

STATE OF SOUTH CAROLINA ) COURT OF COMMON PLEAS  
 )  
COUNTY OF HORRY )

SUZANNE DEMAREST, ) C.A. No.:  
 )  
Plaintiff, )  
 )  
Vs. )  
 )  
HORRY COUNTY POLICE )  
DEPARTMENT, )  
 )  
Defendant. )  
\_\_\_\_\_ )

YOU ARE HEREBY SUMMONED and required to respond to the Complaint in this matter, a copy of which is hereby served upon you, and serve a copy of the Answer upon the subscriber at 4000 Faber Place Drive, Suite 300, North Charleston, South Carolina 29405 or Post Office Box 1845, Goose Creek SC 29445, within thirty (30) days of the date of service, not including the day of service. If you fail to answer the Complaint within the required time period, the Plaintiff will move for an award of the damages as set forth in the Complaint and Default Judgment will be rendered against you.

HUNT LAW LLC

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Charleston, South Carolina  
Dated: August 24, 2018

STATE OF SOUTH CAROLINA	)	COURT OF COMMON PLEAS
	)	
COUNTY OF HORRY	)	
SUZANNE DEMAREST,	)	C.A. No.:
	)	
Plaintiff,	)	
	)	
Vs.	)	
	)	
HORRY COUNTY POLICE	)	
DEPARTMENT,	)	
	)	
Defendant.	)	
_____	)	

**Complaint and Jury Demand**

Plaintiff, Suzanne Demarest, by her attorney, Bonnie Travaglio Hunt, complains against the Defendant, Horry County Police Department, as follows:

**Nature of the Action**

1. This is an action brought pursuant the laws of South Carolina.
2. This is an action brought pursuant to the laws of the United States of America.

**Parties**

3. Plaintiff, Suzanne Demarest, is an individual who at all times relevant herein was a resident of the County of Horry, State of South Carolina.
4. The Plaintiff was an employee as defined by Title VII.
5. Plaintiff is informed and believes, and based thereon alleges, that Defendant, Horry County Police Department is the properly named Defendant as the Plaintiff was an employee of the Police Department, herein refered to as the *Defendant*, is, and at all times relevant

herein were, a governmental entity operating in the Horry County, South Carolina. The Defendant is subject to the laws of this Court pursuant to State and Federal Law.

6. That the Defendant was an employer as defined by Title VII.
7. At all relevant times, the Plaintiff was an employee of the Defendant.
8. At all relevant times the Defendants, employed more than 15 people.

**Jurisdiction and Venue**

9. This Court has jurisdiction over this matter pursuant to the United States Code of Laws.
10. The County of Horry is the proper venue for this action pursuant because this is the Circuit in which a substantial part of the events or omissions giving rise to the claims occurred.

**Procedural Prerequisites**

11. The Plaintiff filed an employment discrimination complaint against the Horry County Police Department pursuant to Title VII of the Civil Rights Act of 1964, as amended, charge of discrimination against the Defendants with the 42 U.S.C. 2000e-16, and section 501 of Equal Employment Opportunity Commission the Rehabilitation Act of 1973, as amended, 29 U.S.C. 791.

12. The Plaintiff Charge of Discrimination set forth the following:

*I. That I have previously filed a charge of discrimination regarding Sex Discrimination, Retaliation and Hostile Work Environment. After I resolved my previous action my work environment became very hostile.*

*II. My employer began to retaliate against me for my previous complaint. That despite my previous complaint I was still treated differently based on my sex.*

III. *That I was disciplined more harshly, ostracized from other employees, refused transfers and training.*

IV. *That I was a detective with the Department. That I was terminated on February 21, 2017 for my previous complaints.*

V. *That the Employer's reasons for termination were pretextual. That no other individuals were terminated for the alleged actions that the employer states.*

*That I have been retaliated against based on my complaints in violation of Title VII.*

13. That the South Carolina Human Affairs Commission issued a right to sue on July 3, 2018. (Exhibit A.)

14. That the SCHAC's right to sue stated: "This is your NOTICE OF RIGHT TO SUE. It is issued at your request. If you intend to sue the Respondent named in your charge. YOU MUST DO SO WITHIN ONE YEAR FROM THE ALLEGED VIOLATION OR WITHIN ONE HUNDRED TWENTY (120) DAYS FROM THE DATE OF THE ISSUANCE OF THIS NOTICE OF RIGHT TO SUE; WHICHEVER OCCURS EARLIER: OTHERWISE YOUR RIGHT TO SUE IS LOST.

