

authority of Article III, Section 7 of the Constitution of Virginia, and Title 22.1 of the Code of Virginia. It is vested with the supervision of schools within Chesterfield County, including the employment of teachers.

4. Chesterfield County is a county within the Commonwealth of Virginia. Through its ordinances and governance, it directs the method of selecting the members of CCPSB and is ultimately responsible for approving the budget for CCPS.

II. JURISDICTION

5. This is an action based on federal claims under Title VII of the Civil Rights Act of 1964, as amended by the Civil Rights Act of 1991 and as codified under 42 U.S.C. §2000e *et. seq.* (“Title VII”), as well as Americans with Disabilities Act of 1990, as amended, 42 U.S.C. §§ 12111 – 12117 (“ADA”).
6. Venue is appropriate, as the acts and/or omissions of the Defendants from which the causes of action arise occurred in Chesterfield County, Virginia, which is located within the Eastern District of Virginia, Richmond Division. *See* 28 U.S.C. §1391(b)(2).
7. Due to its contacts within the Commonwealth of Virginia, the Defendants avail themselves to the jurisdiction of this Court.
8. Ms. Persico timely filed a charge of discrimination with the Equal Employment Opportunity Commission (“EEOC”) regarding disability discrimination on October 13, 2017, and filed another charge of discrimination regarding sex and sexual orientation discrimination on February 26, 2018. Ms. Persico received letters of Dismissal and Notice of Rights from the U.S. EEOC, Richmond Local Office for both charges on August 23, 2018, collectively attached hereto as Exhibit A. Ms. Persico files this Complaint within 90 days of receipt of those Dismissal and Notice of Rights letters.

III. FACTUAL ALLEGATIONS PERTAINING TO MS. PERSICO

9. Ms. Persico re-alleges and incorporates herein by reference the allegations contained in the preceding paragraphs of her Complaint.
10. Ms. Persico was hired by Chesterfield County Public Schools on or about August 31, 2015. She was offered teaching contracts and taught at Providence Middle School for the 2015-16 and 2016-17 school years, then was unexpectedly transferred to Midlothian High School for the 2017-18 school year. She worked at Midlothian High School until she went out on FMLA leave on or about February 27, 2018.
11. Although Ms. Persico remained employed with CCPS through the end of her 2017-18 school year contract, she did not return to work after taking FMLA leave, on the advice of her doctor.
12. For almost the entirety of her teaching career, Ms. Persico has always received positive feedback on her abilities and performance. She has always performed her duties faithfully, diligently, and with competence, either meeting or exceeding the standards set by her employers.
13. Ms. Persico has always dressed professionally and appropriately for her teaching role, although her appearance does not present as traditionally “feminine” and is more “masculine” in nature or non-gender conforming. She maintains a short haircut, does not wear much makeup or jewelry, and prefers slacks and professional shirts to skirts and dresses.
14. After Ms. Persico was hired by CCPS, her employers were made aware of Ms. Persico’s sexual orientation and disability status, as Ms. Persico’s wife also was and still is employed by CCPS, and, in 2017, Ms. Persico requested accommodations pursuant to the ADA for

her Asperger's Syndrome/Autism Spectrum Disorder.

15. After Ms. Persico was hired by CCPS, and particularly after John Titus became the Interim Principal at Providence Middle School during the 2016-17 school year, Ms. Persico began to be targeted by her superiors who specifically expressed their discomfort with Ms. Persico's non-gender conforming presentation and appearance, sexual orientation, and disability status.
16. Throughout her employment with CCPS, Ms. Persico's supervisors, as well as several co-workers, maintained a discriminatory animus against Ms. Persico based on her non-gender conforming presentation and appearance, sexual orientation, and disability status, and consequently subjected Ms. Persico to discrimination, harassment, a hostile work environment and retaliation during her employment with CCPS.
17. When Ms. Persico started at Providence Middle School, she had a great relationship with the Principal. However, in approximately late fall of 2016, the Principal had a medical issue and John Titus was then appointed as Interim Principal.
18. On February 8, 2017, Interim Principal John Titus provided a written reprimand to Ms. Persico for under estimating that amount of time a visiting counselor was to be allowed for fielding questions from students, and for also privately asking the counselor quietly and outside the presence of students about an issue with suicides at a certain school that Ms. Persico had learned about in the news. For these innocuous incidents, the write up advises Ms. Persico: "you are instructed to maintain a professional demeanor at all times in class and to refrain from making comments to other professionals that are not related to the task and/or topic at hand. Should you continue this pattern of behavior you will have decided to subject yourself to disciplinary action up to and including termination."

