

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

**REGENA ROBINSON,**

An individual,

Plaintiff,

Case No.:

-vs-

Hon.:

**SINCLAIR BROADCAST GROUP, INC.,**

A foreign corporation,

and

**CHESAPEAKE MEDIA I, LLC,**

**d/b/a WLUC TV,**

A foreign limited liability company,

Defendants.

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**COMPLAINT AND DEMAND FOR JURY TRIAL**

Regena Robinson (“PLAINTIFF”), through her attorneys at Burgess Sharp & Golden, PLLC, states the following for her Complaint against Chesapeake Media I, LLC, d/b/a WLUC TV (“WLUC”):

1. Plaintiff is a resident of the City of Los Angeles, Los Angeles County, California.
2. Defendant Sinclair Broadcast Group (“SINCLAIR”) is a foreign corporation that conducts substantial business in the City of Negaunee, Marquette County, Michigan, through its subsidiary, WLUC.
3. WLUC is a foreign limited liability company that conducts substantial business in the City of Negaunee, Marquette County, Michigan.
4. Jurisdiction is proper because Plaintiff’s Complaint states a federal cause of action under Title VII of the Civil Rights of 1964, as amended (“TITLE VII”). This court also has diversity jurisdiction under 29 U.S.C. §1332. The remaining claims are within the pendent jurisdiction of the court.

### **GENERAL ALLEGATIONS**

5. Plaintiff began working for Defendants on August 8, 2011, as a News Director.
6. At the time of her hire, Plaintiff became the only African-American female employed by Defendants.
7. Throughout the time that Plaintiff worked for Defendants, she was consistently undermined and harassed, beginning on her start date, when WLUC’s General Manager, Robert Jamros (“JAMROS”) advised her that there had been a male who applied for the position, who Jamros preferred.

Jamros further advised Plaintiff that the previous News Director, a white male, would be present in the newsroom to give instruction to the reporters, which would undermine Plaintiff's instruction.

8. No other News Director had their authority undermined by having a predecessor give instruction to their staff. The previous News Director continued to instruct the reporters until August of 2012, depriving Plaintiff of her proper supervisory authority.
9. On the day that she began working for Defendants, without prior warning or incident, WLUC's Assistant News Director, Steve Asplund ("ASPLUND") approached Plaintiff and told her, "I'm giving you a warning. It would be best if you entered through the back door."
10. No other employee was made to walk through the back door. Shocked at Asplund's statement, Plaintiff reported the strange "warning" to Jamros, who responded by advising her to be a team player and walk through the back door.
11. Immediately upon her hire, someone began to enter Plaintiff's office when she was not present. Items such as photographs were taken and other things were moved such that Plaintiff could see that someone had been there. Plaintiff reported this to Jamros and asked him to change her office locks, which he refused to do. Nothing was done about Plaintiff's complaint.

12. Jamros consistently made comments alluding to Plaintiff's race, including but not limited to the following:

- i Jamros said that Plaintiff had "crazy" hair and an Afro (Plaintiff does not have an Afro);
- i Jamros gestured with his hands in a manner meant to suggest that Plaintiff had an afro;
- i After a viewer complained about a "dark-skinned reporter" driving aggressively, Jamros accused one of Plaintiff's reporters (an African American female) of being the aggressive driver. When Plaintiff questioned the accusation, Jamros stated "You all with dark skin look the same.";
- i During a conversation with the News Consultant, a white male, Jamros told the News Consultant that "[p]art of the problem is that [Plaintiff] doesn't look like a News Director. Our previous News Director looked like you.";
- i When Plaintiff was hiring for a Producer Position, Jamros told her that she "only looked at the same ethnic group for hiring."

13. Jamros further instructed Plaintiff to give Asplund "full control" of the assignment desk, however, Plaintiff would still have to accept responsibility for Asplund's actions.

14. Jamros consistently yelled at and belittled Plaintiff in front of other employees of WLUC about trivial matters, such as the scheduling of a golf tournament or artwork in the office. When other employees spoke up and stated that the error was theirs, Jamros ignored them and continued to berate Plaintiff.
15. Although Plaintiff, as News Director, was expected to be a leader at WLUC, whenever she took initiative on something, Jamros advised her that she was “too demanding.”
16. In October of 2012, whoever had been entering Plaintiff’s office bent the prong on her space heater and killed the flowers that she had in there by draining the water out of them. It was only after this occurred that the locks to Plaintiff’s office were changed, and even then, Plaintiff was made to obtain an estimate on her own for the cost to repair the lock. After the locks were finally changed, Plaintiff discovered that they were changed by an in-house employee for WLUC, at no cost. Therefore, the estimate was not even necessary and was only being used as a further means of harassment.
17. In the summer of 2012, WLUC’s Assignment Editor, Bill Blohm (“BLOHM”), sent an e-mail to the newsroom staff, instructing them to receive instruction from Asplund, despite the fact that Plaintiff was the News Director.

