Dr. Hope-Jackson’s new office. Mr. Schroeder then went to Dr. Hope-Jackson and explained that he needed the chairs because he regularly met with students and parents in his office. Dr. Hope-Jackson replied “Mr. Schroeder you are wasting my time talking about chairs and if it makes you happy you can keep the chair! Mr. Schroeder, will that make you happy?” Four days later, maintenance returned to Mr. Schroeder’s office, took his chairs, and placed them in Dr. Hope-Jackson’s new office.
- c. In May 2008, Mr. Schroeder was told by Secondary Principal, Larry Gray, that he (Mr. Schroeder) needed to apply for the Dean of Students/Athletic Director position that was posted. Larry Gray also noted that according to Dr. Hope-Jackson, if Mr. Schroeder still wanted to have a job in the district then he had to fill out a letter of intent and go back to the classroom. Mr. Schroeder then asked Shannon Smith, his African-American counterpart at the high school, if he had received the same informal demotion. Mr. Smith did not, although he had less seniority than Mr. Schroeder. Mr. Schroeder ultimately left his position because of the poor treatment and reverse discrimination by Dr. Hope-Jackson.
- d. Jennifer Thornsberry, a white high school teacher, advisor for the Co-Curricular Yearbook and Newspaper activities, and building representative for the Willow Run Education Association, was reassigned to an alternative education position at

the end of the 2007/08 school year. As a result of what Ms. Thornsberry describes as “intimidation” and “reverse discrimination,” Ms. Thornsberry resigned from her position.

- e. Lori Day, a white former Willow Run nurse, reluctantly chose to resign after Dr. Hope-Jackson placed false accusations and reprimands in her personnel file. Ms. Day was forced out of her office three days before her resignation date because she parked her car “over the yellow line” and into Laconda Hicks’ (the Student Services Administrator’s) designated parking space.
- f. Mary Bowen, a white woman and Dr. Hope-Jackson’s former administrative assistant, was written up by Dr. Hope-Jackson because she allegedly did not include a memo in an expulsion file. When Ms. Bowen tried to explain that she was never given the memo, Dr. Hope-Jackson stated that Ms. Bowen should have known she wrote the memo and included it in the file. Dr. Hope-Jackson also stated that Ms. Bowen deserved the punishment and knew it.
- g. Cecilia Queener, a former administrative assistant to Dr. Hope-Jackson and a white woman, was written up by Dr. Hope-Jackson when Ms. Queener and Todd LaPrairie informed Dr. Hope-Jackson that overtime had already been paid to an employee who Dr. Hope-Jackson was not happy with and that payment for overtime was required by law.
- h. Mike Schubart, a white male Administrator, questioned an African-American board member’s (Ms. Clay’s) methods for raising funds for the booster club. Shortly thereafter, while at the first principal meeting of the new school year, Mr. Schubart learned for the first time that he had apparently been let go from his position. He learned this when Dr. Hope-Jackson said to him, “what are you doing here? You don’t work here.” Dr. Hope-Jackson then informed him that Ms. Clay would be taking over his position.
- i. Dr. Hope-Jackson prohibited sick leave donations to Tammey Jackson, a white teacher, when her sick leave days ran out while she was caring for her critically ill child. Dr. Hope-Jackson previously allowed an African-American employee to donate sick days to another African-American employee.
- j. In addition, Dr. Hope-Jackson replaced Don Govan (a white male), who was the principal at Kettering School, with an African-American female. She also gave special treatment to Larry Gray, who was an African-American secondary school principal.

COUNT I: RACE DISCRIMINATION
(Elliott-Larsen Civil Rights Act)
(Against all Defendants)

31. Plaintiff hereby realleges and incorporates by reference paragraphs 1-30 above.

32. Plaintiff is Caucasian.

33. Plaintiff was qualified for his position as Supervisor of Buildings and Grounds.

34. Plaintiff's job responsibilities were taken away by the Superintendent of Willow Run Schools – Dr. Doris Hope-Jackson – an African-American female.