19. On February 21, 2017, Ms. Persico provided her written response to the February 8th write up.
20. On February 21, 2017, Ms. Persico's doctor recommended in writing that she be allowed to use a job coach to accommodate her needs for her Asperger's Syndrome/Autism Spectrum Disorder. She eventually was assigned a Special Education teacher, Allie Parsons, as her job coach. However, for the duration of her time at Providence Middle School, Interim Principal Titus would leave Ms. Parsons off of calendar invites for meetings, would start meetings without waiting for Ms. Parsons to arrive and expressed his great displeasure at the inconvenience caused by this accommodation. Interim Principal Titus also specifically advised Ms. Persico, during a wait for Ms. Parson in February 2017, that he "didn't believe adults could have autism" and that if Ms. Persico would "just talk about normal things" then she "would not have any trouble."
21. John Titus, Interim Principal and Ms. Persico's supervisor at Providence Middle School, frequently told Ms. Persico that he did not know how to "deal" with someone like her, and was regularly dismissive of her requests for reasonable accommodations for her Asperger's. Titus also was repeatedly critical of Ms. Persico's physical appearance, specifically her non-gender conforming presentation. He also criticized her "personality" as a gay woman. He specifically made it clear on numerous occasions that, although Ms. Persico dressed professionally, he preferred and required that she dress more traditionally feminine.
22. While at Providence Middle School. Ms. Persico would use noise-cancelling head phones to assist her with her disability and her ability to focus and concentrate while not actively teaching a class. She had used these in the ten years' prior as a teacher with no issues. However, Interim Principal Titus told her that he did not like the look of her wearing

headphones and that she was only to wear them in her classroom and preferably with the door closed. Ms. Persico expressed that she had been mocked by other teachers who also had made jokes and Interim Principal Titus indicated to her that the harassment would stop once she stopped wearing the headphones.

23. On March 7, 2017, Ms. Persico was confronted by Mr. Colby Miller, the girls track coach at Providence Middle School, as she attempted to enter a women's restroom at the school. Mr. Miller physically prevented Ms. Persico from entering the restroom, telling her that several members of the girls' track team were in the restroom at the time, and he did not think she should be allowed to use the ladies room at the same time as the female students, because of her non-gender conforming appearance and her sexual orientation.
24. Following this incident, on March 24, 2017, Ms. Persico, rather than Mr. Miller, received a "Letter of Reprimand" and was disciplined by Interim Principal Titus for the confrontation with Mr. Miller, despite the fact that Ms. Persico did not initiate, or escalate the incident, and simply wanted to use the women's restroom. By being reprimanded and disciplined for this, Ms. Persico was the victim of harassment and discrimination by Mr. Miller and Interim Principal Titus based on her sex, sexual orientation and non-gender conforming appearance.
25. On April 19, 2017, Ms. Persico went with her then job coach Allie Parsons to the CCPS Human Resources department and specifically advised RJ Gregor that the Interim Principal John Titus and Assistant Principal Michael Rodney were not adhering to the ADA requested job accommodation regarding Ms. Persico's job coach. She also reported the comments made over the past several months by Interim Principal Titus regarding her non-gender conforming appearance and that this had encouraged a group of faculty to mock her

in public spaces and likewise make repeated comments about her appearance. Ms. Persico offered several suggestions with regard to education and tolerance that were outright rejected by Human Resources and instead she was advised that a transfer to another school would be best. Ms. Persico objected to any transfer; however, was advised by Human Resources that the administration at Providence Middle School wanted her transferred out.

