

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA**

<b>SONDRIA BROWN, TERRIS CRAMEDY,</b>	*	<b>CIVIL ACTION NO.</b>
<b>CARLOS GIBSON, DERRICK MIXON,</b>	*	
<b>ARTHUR MIXON, HELEN EDWARDS,</b>	*	<b>SECTION:</b>
<b>LANCE JACKSON, DARRICK MAY,</b>	*	
<b>DERRICK MCGOWAN, PRESTON MURRAY,</b>	*	<b>MAGISTRATE:</b>
<b>DONNELL PIGOTT, JONATHAN LOWERY,</b>	*	
<b>ELVIN PIGOTT, DEVON THOMPSON,</b>	*	
<b>and MICHAEL WILLIAMS</b>	*	
	*	
<b>VERSUS</b>	*	
	*	
<b>CANAL ENERGY &amp; SERVICES INC.</b>	*	
* * * * *	*	

**COMPLAINT**

NOW INTO COURT, through undersigned counsel, come named plaintiffs, all of the age of majority and domiciled in Washington Parish, Louisiana within the Eastern District of Louisiana, who respectfully allege as follows:

**JURISDICTION**

**1.**

The Court has jurisdiction in this matter under Title VII, 42 U.S.C. 2001, *et seq.* and supplementary and/or ancillary jurisdiction over state law claims.

**DEFENDANT**

**2.**

Made defendant herein is Canal Energy & Services Inc. (hereinafter “Canal Energy”), a Louisiana corporation at all times herein with its principal place of business in the Eastern District of Louisiana.

**3.**

Canal Energy employed 15 or more employees on 20 or more calendar weeks in 2009 and/or 2010.

**4.**

Canal Energy was part of an integrated enterprise which includes other companies with common management, common ownership, centralized control over labor relations and interrelation between operations.

**5.**

Upon information and belief, Canal Energy improperly classifies its Offshore Technicians as independent contractors when in fact each is properly an “employee.”

**6.**

In late 2009 and early 2010, defendant Canal Energy advertised in Bogalusa that it was hiring individuals for positions as clerical, shipping and receiving, QA/QC, purchasing and general office work (Exhibit 1).

**PLAINTIFFS**

**7.**

Sondria Brown is an African American female of the full age of majority domiciled in Washington Parish, Louisiana, who applied for employment with defendant Canal Energy in Bogalusa, Louisiana in response to advertisements in the local paper.

**8.**

Terris Cramedy is an African American male of the full age of majority domiciled in Washington Parish, Louisiana, who applied for employment with defendant Canal Energy in Bogalusa, Louisiana in response to advertisements in the local paper.

**9.**

Carlos Gibson is an African American male of the full age of majority domiciled in Washington Parish, Louisiana who applied for employment with defendant Canal Energy in Bogalusa, Louisiana in response to advertisements in the local paper.

**10.**

Derrick Mixon is an African American male of the full age of majority domiciled in Washington Parish, Louisiana who applied for employment with defendant Canal Energy in Bogalusa, Louisiana in response to advertisements in the local paper.

**11.**

Arthur Mixon is an African American male of the full age of majority domiciled in Washington Parish, Louisiana who applied for employment with defendant Canal Energy in Bogalusa, Louisiana in response to advertisements in the local paper.

**12.**

Helen Edwards is an African American female of the full age of majority domiciled in Washington Parish, Louisiana who applied for employment with defendant Canal Energy in Bogalusa, Louisiana in response to advertisements in the local paper.

**13.**

Lance Jackson is an African American male of the full age of majority domiciled in Washington Parish, Louisiana who applied for employment with defendant Canal Energy in Bogalusa, Louisiana in response to advertisements in the local paper.

**14.**

Darrick May is an African American male of the full age of majority who at the time he applied for employment with defendant Canal Energy in Bogalusa, Louisiana in response to advertisements in the local paper was a resident of Washington Parish, Louisiana, but who is currently a resident of North Carolina.