35. Plaintiff was eventually terminated.

36. An African-American male with fewer qualifications replaced Plaintiff as Supervisor of Buildings and Grounds.

37. Plaintiff's reassignment and eventual termination by Dr. Hope-Jackson were both motivated by race.

38. Dr. Hope-Jackson also removed and/or pushed out other white employees from their positions with the Willow Run School District and created a hostile working environment for employees based on race.

39. As a result, Plaintiff was harmed, and continues to be harmed, in that he has suffered economic and non-economic loss, including but not limited to, lost wages, lost retirement benefits, damage to professional reputation, emotional distress, outrage and humiliation.

COUNT II: NEGLIGENCE
(Against Willow Run School District)

40. Plaintiff hereby realleges and incorporates by reference paragraphs 1-39 above.

41. Defendant knew or should have known that Superintendent Dr. Doris Hope-Jackson was engaging in racial discrimination, FMLA retaliation, and harassment of employees.

42. Defendant failed to properly investigate and address a pattern of discipline and terminations that suggested illegal discrimination and harassment.

43. In addition, had Defendant (prior to hiring Dr. Hope-Jackson) done a proper background check, and checked newspaper accounts and public records from her prior employers, it would have discovered a series of problems that Dr. Hope-Jackson had with previous employers – including similar allegations of reverse race discrimination and improper treatment of other employees.

44. Defendant was negligent in the hiring of Dr. Hope-Jackson, and continued to employ Dr. Jackson even after a pattern of discrimination and harassment became evident at Willow Run.

45. As a result, Plaintiff was harmed, and continues to be harmed, in that he has suffered economic and non-economic loss, including but not limited to, lost wages, lost retirement benefits, damage to professional reputation, emotional distress, outrage and humiliation.

COUNT III: RETALIATION
(Family & Medical Leave Act)
(Against Will Run School District)

46. Plaintiff hereby realleges and incorporates by reference paragraphs 1-45 above.

47. Defendant is an employer under the FMLA.

48. Plaintiff was an eligible employee who was entitled to leave under the FMLA.

49. Plaintiff engaged in statutorily protected activity by taking protected leave as defined by the FMLA.

50. Defendant removed Plaintiff from his position and discharged Plaintiff in retaliation for Plaintiff taking protected leave as defined by the FMLA.

51. This course of conduct was a willful violation of the FMLA.

52. As a result, Plaintiff was harmed, and continues to be harmed, in that he has suffered economic and non-economic loss, including but not limited to, lost wages, lost retirement benefits, damage to professional reputation, emotional distress, outrage and humiliation.

COUNT IV: INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
(Against Dr. Hope-Jackson)

53. Plaintiff hereby realleges and incorporates by reference paragraphs 1-52 above.

54. Dr. Hope-Jackson intended to inflict emotional distress upon Plaintiff.

55. Dr. Hope-Jackson's conduct was extreme and outrageous.

56. The actions of Dr. Hope-Jackson were the cause of Plaintiff's emotional distress.

57. The resulting emotional distress to Plaintiff was severe.

58. As a result, Plaintiff was harmed, and continues to be harmed, in that he has suffered economic and non-economic loss, including but not limited to, lost wages, lost retirement benefits, damage to professional reputation, emotional distress, outrage and humiliation.

COUNT V: BREACH OF CONTRACT
(Against Willow Run School District)

59. Plaintiff hereby realleges and incorporates by reference paragraphs 1-58 above.

60. Defendant entered into a contractual agreement with Plaintiff by signing on as a party to a Collective Bargaining Agreement, which governed Plaintiff's employment with the District.