26. Shortly prior to the start of school in August 2017, Ms. Persico was told by the Assistant Human Resources Director of CCPS that she was being transferred from Providence Middle School to a different school because CCPS was not sure how to handle the other teachers' inabilities to understand Ms. Persico's disability (Asperger's). However, the underlying motive for the transfer, especially given the hostility and discriminatory animus by the Interim Principal John Titus, appeared to be in whole or in part based on Ms. Persico's sex, sexual orientation and non-gender conforming presentation. As noted above, while at Providence Middle School, Ms. Persico had encountered immense hostility from Interim Principal Titus and other colleagues who took issue with her "personality," her gender presentation and her sexual orientation. Despite the hostility from Principal Titus and others, Ms. Persico had not requested a transfer to a high school, and wished to remain at her middle school teaching position, but unfortunately was not given a choice in the matter.
27. The travel distance from Ms. Persico's home to Providence Middle School was about 9.2 miles with no tolls. In comparison, the travel distance from Ms. Persico's home to Midlothian High School was 28.4 miles using non-toll roads.
28. When presented with the transfer assignment, Ms. Persico requested if her job coach could be present and assist her during the teacher work week prior to school starting to assist with

the transition and introduction to new teachers. Her request was denied by the CCPS Human Resources department.

29. On August 28, 2017, Ms. Persico reported at Midlothian High School for the teacher work week prior to the start of classes. She was not welcomed to the school by any supervisors or teachers or other staff, was not given teaching resources or material of any kind, and did not even receive a copy of the teacher's textbook. Ms. Persico was asked by other teachers if she was married and she answered yes, they asked what was "his" name. When Ms. Persico advised that she was married to a female and had been happily married for twelve years, jokes were made about the high level of homophobia at the school and surrounding community. One teacher replied to Ms. Persico's statement about having a wife with the statement: "Not out here you don't. In this end of the county you have a husband. Midlo is a red school." Comments also were made about Ms. Persico's choice of clothing, haircut, non-gender conforming appearance and she also was confronted with numerous mocking invitations to attend the other teachers' Catholic Church.
30. The hostile treatment just in the first couple days of school, coupled with the fact that she had already been at another hostile school only to now be at any even more hostile school, exacerbated her stress and anxiety levels, and on August 30, 2017, Ms. Persico visited the school clinic and was advised that her blood pressure was dangerously high and she should seek medical attention.
31. On August 31, 2017, Ms. Persico suffered a stress-related stroke, which her doctor attributed to the stress and anxiety caused by her employment situation, which consisted of a hostile work environment and continued discrimination. Nevertheless, Ms. Persico returned to her teaching position at Midlothian once cleared by her doctor.

32. In September 2017, shortly after Ms. Persico returned to work at Midlothian High School, she was unexpectedly questioned regarding her sexuality by one of the Assistant Principals during a meeting with a parent. Ms. Persico found the questioning regarding her sexual orientation to be inappropriate, invasive, hostile, discriminatory and specifically intended to make her feel uncomfortable in front of the parent of one of her students. Her sexual orientation had no relevance to her teaching ability or the parent-teacher meeting regarding the student's performance.
33. While at Midlothian High School, Ms. Persico was told to find her own job coach by Assistant Principal David Gifford. She also was instructed by him not to use the term "coach." In the second week of September, the Director of Special Education Mrs. Zawadski offered to be her job coach.
34. During a meeting on September 19, 2017 involving Ms. Persico, Assistant Principal Gifford, Mrs. Zawaski and one other teacher, Mr. Gifford was openly hostile to Ms. Persico prompting the other teacher to note afterwards how "uncomfortable" the meeting was and prompting Mrs. Zawadski to state after the meeting that Ms. Persico had been subject to an "interrogation" by Gifford. Ms. Persico sought medical attention with her primary care doctor that afternoon and was found to have dangerously high blood pressure.
35. On October 10, 2017, Ms. Persico was "written up" for a situation for which no write-up was necessary and which involved a student asking to re-take a test (a request that Ms. Persico granted). However, Ms. Persico was advised by the Assistant Principals, including Assistant Principal Gifford, that they had "concerns" and, therefore, a meeting was held on October 9, 2017 with a lengthy write up that Ms. Persico was directed to sign. Ms. Persico was not aware of any other teachers who were subject to such a meeting and write up

