

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

PATRICIA WHITE

PLAINTIFF

v.

CIVIL ACTION NO. 5:21-cv-71-KS-JCG

**LINCOLN COUNTY, MISSISSIPPI; AND
BLAKE PICKERING, INDIVIDUALLY, AND IN HIS
OFFICIAL CAPACITY AS LINCOLN COUNTY
TAX ASSESSOR/COLLECTOR**

DEFENDANTS

**COMPLAINT
JURY TRIAL DEMANDED**

COMES NOW the Plaintiff, Patricia White, by and through counsel, Watson & Norris, PLLC, and files this action to recover damages for violations of her rights under Title VII for unlawful retaliation, sexual harassment, sex discrimination, and for violation of her rights as a female to be free from sexual harassment and retaliation pursuant the 14th Amendment through 42 U.S.C. §1983, against the Defendants. Plaintiff also files this action to recover damages for the actions of Defendant Pickering, individual, which constitute the tort of tortious interference. In support of this cause, the Plaintiff would show unto the Court the following facts to-wit:

THE PARTIES

1. Plaintiff, Patricia White, is an adult female who resides in Lincoln County, Mississippi.
2. Defendant, Lincoln County, Mississippi, may be served with process by serving the C.E. "Eddie" Brown, President of the Lincoln County Board of Supervisors, 301 First Street, Brookhaven, Mississippi 39601.
3. Defendant, Blake Pickering, individually, and in his official capacity as

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THE PARTIES

1. Plaintiff, Patricia White, is an adult female who resides in Lincoln County, Mississippi.
2. Defendant, Lincoln County, Mississippi, may be served with process by serving the C.E. "Eddie" Brown, President of the Lincoln County Board of Supervisors, 301 First Street, Brookhaven, Mississippi 39601.
3. Defendant, Blake Pickering, individually, and in his official capacity as

Lincoln County Tax Assessor/Collector, may be served at his office located at 301 South First Street, Room 109, Brookhaven, MS 39601.

JURISDICTION AND VENUE

4. This court has federal question and civil rights jurisdiction for a cause of action arising under Title VII of the Civil Rights Act of 1964, as amended.

5. This court has subject matter and personal jurisdiction over the Defendants and venue is proper in this Court.

6. Plaintiff timely filed her Charge of Discrimination with the EEOC on November 23, 2020, a true and correct copy of which is attached as Exhibit "A." The EEOC issued a Notice of Right to Sue on May 21, 2021, a true and correct copy of which is attached as Exhibit "B." Plaintiff timely files this cause of action within ninety (90) days of receipt of her Notice of Right to Sue.

STATEMENT OF FACTS

7. Plaintiff is a 49-year-old white female resident of Lincoln County, Mississippi.

8. Plaintiff was hired on June 17, 2013, as a Deputy Tax Assessor for the office of the Lincoln County Tax Assessor/Collector.

9. In the entirety of Plaintiff's employment with the Office of the Lincoln County Tax Assessor, Plaintiff has never been written up, nor has she received any form of disciplinary action against her.

10. In January 2016, Blake Pickering (white male) was elected as the new Tax Assessor for Lincoln County.

11. Soon after Mr. Pickering began his tenure as the new Lincoln County Tax Assessor, Mr. Pickering hired Renada Taylor (black female) as a Deputy Tax Assessor.

12. Mrs. Taylor is the wife of Rico Cain, the NAACP President for Lincoln County (i.e., she does not use his last name).

13. From the time Mrs. Taylor was hired, she repeatedly displayed disregard for the basic rules of her position, e.g., she spent lots of time on her cellphone with personal matters rather than performing work-related tasks, she took long lunch breaks, she left the office to handle personal matters on the clock, etc.

14. Despite multiple episodes of disregard for the rules of her employment, Mr. Pickering never wrote up Mrs. Taylor for any violations.

15. Over time, Plaintiff notified Mr. Pickering about many of Mrs. Taylor's employment violations, but Mr. Pickering consistently ignored them.

16. It appears reasonable to conclude that Mr. Pickering allowed Mrs. Taylor to violate employment rules with impunity to maintain good favor with Mr. Cain, thereby fortifying his support with the NAACP, i.e., and thus, black voters.