X More than 180 days have expired since the filing of this charge.

15. The EEOC issued a right to sue on July 11, 2018. (Exhibit B.)

16. The EEOC Notice of Right to Sue set forth that "more than 180 days have passed since the filing of this charge" and "the EEOC is terminating its processing of this charge".

17. The Right to Sue was received by the Plaintiff on July 15, 2018.

18. The Plaintiff hereby files her complaint.
19. That fewer than ninety days have elapsed since the Plaintiff received same.

**Factual Background**

20. That the Plaintiff is a former employee of the Defendant.
21. That the Plaintiff was hired by the Defendant on June 4, 2001.
22. That the Plaintiff has extensive experience with the Defendant's department.
23. That the Plaintiff's last position held was as a detective in Criminal Investigations Division.
24. That through much of the Plaintiff's employment the Plaintiff was considered an exemplary employee. However the Plaintiff's status changed when in 2013/2014 she filed a charge of discrimination against the Defendant for Sexual Harassment, Sexual Discrimination and Retaliation. The Plaintiff was issued a right to sue regarding her charge and filed a lawsuit in August of 2014.
25. That the Plaintiff first case was resolved in March of 2016.
26. That despite her filing of causes of action against her employer the Plaintiff performed her duties and responsibilities at or exceeded her employer's standards.
27. At no time during her employment did the Plaintiff refuse or fail to perform any assigned tasks.
28. That while employed with the Defendant, the Plaintiff made several complaints regarding the work environment.

29. That after the resolution of the Plaintiff's first case she began to suffer from significant retaliation and hostile work environment.
30. The Plaintiff was assigned to the Criminal Investigation Department after her complaints and lawsuit was resolved.
31. That while in CID the Plaintiff realized that there was no one working Elder abuse cases. The Plaintiff began to take on all Elder abuse cases in the department.
32. At all times during her employment in the Criminal Investigation Department, the employees and management failed and refused to include the Plaintiff in lunch outings. That management would intentionally ask everyone in the office to go to lunch and fail and refuse to invite the Plaintiff.
33. That as a result of the actions of the Defendant's employees the Plaintiff was ostracized and ridiculed on a daily basis by officers and management alike.
34. That on October 20, 2016, Sgt. Chatfield stopped the Plaintiff in the hallway of the police station and asked her about a case. The Plaintiff informed Chatfield that the case was closed pursuant to Lt. Bonner. At that Chatfield began to scream at the Plaintiff. Chatfield's behavior was extremely unprofessional and demeaning. The display of unprofessionalism by Chatfield was to such an extreme that a secretary in the department made a formal complaint. That Chatfield was not disciplined for his behavior.
35. In December of 2016, the Plaintiff's daughter left a gun in an apartment that she had rented by accident. That D.C. Jones decided that the Plaintiff should be written up for the action. That the Plaintiff was harassed regarding the gun and pictures that were allegedly found in the apartment for weeks.

36. That at some time in late 2016, DC Jones approached the Plaintiff and informed her that she had too many open cases. The Plaintiff requested help due to the number of Elder Abuse Cases in the County. Jones informed the Plaintiff that there would be no help. Jones instructed the Plaintiff to close the files up and until she could work the case. The Plaintiff told Jones No. Jones asked the Plaintiff what do you mean by no. The Plaintiff informed him closing a case until you could work it was illegal and she was not going to wear orange for him or anyone else.
37. On January 4, 2017, the Plaintiff was given a verbal counseling for a case that she administratively closed rather than finding it unfounded. The Plaintiff informed the Defendant that she had never worked auto theft before and admin closed the file because there was obviously a crime. Admin closing the file would allow if any other evidence was discovered the file could be reopened and pursued. Sgt Cooper was instructed by DC Jones to write up the Plaintiff. The Plaintiff informed the Defendant that she would not determine the case to be unfounded, informing the victim that his car was not important. The Plaintiff further informed the Defendant that she would not find the case unfounded to make the Department's numbers look better that is illegal.
38. That in January 2017 the Plaintiff applied for a transfer to the Narcotics Division.
39. On January 11, 2017, the Plaintiff overheard Sgt. Cooper informing another party discussing who had requested to be placed in Narcotics. Cooper informed the party that DC Jones would be making the decision based on seniority. Cooper further stated that the Plaintiff would not be transferred to the Narcotics Division because they did not want her over there and everyone knows why.
40. That the Plaintiff went on vacation.