simply with regard to the re-taking of a test by a student.

36. On October 13, 2017, given the ongoing discrimination and hostility, Ms. Persico filed an EEOC Charge but was told by the EEOC intake person (wrongly) that she could only file based on disability discrimination, and not sex discrimination based on her sex, sexual orientation and non-gender conforming appearance.
37. In November 2017, Ms. Persico was questioned by the Principal of Midlothian High School, Shawn Abel, regarding her personal appearance. In particular, she was advised by Mr. Abel that she was not to wear athletic shoes although many other teachers wore athletic shoes. When Ms. Persico indicated the support that such shoes provided especially for her back pain, Mr. Abel informed Ms. Persico that she needed to have a doctor's note for athletic or supportive shoes.
38. Ms. Persico immediately obtained and presented to Mr. Abel the requested doctor's note. However, Mr. Abel told Ms. Persico that he did not view her "casualization" or manner of dress in the workplace favorably, despite the fact that she had provided a doctor's note, and despite the fact that other teachers, specifically male teachers, were regularly permitted to wear athletic or supportive shoes at the school and also dress casually, without the need for medical documentation. This incident represents one of many in which Ms. Persico was singled out by Principal Abel and Assistant Principal Gifford for her manner of dress, which tends to be non-gender conforming and more stereotypically masculine rather than feminine. Notably, at no time was Ms. Persico ever provided with a dress code.
39. Throughout her time at Midlothian High School, Ms. Persico was also told by Principal Abel on multiple occasions that that she did not fit in with the "culture of the Midlothian High School" and that he did not like her non-gender conforming appearance or the fact she

was gay.

40. On November 20, 2017, Ms. Persico requested intermittent Family and Medical Leave Act (FMLA) leave due to anxiety and back pain among other things. She was not granted the FMLA leave until January 6, 2018.
41. In a meeting on or around December 14, 2017, Ms. Persico was advised that Human Resources was informed by upper administration that Ms. Persico no longer would have use of a job coach at Midlothian High School.
42. In or around December 14, 2017, a meeting was held with Mr. Abel and other supervisors regarding Ms. Persico's behavior at a school-wide holiday concert. Ms. Persico noted that she enthusiastically participated in the sing-along portion of the concert, but was told by the other faculty at the meeting that her behavior "did not align" with that of others at the assembly. It was made clear to Ms. Persico that her enthusiastic participation was regarded as too "flamboyant" or, in other words, too gay.
43. On December 14, 2017, Ms. Persico filed a formal complaint of harassment, intimidation and bullying by another teacher arising out of the holiday performance. A meeting subsequently was held on January 3, 2018, and the teacher at issue admitted she may have joked around with the kids about Ms. Persico's behavior.
44. After the holiday performance, Ms. Persico continued to be ostracized by the administration and her fellow teachers including generally being given the silent treatment.
45. On February 8, 2018, Ms. Persico received a letter from the CCPS Executive Director of Human Resources and Employment Services, Francine Bouldin, in response to Ms. Persico's doctor's request for accommodations that stated, among other things: that she could have a job coach and as of February 6, 2018 was assigned James Biedenharn; that she

could use noise-cancelling headphones; and that a mentor had been assigned to assist with the job coach on setting up a reward system for Ms. Persico.