17. On August 6, 2018, Plaintiff and her husband, Clint White, met with Mr. Pickering to discuss how Plaintiff felt she was being asked to perform her own job as well as to finish whatever Mrs. Taylor did not do or did incorrectly.

18. On that same day, Plaintiff and her husband expressed these same concerns to Chancery Clerk Tillman Bishop.

19. On August 20, 2018, Plaintiff's husband went to the bi-monthly Board of Supervisors meeting with the intention of addressing the concerns raised by him and Plaintiff directly to Mr. Pickering in their meeting on August 16th.

20. Mr. Pickering informed Plaintiff's husband, however, that if he, Plaintiff's husband, spoke in the meeting, he (Mr. Pickering) would terminate Plaintiff, so Plaintiff's husband declined to speak at the meeting.

21. On August 22, 2018, Plaintiff's husband met with Supervisor of District 1 and President of the Board of Supervisors Reverend Jerry Wilson.

22. Plaintiff's husband explained the matter related to Mr. Pickering, Mrs. Taylor, and the ways the situation were problematic for his wife (Plaintiff).

23. Reverend Wilson offered that Plaintiff's husband could come speak at the next Board meeting and he assured Plaintiff's husband there would be no negative repercussions to Plaintiff, i.e., Plaintiff would not be terminated.

24. On September 4, 2018, Plaintiff's husband spoke at the Board meeting and expressed the concerns, as described above.

25. When Mr. Pickering was asked his opinion about the concerns raised, he stated he had no comment.

26. Beginning in January 2020, Plaintiff became aware of the fact that Mr. Pickering regularly locked himself in his office and viewed pornographic internet websites on his work computer, i.e., often this occurred while Mr. Pickering was in the building with female employees.

27. On March 27, 2020, Plaintiff spoke with unofficial Office Manager Lance Ramshur and asked him if he was aware that Mr. Pickering was viewing pornography during work hours.

28. Mr. Ramshur replied that he was aware and that he had attempted to speak to Mr. Pickering about the issue already.

29. Plaintiff expressed concerns that it made her feel uncomfortable, especially if she was the only other person in the office when Mr. Pickering was engaging in that activity.

30. During April 2020, Plaintiff spoke to Collection Office Manager Chris Smith and asked him if he was aware that Mr. Pickering was viewing pornography during work hours. Plaintiff expressed the same concerns she had made to Mr. Ramshur.

31. Mr. Smith responded that he had suspected it for some time and that he would speak to Mr. Pickering about it.

32. On April 28, 2020, Plaintiff expressed her frustration about Mr. Pickering's viewing of pornography during work hours to Nancy Falvey, whose husband, Doug Falvey, is the Supervisor of District 5.

33. Then on May 15, 2020, Plaintiff called Reverend Wilson and addressed the matter of Mr. Pickering's viewing of pornography during work hours.

34. On August 28, 2020, Deputy Tax Assessor Chastity Easley raised the issue of Mr. Pickering viewing pornography online during work hours to Chancery Clerk Alisha McGehee.

35. On that same date, Plaintiff was assisting Information Technologist Rhyon Tranum with maintaining firewalls on the office computers.

36. Plaintiff inquired of Mr. Tranum as to why pornographic websites were not blocked by the firewall.

37. When Mr. Tranum asked for more information about her inquiry, Plaintiff showed him evidence of various pornographic websites from the history of Mr. Pickering's office computer dating back to March 26, 2020.

38. Mr. Trantum later texted Plaintiff to inform her that he had blocked the office computers from the top 100 pornographic websites, and he could block them from more if needed.

39. In early September 2020, Chancery Clerk McGehee raised the matter of Mr. Pickering's viewing of online pornography during work hours at a meeting of the Board of Supervisors.

40. During that meeting, Board Attorney Bob Allen stated that Mr. Pickering's behavior was not a violation of policy because there was nothing that addressed it in the employee handbook.

41. Between August and October 2020, Mr. Pickering repeatedly denied requests by Plaintiff for time off, without providing any justifiable reason for the denials except that it would leave Mrs. Taylor as the only clerk working on that day.