41. When the Plaintiff returned from vacation there were over 500 emails in the Plaintiff's in box.
42. That despite the Plaintiff's complaints and representations to the department regarding the overload of cases the Defendant had no one to back up the plaintiff or assist with the Elder abuse cases that she was assigned. No other detectives were required to handle as many cases as the Plaintiff without assistance.
43. That the Plaintiff was terminated from her employmen on February 1, 2017. The Plaintiff was informed that her cases were not up to standard and that she had 2 warrants in her car.
44. The Plaintiff was informed that her cases did not meet the department's performance standards. Other officers had much older files than the Plaintiff.
45. The Defendant failed and refused to follow its own policies regarding checking the Plaintiff's car, signing off on the Plaintiff's files, properly training the Plaintiff on procedures regarding auto theft, warrants and other issues. The Defendant used its own failures to discipline the Plaintiff.
46. The Discipline was systematic and harassing in nature.
47. The discipline was pretextual in retaliation for the Plaintiff's complaints and lawsuits.
48. That despite the Plaintiff's complaints and other employees complaints regarding the treatment of the Plaintiff. The other employees were not disciplined for the unprofessional and demeaning behavior.
49. The Defendant treated the Plaintiff significantly differently then other employees.
  - a. That other employees commiteed worse acts and were not disciplined or terminated;

- b. An employee used excessive force on a subject who was in handcuffs and was not terminated;
  - c. An employee failed to complete paperwork on a dead baby case (the dead baby was in the freezer at HCPD) and was not disciplined or terminated;
  - d. An officer was permitted to treat the Plaintiff unprofessional and demeaned the Plaintiff in front of an entire office and despite receiving complaints from a secretary regarding the behavior was not counseled, disciplined or terminated;
  - e. An officer who failed to provide information to the solicitor was not disciplined or terminated;
50. That the Plaintiff was subjected to a hostile work environment as a result of her complaints.
51. The harassment and hostile work environment based on her complaints and retaliation caused the Plaintiff significant emotional distress.
52. Prior to the Plaintiff's complaints and directly after the Plaintiff's complaints the Plaintiff was treated rudely, unprofessionally, harassed and abused.
53. That the Defendant directly violated its own policies regarding the Plaintiff by failing to protect the Plaintiff from discrimination and retaliation.
54. That the Defendant treated the Plaintiff disparately differently than it treated similarly situation male and female employees employees who had not made complaints regarding hostile work environment, stalking and discrimination.
55. That each of the Defendant's actions were based on consideration of the Plaintiff's complaints regarding discrimination and hostile work environment.

56. That as a direct result of the Defendant's violation of the Title VII the Plaintiff has suffered:
  - a. Economic Damages;
  - b. Lost Wages and Future Lost Wages
  - c. Loss of benefits and Future Lost Benefits;
  - d. Economic Hardship;
  - e. Loss of sick and annual leave;
  - f. Anxiety humiliation and emotional daamges.
57. That the Plaintiff is entitled to recover damages from the Defendant in the amount of actual damages, consequential damages, punitive damages, reasonable attorney's fees, the costs of this action and all other damages available pursuant to the Title VII.
58. That the Defendant took adverse employment action against the Plaintiff by:
  - a. Failing and refusing to protect her from discrimination;
  - b. Subjecting the Plaintiff to continuing harassment and hostile work environment;  
and
  - c. Disciplining her for pretextual reasons.
59. That the Defendant took adverse employment action against the Plaintiff because she had engaged in actions protected by Title VII.
60. That the Defendant terminated the Plaintiff's employment for pretextual reasons.

61. That, as a direct and proximate result of the Defendant's intentional unlawful and retaliatory actions, the Plaintiff:
- a. suffered severe emotional distress;
  - b. suffered future lost wages and future lost benefits;
  - c. suffered economic damages;
  - d. Loss of employment;
  - e. Loss of Future employment;
  - f. incurred attorney fees for this action;
  - g. incurred costs of this action; and
  - h. will incur future attorney fees and costs.
62. That as a direct, proximate result of the actions of the Defendant, the Plaintiff is entitled to actual, consequential, punitive damages, attorney's fees and costs, costs associated with this litigation and any other damages as this Honorable Court sees fit.

**FOR A FIRST CAUSE OF ACTION**

**HOSTILE WORK ENVIRONMENT**

63. Paragraphs one (1) through fifty (50) are hereby incorporated verbatim.
64. That the Plaintiff was an employee of the Defendant.
65. That the Defendant is an employer in accordance with Title VII.
66. That the Defendant subjected the Plaintiff to a hostile work environment.
67. That the Plaintiff's work environment was abusive, to the point of severe and pervasive.