46. On February 8, 2018, after having just received her ADA accommodations that day, and after having previously filed a formal complaint in mid-December with the school regarding harassment, intimidation and bullying, and also after having filed her October 2017 EEOC Charge, Ms. Persico was retaliated against and again discriminated against and made subject to a continuing hostile environment by being disciplined and written up on several menial and unfounded grounds by Assistant Principal Gifford. The grounds included eleven (11) unspecified allegation not given any context in time, scope or source and all evidently directed at her in an attempt to make her quit (constructively discharge her) due to her sex/sexual orientation and/or disability. The formal write up was written by Assistant Principal Gifford supposedly through an unknown teacher on a complaint by a student who wished “to remain anonymous,” yet the unfounded claims were evidently based on casual comments that had been gathered from several students over a long period of time, and were factually inaccurate and had been twisted in an effort to try to find fault with Ms. Persico. The write essentially was something that had been in a work in process by Gifford over a period of time and although Ms. Persico was immediately able to rebut and/or clarify the allegations, the write-up remained in her file.
47. When Assistant Principal Gifford provided memos or write ups to Ms. Persico, he would not put them in an envelope or even fold and staple them but instead placed them in Ms. Persico's mail slot in the public mail room where they were visible to other teachers. On at least one occasion, Ms. Persico found two other teachers reading one of the memos.
48. On February 21, 2018, Assistant Principal Gifford conducted a “teacher observation” of

Ms. Persico on “Spirit Day.” Spirit Day meant that teachers and students were dressed in a manner appropriate for the topic of that Spirit Day, usually somewhat differently or sillier than they would have dressed otherwise, and Ms. Persico had chosen to participate wearing more masculine and non-gender conforming attire than she normally wore. While in her class, Assistant Principal Gifford proceeded to take photographs of Ms. Persico during her lesson. This was highly unusual, and had never been done for any of her prior observations in her 13-plus years as a teacher, and therefore it made Ms. Persico feel extremely uncomfortable and singled out, especially given all of the prior comments about Ms. Persico’s dress and appearance. Ms. Persico’s assigned job coach at the time, James Biedenharn, agreed that the photographing of her was odd, hostile, discriminatory and inappropriate.

49. On February 26, 2018, Ms. Persico filed another charge of discrimination with the EEOC, this time based on discrimination and harassment on the basis of her sex, non-gender conforming appearance and presentation, and sexual orientation.
50. The next day, on the advice of her doctor, Ms. Persico began taking sick leave from work. In addition to suffering the stroke in August 2017, Ms. Persico also had been forced to seek counseling due to the anxiety and stress suffered as a result of having had to endure the ongoing hostile treatment and discrimination which began while at Providence Middle School and continued at Midlothian High School. Due to her medical conditions, Ms. Persico was unable to return to her job for the duration of the 2017-18 school year, although she remained on FMLA leave and thus technically remained employed by CCPS until the end of her leave.
51. Ms. Persico has not been cleared by her doctor to return to teach.

