



MEMORANDUM

Office of the City Attorney

040833

Phone: 334-5011/Fax 334-2229
Box 46

TO: Mayor and City Commissioners

DATE: January 10, 2005

FROM: City Attorney

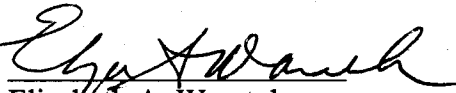
CONSENT

SUBJECT: EEOC Charge No. 150-2004-03300
David Phillips vs. the City of Gainesville


Recommendation: The City Commission authorize the City Attorney, and/or special counsel if insurance coverage is available, to represent the City in the case styled David Phillips vs. the City of Gainesville; EEOC Charge No.: 150-2004-03300.

On August 2, 2004, the City of Gainesville received a Notice of Charge of Discrimination from the Equal Employment Opportunity Commission. Mr. David Phillips alleges discrimination based on race, Native American.

Prepared by:


Elizabeth A. Waratuke,
Litigation Attorney

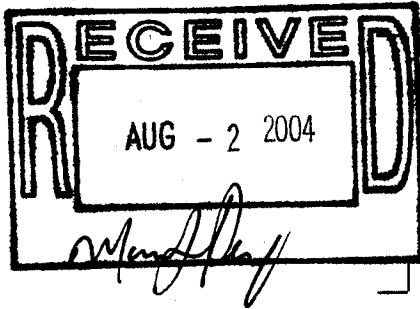
Submitted by:


Marion J. Ratson,
City Attorney

EAW/cgow

U. S. Equal Employment Opportunity Commission

CITY OF GAINESVILLE
P.O. Box 490
Station 20
Gainesville, FL 32602



PERSON FILING CHARGE

David Phillips

THIS PERSON (check one or both)

- Claims To Be Aggrieved
- Is Filing on Behalf of Other(s)

EEOC CHARGE NO.

150-2004-03300

NOTICE OF CHARGE OF DISCRIMINATION

(See the enclosed for additional information)

This is notice that a charge of employment discrimination has been filed against your organization under:

- Title VII of the Civil Rights Act
- The Americans with Disabilities Act
- The Age Discrimination in Employment Act
- The Equal Pay Act

The boxes checked below apply to our handling of this charge:

1. No action is required by you at this time.
2. Please call the EEOC Representative listed below concerning the further handling of this charge.
3. Please provide by _____ a statement of your position on the issues covered by this charge, with copies of any supporting documentation to the EEOC Representative listed below. Your response will be placed in the file and considered as we investigate the charge. A prompt response to this request will make it easier to conclude our investigation.
4. Please respond fully by _____ to the enclosed request for information and send your response to the EEOC Representative listed below. Your response will be placed in the file and considered as we investigate the charge. A prompt response to this request will make it easier to conclude our investigation.
5. EEOC has a Mediation program that gives parties an opportunity to resolve the issues of a charge without extensive investigation or expenditure of resources. If you would like to participate, please say so on the enclosed form and respond by _____ to _____
If you **DO NOT** wish to try Mediation, you must respond to any request(s) made above by the date(s) specified there.

For further inquiry on this matter, please use the charge number shown above. Your position statement, your response to our request for information, or any inquiry you may have should be directed to:

Robert Metaxa,
Enforcement Supervisor

EEOC Representative

Telephone: **(305) 530-6050**

Miami District Office
2 South Biscayne Blvd
Suite 2700
Miami, FL 33131

Enclosure(s): Copy of Charge

CIRCUMSTANCES OF ALLEGED DISCRIMINATION

- RACE
- COLOR
- SEX
- RELIGION
- NATIONAL ORIGIN
- AGE
- DISABILITY
- RETALIATION
- OTHER

ISSUES: Discharge, Other

DATE(S) (on or about): EARLIEST: 06-01-2004 LATEST: 06-01-2004

Date
Jul 28, 2004

Name / Title of Authorized Official
Federico Costales,
Director

Signature