18. Asplund treated employees who took instruction from Plaintiff poorly by yelling at them and giving them extra work.
19. On February 4, 2013, Plaintiff complained to Human Resources about Jamros' and Asplund's behavior toward her, stating that she felt that she was being mistreated because she is an African-American woman.
20. After Plaintiff's complaint, Jamros e-mailed her to advise that he would meet with her to discuss her "newsroom challenges". She heard nothing further from him until she followed up with him days later. He finally met with her the next day, but failed to address any of her complaints.
21. Plaintiff then contacted Chris Cornelius ("CORNELIUS"), the President of Barrington Broadcasting Group, which owned WLUC at the time, because he had previously told her that he knew she was having a hard time because she was an African-American woman.<sup>1</sup> She was promptly contacted by Manette Alboa from Human Resources, at which time Plaintiff reiterated her complaint.
22. The same month, Cornelius held a meeting with Plaintiff and Jamros, during which time he agreed that Plaintiff was being bullied by Asplund.

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<sup>1</sup> Barrington Broadcast Group announced that it would sell its stations to Sinclair in February of 2013, but the sale was not final until November of 2013.

23. Two months later, Cornelius visited again and stated that Asplund was a problem, and adjusted Asplund's schedule such that it did not coordinate with Plaintiff's.
24. In September of 2013, Plaintiff complained to WLUC Human Resources<sup>2</sup> employee Jane Ryan ("RYAN") about the way that Jamros treated her. Ryan advised Plaintiff that "That's [Jamros'] personality so just say yes." When Plaintiff repeated the statement back to Ryan to confirm that Ryan was not going to help her, Ryan dismissed Plaintiff and shrugged her shoulders.
25. The next day, Jamros came into Plaintiff's office no less than three times for the sole purpose of yelling at her and insulting her.
26. Jamros then advised Plaintiff that he was going to reverse some of the corrective changes that Cornelius had made in April, including adjusting Asplund's schedule such that he would be working with Plaintiff again. When Plaintiff stated that this would not be wise because of the friction, Jamros told her to "stop being so emotional."
27. In response, Plaintiff went to Human Resources again. Nothing was done.
28. Despite the fact that Human Resources dismissed many of Plaintiff's complaints, in January of 2014, Sinclair's Human Resources employees held a telephone conference with Plaintiff and Jamros regarding complaints that

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<sup>2</sup> There are two Human Resources departments that were involved with Plaintiff's Complaints. Jane Ryan was an employee of WLUC's Human Resources Department. The other Human Resources Department (the "corporate" human resources department) was that of Sinclair.

*Jamros* had made about *Plaintiff* (which he had never addressed with her prior and were therefore a surprise to her).

29. In addition to Human Resources personnel from Sinclair, Chris Manson (“MANSON”), who is the Regional Manager for WLUC, was on the call. Manson relayed *Jamros*’ complaints to *Plaintiff* and advised her that she would be replaced if her performance did not change.
30. During the call, *Plaintiff* reiterated that she was experiencing a hostile work environment due to the fact that she was an African-American woman, and asked if she could speak to one of the representatives privately. The representative, Allison Kiniry (“KINIRY”) gave *Plaintiff* her contact information and advised *Plaintiff* and *Jamros* not to meet without someone from Human Resources present.
31. *Plaintiff* sent Kiniry information regarding the complaints *Jamros* had made against her. *Plaintiff* copied Manson on her message. *Plaintiff* responded to each complaint, advised that the allegations against her were not true, and requested a private meeting. *Plaintiff* did not receive a response from Kiniry or Manson.
32. The next day, *Jamros* reported to work despite the fact that it was his day off. He immediately went into *Plaintiff*’s office. When *Plaintiff* asked him to adhere to Kiniry’s directive, he refused to leave.



33. Plaintiff left her office to find Ryan about the issue, but Ryan was not at work that day. Plaintiff then attempted to contact Kiniry.
34. Kiniry was unavailable when Plaintiff tried to contact her, and the representative who answered the telephone refused to assist Plaintiff. Instead, Plaintiff left Kiniry a voicemail message.
35. Plaintiff then e-mailed Ryan to ask her to address the situation when she was next in the office. Ryan never responded.
36. In the second week of January, having not heard from Ryan or Kiniry, Plaintiff received an anonymous letter containing obscenities and criticizing her for hiring minorities, thus resulting in her constructive discharge.
37. Unbeknownst to Plaintiff, once she complained about Jamros, he began to place secret write-ups in her file, alleging that she was a problem. Plaintiff never heard anything about any of these write-ups until she discovered them in her personnel file, when she requested it in September of 2013.
38. Due to her constructive discharge from a hostile work environment based on race and sex, Plaintiff timely filed a charge at the Equal Employment Opportunity Commission (“EEOC”), and received a Right-to-Sue letter on January 29, 2015.
39. After receiving her file from the EEOC, Plaintiff learned for the first time that Jamros placed at least three *additional* false write-ups in her personnel

file after she was constructively discharged. Again, Plaintiff never heard anything about these write-ups until she received her EEOC file.