61. Defendant has acted in a manner contrary to the clear and explicit terms of the contract by, among other things, (1) terminating Plaintiff in violation of the Collective

Bargaining Agreement; (2) failing to offer Plaintiff the position of Supervisor of Transportation; (3) preventing Plaintiff from exercising his grievance rights under the contract; (4) refusing to allow Plaintiff to respond to a negative performance evaluation; and (5) reassigning Plaintiff in violation of the contract.

62. Plaintiff attempted to grieve the violation of contract but was prevented from doing so by Defendant's false representation about his grievance rights.

63. As a result, Plaintiff was harmed, and continues to be harmed, in that he has suffered economic and non-economic loss, including but not limited to, lost wages, lost retirement benefits, damage to professional reputation, emotional distress, outrage and humiliation.

COUNT VI: VIOLATION OF THE FOURTEENTH AMENDMENT
(42 U.S.C. §1983)
(Against Willow Run School District)

64. Plaintiff hereby realleges and incorporates by reference paragraphs 1-63 above.

65. Plaintiff's employment with Defendant Willow Run School District constitutes a property interest cognizable under the Due Process Clause of the United States Constitution.

66. As such, Plaintiff was entitled to Due Process prior to the deprivation of his employment.

67. Defendant did not afford Plaintiff appropriate process before terminating him.

68. After forcing Plaintiff from his position, Defendant offered him no post-termination process.

69. Defendant's actions in depriving Plaintiff of his constitutionally-protected property interest in continued employment absent a pre- or post-termination hearing and an

opportunity to respond abridge his right to Due Process of law in violation of the Fourteenth Amendment to the United States Constitution.

70. The acts of Defendant Dr. Hope-Jackson, and other agents, representatives, and employees of Defendant District as described above represent the official policy of Defendant District and are attributable to Defendant District.

71. Defendant Dr. Hope-Jackson, and other agents, representatives, and employees of Defendant District, acting under the color of State law and in concert with one another, by their conduct, showed intentional, outrageous, and reckless disregard for Plaintiff's constitutional rights.

72. Defendant Dr. Hope-Jackson, and other agents, representatives, and employees of Defendant District, acting under the color of State law and in concert with one another, acted out of vindictiveness and ill will towards Plaintiff.

73. Defendant Dr. Hope-Jackson, and other agents, representatives, and employees of Defendant District, acting under the color of State law and in concert with one another, acted out of intent to deprive Plaintiff of his Due Process rights.

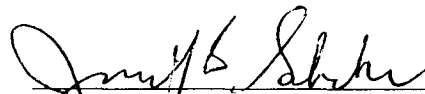
74. At all times material hereto, Plaintiff had a clearly established right to due process of law, which a reasonable public official would have known.

75. As a result, Plaintiff was harmed, and continues to be harmed, in that he has suffered economic and non-economic loss, including but not limited to, lost wages, and lost retirement benefits, damage to professional reputation, emotional distress, outrage and humiliation

WHEREFORE, Plaintiff respectfully requests that this Court award Plaintiff damages in an amount to be determined at trial together with costs, interest, attorney's fees, statutory penalties, and any other relief that this Honorable Court deems just and proper.

Respectfully submitted,
NACHT & ASSOCIATES, P.C.

Dated: 7/30/10



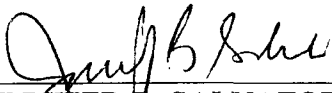
JENNIFER B. SALVATORE (P66640)
Attorney for Plaintiff
101 N. Main Street, Ste. 555
Ann Arbor, MI 48104
(734) 663-7550

DEMAND FOR JURY TRIAL

NOW COMES Plaintiff, TODD LAPRAIRIE, by and through his attorneys, NACHT & ASSOCIATES, P.C., and hereby demands a jury trial in the above-captioned matter.

Respectfully submitted,
NACHT & ASSOCIATES, P.C.

Dated: 8/10/10



JENNIFER B. SALVATORE (P66640)
Attorney for Plaintiff
101 N. Main Street, Ste. 555
Ann Arbor, MI 48104
(734) 663-7550