IV. LEGAL CLAIMS

COUNT I

**PATTERN AND PRACTICE OF HARASSMENT, DISCRIMINATION,
RETALIATION AND CONSTRUCTIVE DISCHARGE IN VIOLATION OF TITLE
VII**

52. Ms. Persico re-alleges each and every allegation contained in the preceding paragraphs with the same force and effect as if they were fully set out herein.
53. As demonstrated by her 13 years in the teaching profession, Ms. Persico was qualified for her employment. Moreover, throughout her employment, Ms. Persico performed her work at a satisfactory level and met or exceeded CCPS's legitimate business expectations.
54. Ms. Persico is female, and therefore a member of a protected class under Title VII.
55. Further, Ms. Persico is gay, and while the Fourth Circuit has not yet explicitly extended Title VII protections to sexual orientation discrimination, other federal courts, as well as the EEOC, have explicitly ruled that Title VII protects against discrimination based on sexual orientation, as a subset of sex. *See, e.g., Zarda v. Altitude Express, Inc.*, No. 15-3775, 2018 U.S. App. LEXIS 4608, at *19-20 (2nd Cir. Feb. 26, 2018); *Baldwin v. Dep't of Transportation*, EEOC DOC 0120133080, 2015 EEOPUB LEXIS 1905, 2015 WL 4397641, at *5-*6 (July 15, 2015)); *Price Waterhouse v. Hopkins*, 490 U.S. at 250; *Hively v. Ivy Tech Cmty. Coll. of Ind.*, 853 F.3d 339, 341 (7th Cir. 2017); *Boutillier v. Hartford Pub. Schs.*, 221 F. Supp. 3d 255, 267 (D. Conn. 2016); *EEOC v. Scott Med. Health Ctr., P.C.*, 217 F. Supp. 3d 834, 841-42 (W.D. Pa. 2016); *Winstead v. Lafayette Cty. Bd. of Cty. Comm'rs*, 197 F. Supp. 3d 1334, 1347 (N.D. Fla. 2016).
56. Based on the above-described acts, it is clear that Ms. Persico has been subject to severe and/or pervasive harassment due to her sex, non-gender conforming presentation, and

sexual orientation constituting a hostile work environment, all in violation of Title VII of the Civil Rights Act of 1964. Specifically, Ms. Persico has been the target of repeated, pervasive, cruel and derogatory remarks from her supervisors regarding her appearance, “personality,” and inability to fit the “culture” at her two assigned schools, all of which Ms. Persico understood to be clear criticisms of her gender presentation and sexual orientation. Ms. Persico, has been subject to a hostile environment not only on an ongoing and weekly basis by the statements made by her supervisors, but also specifically by being physically blocked from using a ladies restroom, being questioned about her sexual orientation in front of a student’s parent, being called into disciplinary meetings to discuss her appearance and “flamboyant” behavior, being required to obtain a doctor’s note in order to wear athletic shoes, and being unexpectedly photographed due to her very non-conforming gender attire and appearance on "Spirit Day" during a teaching lesson, with no explanation for the intrusive and distracting behavior.

57. She has been and continues to be severely emotionally traumatized by the hostility which has been explicitly directed at her because of her sexual orientation and her personal appearance, which does not conform to traditional gender stereotypes.
58. In addition, Ms. Persico has been the victim of adverse employment actions based on her sex, to include her non-gender conforming presentation and sexual orientation. First, she was written up for “confronting” her co-worker who physically blocked her from using the restroom, even though she did not initiate or escalate that incident, and was in fact the victim in that confrontation. She was also forced to transfer schools after her supervisor at Providence Middle School told her that he did not know how to “deal” with people like her. Later, at Midlothian High School, she was repeatedly, and with increasing frequency, called

in for disciplinary meetings and given write-ups for baseless accusations, while being continually told that the real issue with her behavior was her inability to “fit the culture,” i.e., act straight and feminine.

59. The discriminatory, harassing, retaliatory and hostile behavior has all been part of an ongoing pattern at CCPS since early 2017 and these deliberate adverse employment actions were clearly intended by the Defendants to force Ms. Persico to quit her job and eventually led to her constructive discharge.
60. Ms. Persico would not have been subject to the above-described discrimination, harassment, and adverse actions but for Ms. Persico’s sex, gender presentation, and sexual orientation. Alternatively, Ms. Persico’s sex was a motivating factor in the Defendants’ actions.
61. Because the actions of Providence Middle School and Midlothian High School’s supervisory employees were taken within the scope of their employment, the Defendants are responsible for their actions based upon the doctrine of *respondeat superior*.