40. Since Plaintiff's constructive discharge from her employment with Defendants, it has been incredibly difficult for her to secure employment within her field because executive positions at television stations are generally lateral hires, requiring a candidate to already be employed in a similar position. Further, the people in charge of hiring for similar positions have been asking to speak to a former supervisor, who is Jamros in this case.

**COUNT I – HOSTILE WORK ENVIRONMENT DUE TO RACE IN  
VIOLATION OF TITLE VII OF THE CIVIL RIGHTS ACT OF 1964, AS  
AMENDED**

41. Plaintiff incorporates the preceding paragraphs by reference.

42. At all relevant times, Plaintiff was an employee and Defendants were employers, as defined by Title VII.

43. The harassment exhibited by Jamros and Asplund was sufficiently severe or pervasive, such that it altered the condition of Plaintiff's employment to create an abusive working environment.

44. Plaintiff reported Jamros' and Asplund's conduct repeatedly, and Defendants failed to address it.

45. Plaintiff's race was a factor in Defendants' decision to adversely act against her interest as an employee by refusing to address Jamros' and Asplund's conduct.

46. If Plaintiff had been Caucasian, she would not have been treated in the manner described.

47. Similarly situated Caucasian employees were not subject to treatment in the manner described.

48. Defendants' actions were intentional and done with reckless indifference to Plaintiff's rights and sensibilities.

**COUNT II – HOSTILE WORK ENVIRONMENT BASED ON RACE IN VIOLATION OF THE ELLIOT LARSEN CIVIL RIGHTS ACT (“ELCRA”)**

49. Plaintiff incorporates the preceding paragraphs by reference.

50. At all relevant times, Plaintiff was an employee and Defendants were employers, as defined by ELCRA.

51. The harassment exhibited by Jamros and Asplund was sufficiently severe or pervasive, such that it altered the condition of Plaintiff's employment to create an abusive working environment.

52. Plaintiff reported Jamros' and Asplund's conduct repeatedly, and Defendants failed to address it.

53. Plaintiff's race was a factor in Defendants' decision to adversely act against her interest as an employee by refusing to address Jamros' and Asplund's conduct.

54. If Plaintiff had been Caucasian, she would not have been treated in the manner described.

55. Similarly situated Caucasian employees were not subject to treatment in the manner described.

56. Defendants' actions were intentional and done with reckless indifference to Plaintiff's rights and sensibilities.

**COUNT III – HOSTILE WORK ENVIRONMENT DUE TO SEX IN VIOLATION OF TITLE VII**

57. Plaintiff incorporates the preceding paragraphs by reference.

58. At all relevant times, Plaintiff was an employee and Defendants were employers, as defined by Title VII.

59. The harassment exhibited by Jamros and Asplund was sufficiently severe or pervasive, such that it altered the condition of Plaintiff's employment to create an abusive working environment.

60. Plaintiff reported Jamros' and Asplund's conduct repeatedly, and Defendants failed to address it.

61. Plaintiff's sex was a factor in Defendants' decision to adversely act against her interest as an employee by refusing to address Jamros' and Asplund's conduct.
62. If Plaintiff had been male, she would not have been treated in the manner described.
63. Similarly situated male employees were not subject to treatment in the manner described.
64. Defendants' actions were intentional and done with reckless indifference to Plaintiff's rights and sensibilities.

**COUNT IV – HOSTILE WORK ENVIRONMENT BASED ON SEX IN VIOLATION OF ELCRA**

65. Plaintiff incorporates the preceding paragraphs by reference.
66. At all relevant times, Plaintiff was an employee and Defendants were employers, as defined by ELCRA.
67. The harassment exhibited by Jamros and Asplund was sufficiently severe or pervasive, such that it altered the condition of Plaintiff's employment to create an abusive working environment.
68. Plaintiff reported Jamros' and Asplund's conduct repeatedly, and Defendants failed to address it.

69. Plaintiff's sex was a factor in Defendants' decision to adversely act against her interest as an employee by refusing to address Jamros' and Asplund's conduct.
70. If Plaintiff had been a male, she would not have been treated in the manner described.
71. Similarly situated male employees were not subject to treatment in the manner described.
72. Defendants' actions were intentional and done with reckless indifference to Plaintiff's rights and sensibilities.

Plaintiff respectfully requests that this Honorable court:

- A. Award her lost wages and benefits, past and future, in whatever amount she is found to be entitled;
- B. Award her compensatory damages in whatever amount she is found to be entitled;
- C. Award her punitive and exemplary damages commensurate with the wrong and Defendants' ability to pay;
- D. Award her interest, costs, and reasonable attorney fees; and
- E. Award her any other equitable relief that this Honorable court deems fair and equitable.

Dated: April 24, 2015

Respectfully Submitted,

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**JURY DEMAND**

Plaintiff requests a jury trial in the above-captioned matter.

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