68. That the Plaintiff suffered severe emotional distress as a result of the Defendants hostile work environment based on the Plaintiff's complaints regarding sex discrimination, hostile work environment, etc.
69. That the Plaintiff's severe emotional distress was foreseeable as a result of the severe and pervasive work environment that the Defendant subjected the Plaintiff.
70. That the Plaintiff has been damaged as a result of the Defendant's work environment.
71. That the Defendant is the direct and proximate cause of damage to the Plaintiff.
72. That the Plaintiff is entitled to actual, compensatory, and consequential damages from the Defendant as a result of the hostile work environment.

**FOR A SECOND CAUSE OF ACTION**

**SEX DISCRIMINATION**

**IN VIOLATION OF TITLE VII**

73. That Paragraphs one(1) through sixty (60) are hereby incorporated verbatim.
74. The Defendant is an employer as defined in Title VII.
75. That the Plaintiff is an employee as defined by the Title VII.
76. That the Plaintiff was considered an exemplary employee.
77. That while she has been employed with the Defendant, the Plaintiff has been able and has performed her job duties in a satisfactorily level of the Defendant.
78. That the Defendant considered the Plaintiff's sex when considering any and all employment decisions.
79. That the Defendant discriminated against the Plaintiff based on her sex.
80. That the Plaintiff was disciplined and terminated in violation of the law based on her sex.
81. That the Defendant is the proximate and direct cause of damage to the Plaintiff.

82. That the Plaintiff has suffered severe emotional damages as a result of the Defendant's discrimination against the Plaintiff.
83. That the Plaintiff was subjected to discrimination at the hands of the Defendant.
84. That as a direct result of the Defendant's violation of Title VII the Plaintiff has suffered:
- a. Considerable damage to her reputation;
  - b. Economic damages;
  - c. Economic hardship;
  - d. Loss of his position;
  - e. Actual and future lost wages;
  - f. Loss of benefits;
  - g. Loss of future Benefits;
  - h. Suffered anxiety, humiliation and emotional damages.
85. That the Plaintiff is entitled to recover damages from the Defendant in the amount of actual damages, consequential damages, reasonable attorney's fees, the costs of this action and all other damages available pursuant to the Title VII for the Defendant's discrimination against the Plaintiff based on his disability.

**FOR A THIRD CAUSE OF ACTION**

**RETALIATION**

86. Paragraphs one (1) through seventy three (73) are hereby incorporated verbatim.
87. That the Plaintiff participated in a protected act when she reported discrimination, sex discrimination, sexual harassment, and retaliation in her first lawsuit.
88. That the Plaintiff again reported discrimination and retaliation after the resolution of her first lawsuit in 2016 and 2017.

89. That the Plaintiff was terminated from her employment in 2017 for her complaints.
90. That the Plaintiff was retaliated against for reporting discrimination.
91. That the Defendant took adverse employment action against the Plaintiff because she had engaged in actions protected by Title VII.
92. That the Plaintiff made complaints regarding discriminatory and retaliatory actions fo the Defendant.
93. That, as a direct and proximate result of the Defendant's intentional unlawful and retaliatory actions, the Plaintiff:
  - a. suffered severe emotional distress;
  - b. suffered future lost wages and future lost benefits;
  - c. suffered economic damages;
  - d. Loss of employment;
  - e. Loss of Future employment;
  - f. incurred attorney fees for this action;
  - g. incurred costs of this action; and
  - h. will incur future attorney fees and costs.
94. That the Plaintiff is entitled to an award of damages in the amount of actual damages, compensatory damages, consequential damages, punitive damages, attorney's fees previous, future and present, costs of previous future and this action, and other damages such as this Honorable Court deems appropriate and just.

**THEREFORE**, the Plaintiff respectfully requests the following relief:

Entry of judgment in favor of the Plaintiff and against Defendant;

1. Economic Damages;
2. Future Economic damages;
3. Lost Wages;
4. Future Lost Wages;
5. Lost Benefits;
6. Future Lost Benefits;
7. Compensatory and consequential damages;
8. All damages available pursuant to Title VII;
9. Attorneys fees and costs; and
10. Other such relief as may be appropriate to effectuate the purposes of South Carolina Law;
11. All other damages as are available under Federal Law; and
12. All other damages as this Honorable court sees fit.

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Date: August 24, 2018