

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
)	
COUNTY OF RICHLAND)	FIFTH JUDICIAL CIRCUIT
)	
)	
Hannah Victoria McLeod,)	CIVIL ACTION No.: 2020-CP-40-_____
)	
Plaintiff,)	SUMMONS
)	(Jury Trial Demanded)
Vs.)	
)	
University of South Carolina and Darla)	
Moore School of Business,)	
)	
Defendant.)	

TO THE ABOVE-NAMED DEFENDANT:

YOU ARE HEREBY SUMMONED and required to answer the Complaint in this action, a copy of which is hereby served upon you, and to serve a copy of your Answer to said Complaint on the subscriber at her office at Post Office Box 1912, Columbia, South Carolina 29202, within thirty (30) days after the service hereof, exclusive of the day of service, and if you fail to answer the Complaint within the time aforesaid, judgment by default will be rendered against you for the relief demanded in the Complaint.

BURNETTE SHUTT & MCDANIEL, PA

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Attorney for Plaintiff

Columbia, South Carolina
March 16, 2020

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
)	
COUNTY OF RICHLAND)	FIFTH JUDICIAL CIRCUIT
)	
Hannah Victoria McLeod,)	C/A No.: 2020-CP-40-_____
)	
Plaintiff,)	
)	COMPLAINT
vs.)	(Jury Trial Demanded)
)	
University of South Carolina and Darla)	
Moore School of Business,)	
)	
Defendant.)	

Plaintiff, complaining of Defendant, herein alleges that:

PARTIES AND JURISDICTION

1. This action is brought pursuant Title VII of the Civil Rights Act of 1964, 42 U.S.C § 2000e, et seq., for sexual harassment and retaliation and the Human Affairs Laws of the State of South Carolina.
2. At all relevant times, Hannah Victoria McLeod ("Plaintiff") was an employee of Defendant, University of South Carolina ("USC") and Darla Moore School of Business ("Darla Moore"). Plaintiff is a citizen and resident of the County of Richland, State of South Carolina.
3. Defendants are state supported higher education organizations existing under the laws of South Carolina, which do business and have a facilities in Richland County, South Carolina. Defendant is an employer within the meaning of Title VII.
4. Jurisdiction is proper in the County of Richland, where most of the allegations contained herein took place.

5. Plaintiff has fully exhausted her administrative remedies, and this action is timely filed.

FACTUAL ALLEGATIONS

6. Plaintiff was hired by Defendant in June 2017 as a Systems Administrator. Initially, Plaintiff reported to Chief Technology Officer for Information Technology Services, Mike Dollar ("Dollar").

7. In the beginning of Plaintiff's employment, Dollar treated her in a very friendly manner. Dollar told Plaintiff that the other employees in the department were not competent. The other employees began to treat Plaintiff differently and accused Plaintiff of doing Dollar's bidding.

8. In August 2017, Dollar took Plaintiff in his car to a lunch meeting. After the lunch, Dollar took Plaintiff to his house and invited her in to meet his dog. Dollar kissed Plaintiff at his home as she was petting his dog and asked if she could watch his dog when he went to football games.

9. Plaintiff questioned Dollar about whether it was appropriate for him to kiss her. Dollar told Plaintiff that he checked with Human Resources and it was not against policy for them to be in a relationship because he had made Manager of Information Technology Services, Charles Kerns ("Kerns") Plaintiff's direct supervisor. Dollar remained in her chain of command, as Kerns reported to Dollar.

10. Plaintiff and Dollar began a sexual relationship at the beginning of November 2017.

11. In January 2018, Plaintiff found out that she was pregnant as a result of the sexual relationship with Dollar. The sexual relationship ended before or when Plaintiff found out she was pregnant.

12. When Plaintiff told Dollar about the pregnancy, he became enraged and told her that she would lose her job if anyone found out about the baby. Dollar also told Plaintiff that he would ruin her life, which Plaintiff took to mean that he would fire her if she told anyone.

13. Over the next several weeks, Dollar repeatedly confronted Plaintiff about the pregnancy, bullied her, and told her that she would lose her job if she continued the pregnancy. Dollar insisted that Plaintiff have an abortion or that she would be fired.