42. While it was not unusual for Plaintiff or Mrs. Easley to work for days at a time as the only Deputy Tax Assessor on duty, Mrs. Taylor was never made to work alone.

43. On October 21, 2020, around 11 a.m., Plaintiff discovered a significant financial problem (i.e., a \$5500 charge to her credit card) and made a personal call during work hours to resolve the issue.

44. Thinking the issue had been resolved, Plaintiff went to lunch, but upon her return she had received multiple emails from the credit card company.

45. Plaintiff called the company back and engaged in a difficult process of attempting to resolve the issue, i.e., complex situation compounded by a poor phone connection.

46. By the time Plaintiff finally resolved the issue, Plaintiff received a text from Mr. Pickering instructing her to stay off the phone with non-work-related phone calls.

47. The Office policy on personal phone calls is that they should be limited to "emergencies." Plaintiff indicated to Mr. Pickering she felt the matter in question was an emergency.

48. Mr. Pickering texted back that Plaintiff should handle the matter on her own time, not "his time."

49. On the evening of October 21, 2020, Mr. Pickering telephoned Plaintiff's husband, Clint.

50. Mr. Pickering stated that Plaintiff's husband should tell his wife (Plaintiff) not to come to work anymore.

51. Plaintiff's husband responded that he was unwilling to relay that message and that Mr. Pickering needed to inform Plaintiff herself.

52. Plaintiff's husband further stated to Mr. Pickering that he was aware of Mr. Pickering's pornography viewing during employment hours (while female co-workers were working in the same office) and that that information was eventually going to become public.

53. The next morning, on October 22, 2020, when Plaintiff arrived at work, Plaintiff was informed by a co-worker that her employment was terminated.

54. Additionally, there was another problematic issue that began during April 2020.

55. During the first week of April 2020, Mr. Pickering made the pronouncement that he intended on his office running with a skeleton crew due to Covid

-19.

56. Mr. Pickering was asked by many employees how their time would be covered and whether they would have to use sick or personal leave to cover their days off.

57. Mr. Pickering assured everyone that neither their time nor their pay would be docked.

58. Plaintiff stated that she would like to address the matter with the Board of Supervisors.

59. Mr. Pickering responded that if she did, he would terminate her.

60. Mr. Pickering then falsified employees' timecards to reflect that they had worked when they had not.

61. The Board, however, found out about this and refused to accept them.

62. Board Attorney Allen recommended that Mr. Pickering have each employee sign written statements attesting that they had indeed worked, even though they had not.

63. Plaintiff and other employees refused to sign these statements.

64. Since that did not work, the Board instructed Mr. Pickering that he had two options: he could either pay employees out of his own pocket or the time would have to be pulled from their sick or personal leave time.

65. Despite Mr. Pickering's assurances to employees that it would not happen, this latter option is exactly what happened.

66. As a result, Plaintiff will lose approximately \$30,000.00 of income in pay plus benefits per year by being wrongfully terminated.

CAUSE OF ACTION

**COUNT I: VIOLATION OF TITLE VII – SEX DISCRIMINATION AND
SEXUAL HARASSMENT**

67. Plaintiff re-alleges and incorporates all averments set forth in paragraphs 1 through 66 above as if fully incorporated herein.

68. The Defendants violated Title VII of the Civil Rights Act of 1964 by discriminating against Plaintiff based on her sex, female, by refusing to take any disciplinary actions to correct Mr. Pickering's behavior while in the office.

69. The Defendants violated Title VII of the Civil Rights Act of 1964 by allowing Mr. Pickering to continue to look at pornography during work hours behind his closed office door; therefore, creating a sexually hostile work environment for Plaintiff.

70. The Defendants violated Title VII of the Civil Rights Act of 1964 by discriminating against Plaintiff based on her sex, female, by allowing Mr. Pickering to threaten Plaintiff verbally of terminating her employment.

71. As a result of Defendants' discriminatory conduct, Plaintiff has suffered serious damages, including mental anguish and other emotional pain and suffering, and general and special damages for lost compensation and job benefits.