COUNT II

PATTERN AND PRACTICE OF HARASSMENT, DISCRIMINATION, RETALIATION AND CONSTRUCTIVE DISCHARGE IN VIOLATION OF THE ADA

62. Ms. Persico re-alleges each and every allegation contained in the preceding paragraphs with the same force and effect as if they were fully set out herein.
63. Ms. Persico has a disability, Asperger’s Syndrome/Autism Spectrum Disorder, and her employer was aware of such, and perceived her to be a person with a disability, as evidenced by Ms. Persico’s February 2017 request for reasonable accommodations, as recommended by her doctor.
64. As demonstrated by her 13 years in the teaching profession, Ms. Persico was qualified for

her employment, and was able to perform her work at a satisfactory level with reasonable accommodations for her disability.

65. Following her request for reasonable accommodations, Ms. Persico was subject to discrimination, harassment, and adverse actions based on her disability. Specifically, Ms. Persico was told that she was being forced to transfer schools because her colleagues at Providence Middle School did not know how to “deal” with her disability. Although Ms. Persico was made aware that Providence Middle School’s discomfort with her gender presentation and sexual orientation were also motivating factors in the transfer, the fact remains that Ms. Persico was forced to move schools based on her membership in a protected class; whether it was because of her sex, her disability, or both, it was nevertheless unlawful.
66. Furthermore, Ms. Persico made her request for a job coach in February 2017, but was not provided with an effective, communicative job coach until halfway through the 2017-18 school year, after she had been moved to an entirely different school.
67. Ms. Persico’s other, smaller accommodation requests were also not honored on a regular basis, particularly her request that she receive communications from her supervisors in written, rather than oral, form.
68. While at Providence Middle School, Ms. Persico’s supervisor, John Titus, regularly made clear that he considered Ms. Persico’s disability and request for reasonable accommodations to be an inconvenience, and also regularly ignored her repeated requests for such accommodations, which apparently became a factor in her forced transfer.
69. The discriminatory, harassing, hostile and retaliatory behavior has all been part of an ongoing pattern at CCPS since February 2017 and these deliberate adverse employment

actions were clearly intended by the Defendants to force Ms. Persico to quit her job and eventually led to her constructive discharge.

70. Ms. Persico would not have been subject to the above-described discrimination, harassment, hostility, retaliation and adverse actions but for her disability. Alternatively, Ms. Persico's disability was a motivating factor in the Defendants' actions.
71. Because the actions of Providence Middle School and Midlothian High School's supervisory employees were taken within the scope of their employment, the Defendants are responsible for their actions based upon the doctrine of *respondeat superior*.

V. PRAYER FOR RELIEF

72. As a proximate result of the conduct of CCPS as set forth in all the preceding paragraphs, Ms. Persico has sustained physical, psychological and emotional injury. She also has suffered loss of income, loss of career advancement and diminished earning capacity.
73. For her injuries, Persico demands such legal or equitable relief as provided by law, including, but not limited to, the following:
 - a. A preliminary and permanent injunction against CCPS and their directors, officers, employees, agents, successors, employees and representatives, and any and all persons acting in concert with them, from engaging in each of the unlawful practices, improper activities and practices, policies, customs and usages set forth herein;
 - b. Back pay in a to be determined amount;
 - c. Front pay in a to be determined amount;
 - d. Compensation for physical and psychological damages;
 - e. Compensatory damages for diminishment of earning capacity and career advancement in a to be determined amount;

- f. Punitive damages;
- g. Reasonable attorney fees and costs in bringing this action;
- h. Prejudgment interest; and
- i. Any other relief that this Court deems just and equitable.

VI. MISCELLANEOUS

- 74. Trial by jury is demanded.
- 75. Plaintiff reserves the right to amend this Complaint, including the right to add additional counts and/or parties through discovery and up to trial of this action as investigation and discovery further warrant.

WHEREFORE, the plaintiff, Dina Persico, is seeking damages in an amount to be demonstrated by the evidence up to the sum of THREE HUNDRED AND FIFTY THOUSAND (\$350,000) in compensatory damages and THREE HUNDRED AND FIFTY THOUSAND (\$350,000) in punitive damages, plus attorney fees and costs and other requested relief.

Respectfully submitted,

DINA PERSICO

By Counsel

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