14. Despite Plaintiff's objections, Dollar rented a car, drove Plaintiff to an abortion clinic and coerced her into having an abortion, which Plaintiff did not want. After the abortion, Plaintiff became very ill and went to the hospital where she had to have a procedure to prevent infection.

15. After the abortion and Plaintiff's hospitalization, Dollar became more aggressive in telling Plaintiff not to talk about the abortion. He frequently shouted at Plaintiff in the office and made Plaintiff cry, which was noticed by Plaintiff's co-workers.

16. Plaintiff became depressed and had to start treatment with a therapist. Through treatment, Plaintiff realized how toxic the relationship with Dollar was and Plaintiff decided to end it completely. In April 2018, Plaintiff told Dollar that she did not want to talk to him in any capacity outside of work.

17. In June 2018, Dollar told Plaintiff that Dean of Darla Moore had spoken to him about whether he and Plaintiff had a relationship, and Dollar denied it. Dollar told Plaintiff that if she were asked, her story must match his story, or he would fire her. No one with Defendant Darla Moore ever asked Plaintiff about whether they had a relationship.

18. Plaintiff then began to witness Dollar grooming another student worker in the same way he groomed Plaintiff. Plaintiff overheard Dollar saying the same inappropriate things to the new student worker that he previously said to Plaintiff.

19. Upon information and belief, Dollar had engaged in inappropriate relationships over the previous ten years with at least two student workers and employees.

20. Defendant knew of the relationships between Dollar but did nothing. Human Resources instructed Plaintiff that they were aware of the relationships but did nothing because no one had filed an EOP claim.

21. Upon information and belief, these student workers suffered consequences from having inappropriate relationships with Dollar, while Dollar did not.

22. On or about October 16, 2018, Plaintiff reported Dollar to Kerns and Pam Young ("Young") in Human Resources, along with Associate Dean John McDermott ("McDermott").

23. On Monday, October 29, 2018, Young told Plaintiff that someone would be talking to Dollar.

24. Additionally, on Monday, October 29, 2018, Dean Peter Brews ("Brews"), Young, and Kerns told Plaintiff that she was now required to move to a different workstation and work evenings in a different position or they would move her to a different department

entirely. They told her to decide within one day whether to work evenings in this different position or move to a different department. Plaintiff requested job descriptions for both jobs between which she was required to choose and was not given the descriptions. Plaintiff knew that if she did not agree to work evenings, she would be given a job outside Information Technology Services, which meant that she would be given a secretarial position.

25. Despite being the victim, Plaintiff began to be treated like she was the one who had done something wrong and Defendant was attempting to negatively impact her working experience.

26. During this time, Plaintiff was under the impression that Dollar had been suspended. However, Plaintiff subsequently learned that Dollar was being allowed to work from home and that Kerns had made Dollar interim director of Information Technology Services. Later, Plaintiff also learned that Brittana Wilson ("Wilson") would be the team leader of her department.

27. On Tuesday, October 30, 2018, Young brought a cart to Plaintiff's desk and told her that her workstation was being moved. Plaintiff had a meeting with Central Human Resources because she was uncomfortable with the suddenness of the move that day, and while she was gone, Young put a post-it note on her laptop and sent Plaintiff an email to tell her to let her know when Plaintiff was back so she could be moved.

28. On Wednesday, October 31, 2018, Young and Kerns requested to meet with Plaintiff regarding her choice on which job she wanted. Plaintiff told them that she had not made up her mind because she did not know what each job descriptions were.

Plaintiff was ambushed with a meeting with Young and Kerns, and therefore, Plaintiff requested her victim's advocate, Ms. Nix ("Nix") be on the phone with Plaintiff during the meeting. Young became enraged and said that Plaintiff was being uncooperative and "out of control" for requesting Nix be involved in the discussions.

29. On Thursday, November 1, 2018, Plaintiff was told by Kerns and Wilson that she had a "smell" about her, which was giving a coworker an allergic reaction. Kerns told Plaintiff that this contributed to Plaintiff needing to move to a different area because it would be best "for everyone." Kerns also told Plaintiff that the University could sue her for "halting productivity" for not deciding about her job.