**15.**

Derrick McGowan is an African American male of the full age of majority domiciled in Washington Parish, Louisiana who applied for employment with defendant Canal Energy in Bogalusa, Louisiana in response to advertisements in the local paper.

**16.**

Preston Murray is an African American male of the full age of majority domiciled in Washington Parish, Louisiana who applied for employment with defendant Canal Energy in Bogalusa, Louisiana in response to advertisements in the local paper.

**17.**

Donnell Pigott is an African American female of the full age of majority domiciled in Washington Parish, Louisiana who applied for employment with defendant Canal Energy in Bogalusa, Louisiana in response to advertisements in the local paper.

**18.**

Jonathan Lowery is an African American male of the full age of majority domiciled in Washington Parish, Louisiana who applied for employment with defendant Canal Energy in Bogalusa, Louisiana in response to advertisements in the local paper.

**19.**

Elvin Pigott is an African American male of the full age of majority domiciled in Washington Parish, Louisiana who applied for employment with defendant Canal Energy in Bogalusa, Louisiana in response to advertisements in the local paper.

**20.**

Devon Thompson is an African American male of the full age of majority domiciled in Washington Parish, Louisiana who applied for employment with defendant Canal Energy in Bogalusa, Louisiana in response to advertisements in the local paper.

**21.**

Michael Williams is an African American male of the full age of majority domiciled in Washington Parish, Louisiana who applied for employment with defendant Canal Energy in Bogalusa, Louisiana in response to advertisements in the local paper.

**22.**

Each named plaintiff filed an EEOC charge and/or completed an intake questionnaire with the EEOC for purposes of filing a formal EEOC charge.

**23.**

Each EEOC charge filed by plaintiffs was timely filed within the 300 day requirement of Title VII and right to sue letters have been issued commencing on October 20, 2010.

**24.**

The EEOC charges filed by plaintiffs indicate that each is being filed on behalf of the individual as well as on behalf of a class of African Americans who applied for jobs with defendant.

**25.**

Plaintiffs were qualified for the jobs defendant had advertised in the local paper.

**26.**

Defendant, through its employees and/or agents, screened all applicants to determine their race.

**27.**

In particular, Defendant would inquire with individuals in Bogalusa to determine the race of applicants and it was not uncommon for defendant to mark "B" (for "black") on applications submitted by African Americans (Exhibit 2 as an example).

**28.**

Defendant's president, Steve Fetter, advised Wendy, his executive assistant, that he did not want to hire African Americans.

**29.**

Defendant had a policy and practice of refusing to hire African American applicants.

**30.**

Defendant's screening process to determine the race of applicants violated Title VII and/or La. R.S. 23:301, *et seq.*

**31.**

Defendant's refusal to hire plaintiffs and other African American employees violated Title VII and/or La. R.S. 23:301.

**32.**

Defendant's screening process and refusal to hire African Americans was in reckless disregard of the rights provided under Title VII to plaintiffs.

**33.**

Plaintiffs are entitled to injunctive relief prohibiting defendant from (a) screening applicants and/or employment applications to determine their race, and (b) utilizing race as a criterion in determining whether to interview and hire employees.

**34.**

Plaintiffs are entitled to damages from defendant for its violation of the prohibition against race discrimination under Title VII and/or La. R.S. 23:301, *et seq.*, including:

- (a) Back pay;
- (b) Front pay and/or an order requiring hiring;



- (c) Emotional Distress damages;
- (d) Punitive damages; and
- (e) Attorney's fees and costs.

**35.**

Plaintiffs request a trial by jury.

WHEREFORE, Plaintiffs pray that their Complaint be deemed good and sufficient and after due proceedings, an injunction be issued against defendant Canal Energy prohibiting future violations of Title VII and/or La. R.S. 23:301, *et seq.* as detailed herein and awarding damages to Plaintiffs including but not limited to back pay, general damages, punitive damages, attorney's fees and costs as well as all general and equitable relief.

Respectfully submitted,

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