COUNT II: VIOLATION OF TITLE VII - RETALIATION

72. Plaintiff re-alleges and incorporates all averments set forth in paragraphs 1 through 71 above as if fully incorporated herein.

73. The Defendants unlawfully retaliated against Plaintiff in violation of Title VII of the Civil Rights Act of 1964 for engaging in protected activity when she formally stated her complaint against Mr. Pickering for sexual harassment.

74. The acts of the Defendants constitute a willful intentional violation of Title VII of the Civil Rights Act of 1964 and entitle Plaintiff to the recovery of damages.

75. As a result of the Defendants' unlawful retaliation, Plaintiff has suffered damages, including but not limited to compensatory damages, loss of reputation, humiliation, embarrassment, emotional pain and suffering, and inconvenience and mental anguish.

76. As a result of the Defendants' unlawful retaliation, Plaintiff has suffered serious damages, including mental anguish and other emotional pain and suffering, and has also incurred general and special damages for lost compensation, lost retirement as well as lost job benefits.

**COUNT III: VIOLATION OF U.S. CONSTITUTIONAL AMENDMENT XIV
THROUGH 42 U.S.C. § 1983 – SEXUAL HARASSMENT AND RETALIATION –
AGAINST DEFENDANT BLAKE PICKERING, INDIVIDUALLY,
AND IN HIS OFFICIAL CAPACITY**

77. Plaintiff re-alleges and incorporates all averments set forth in paragraphs 1 through 76 above as if fully incorporated herein.

78. As a female employee, Plaintiff had a right to be free from sex discrimination and sexual harassment in the workplace. Defendant Pickering's actions violated Plaintiff's right as a female to be free from sex discrimination and sexual harassment in the workplace.

79. After Plaintiff engaged in protected activity by reporting Defendant Pickering's actions which created a sexually hostile work environment for Plaintiff, Defendant Pickering unlawfully retaliated against Plaintiff by terminating her employment.

80. The acts of the Defendant constitute a violation of the Fourteenth Amendment of the United States Constitution through 42 U.S.C. § 1983.

81. The Plaintiff has been harmed by this violation, and the Defendant is liable for the same.

COUNT IV: TORTIOUS INTERFERENCE – BLAKE PICKERING, INDIVIDUALLY

82. Plaintiff re-alleges and incorporates all averments set forth in paragraphs 1 through 81 above as if fully incorporated herein.

83. The basic elements for tortious interference with an existing contractual relationship include: (a) existence of a valid contractual relationship or business expectancy; (b) knowledge of the contractual relationship or expectancy by the Defendant; (c) intentional interference inducing or causing a breach or termination of the contractual relationship or expectancy; and (d) resultant damage to the party whose contractual relationship or expectancy has been disrupted.

84. Defendant, Blake Pickering, tortiously interfered with Plaintiff's employment relationship with Defendant Lincoln County, Mississippi and Plaintiff has suffered damages as a result of Defendant Blake Pickering's actions.

85. As such, Plaintiff is seeking an award of compensatory damages in an amount to be determined by the jury to fully compensate her for Defendant Blake Pickering's actions in tortiously interfering with her employment relationship.

86. In addition, the Defendant Blake Pickering's actions were done maliciously with the intent to cause Plaintiff injury.

87. As such, Plaintiff is entitled to an award of punitive damages against Defendant Blake Pickering, individually, in an amount to be determined by the jury.

PRAYER FOR RELIEF

WHEREFORE PREMISES CONSIDERED, Plaintiff respectfully prays that upon hearing of this matter by a jury, the Plaintiff be granted the following relief in an amount to be determined by the jury:

1. Back wages and reinstatement; or
2. Future wages in lieu of reinstatement;
3. Compensatory damages;
4. Punitive damages;
5. Attorney's fees;
6. Lost benefits;
7. Pre-judgment and post-judgment interest;
8. Costs and expenses; and
9. Such further relief as is deemed just and proper.

THIS the 18th day of August 2021.

Respectfully submitted,

PATRICIA WHITE, Plaintiff

By: /s/Louis H. Watson, Jr.
Louis H. Watson, Jr. (MB# 9053)
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