30. Kerns also told Plaintiff that she needed to apologize to Wilson, who was staying after hours to work because it was Plaintiff's fault because she could not decide. Kerns also told Plaintiff that if she could not work evenings, she will be switched to a job which is not career-building. Plaintiff began to cry during this meeting, and Wilson mocked Plaintiff and took photographs of Plaintiff crying with her phone.

31. On November 1, 2018, Plaintiff received a phone call from Jamar Mitchell ("Mitchell") in Central Human Resources. Mitchell told Plaintiff that she would no longer be pressured into moving her desk and that she would be allowed to work from home during the transition. Mitchell also told Plaintiff that she has a right to her job and that staying after hours was only an option, and that Plaintiff did not need to stay after hours if she did not want to. Caroline Agardy ("Agardy") from Human Resources also called Plaintiff, telling her that Young was no longer allowed to speak to Plaintiff about her job.

32. On Tuesday, November 7, 2018, Kerns stripped Plaintiff of most of her job duties and ordered Plaintiff to do inventory input from home. Plaintiff was required to email Kerns every two hours to tell him what she was doing, which is not a requirement, or which has not been asked of any other work-from-home employees.

33. Plaintiff has been working from home and has been treated with open hostility by Wilson and Kerns any time Plaintiff attempted to clarify her job duties or whether she was responsible for handling any issues that came up.

34. Plaintiff suffered severe emotional distress as a result of sexual harassment and intimidation at the hands of Dollar. Dollar's actions toward Plaintiff were willful, malicious, and intentional. Defendant was aware of Dollar's harassing behaviors and did not take appropriate steps to deter him from continuing to harass other employees.

35. Furthermore, Plaintiff was retaliated against for Plaintiff making complaints about sexual harassment, a protected activity.

FOR A FIRST CAUSE OF ACTION
(Sexual Harassment in Violation of Title VII)

36. Plaintiff re-alleges the allegations contained in Paragraphs 1-35 as if repeated verbatim herein.

37. Dollar used his position of power over Plaintiff to coerce her into a sexual relationship with him. He misrepresented information about the permissibility of a relationship to Plaintiff to induce her into a sexual relationship. He coerced her into having an unwanted abortion and then used his position of power over her employment to keep her quiet about the abortion.

38. Defendant was aware of Dollar's history of sexual harassment and inappropriate

behaviors and did not take appropriate steps to deter him from continuing to others.

39. As a direct result and consequence of Defendant's failure to protect Plaintiff from Dollar's sexual harassment, in violation of Title VII, Plaintiff has and will experience emotional distress, mental anguish, and other compensatory damages.

40. As a further direct result and consequence of Defendant's actions, Plaintiff is entitled to compensatory damages, punitive damages, interests, and attorney's fees, and costs.

FOR A SECOND CAUSE OF ACTION
(Retaliation under Title VII)

41. Plaintiff re-alleges the allegations contained in Paragraphs 1-40 as if repeated verbatim herein.

42. Plaintiff reported that she had been sexually harassed by her supervisor, the reporting of which is a protected activity under Title VII.

43. Defendant began to target Plaintiff with threats to move her desk location and threats to sue her for "halting productivity" for not deciding about her job.

44. Defendant retaliated against Plaintiff by subjecting her to an abusive and hostile work environment after Plaintiff made an internal complaint regarding discrimination.

45. As a direct result and consequence of Defendant's retaliation in violation of Title VII, Plaintiff has and will lose money in the nature of wages and benefits, and has and will experience emotional distress, mental anguish, and other compensatory damages.

46. As a further direct result and consequence of Defendant's actions, Plaintiff is entitled to back pay, fringe benefits, compensatory damages, punitive damages, interests, and attorney's fees, and costs.

WHEREFORE, Plaintiff prays for judgment against Defendant for back pay, fringe benefits, interests, compensatory damages, punitive damages, and attorney's fees and costs in amounts to be determined by this court.

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