

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

JEANETTE T. LENOIR,

Plaintiff,

-vs-

**TOWNSQUARE MEDIA OF UTICA/ROME,
INC., TOWNSQUARE MEDIA
BROADCASTING, LLC and TOWNSQUARE
MEDIA, INC.,**

Defendants.

**COMPLAINT
WITH JURY DEMAND**

Civil Action No.

6:13-CV-1573[GLS/ATB]

The Plaintiff, JEANETTE T. LENOIR, by and through her attorneys, SAUNDERS KAHLER, L.L.P., complaining of the Defendants above-named, as and for her cause of action alleges as follows:

PARTIES

1. Plaintiff, JEANETTE T. LENOIR, (hereinafter "Plaintiff"), is a resident of the County of Oneida and State of New York.
2. Upon information and belief, Defendant Townsquare Media of Utica/Rome, Inc. is a Delaware corporation duly authorized and is conducting business as a foreign business corporation in the County of Oneida and State of New York.
3. Upon information and belief, Defendant Townsquare Media Broadcasting, LLC is a Delaware limited liability company which is not authorized to conduct business in the State of New York, but, upon information and belief, is conducting business in Oneida County and the State of New York.
4. Upon information and belief, Defendant Townsquare Media, Inc. is a Delaware

corporation which is not authorized to conduct business in the State of New York, but, upon information and belief, is conducting business in Oneida County and the State of New York.

JURISDICTION

5. Plaintiff repeats and realleges each of the foregoing paragraphs as if set forth more fully herein.

6. The Court has subject matter jurisdiction over this matter pursuant to 28 U.S.C. §1331, 28 U.S.C. §1332(a), 28 U.S.C. §1367 and 29 U.S.C. §1132(e)(1) and (f).

7. Venue is proper pursuant to 28 U.S.C. §1391(a) and (b) and 29 U.S.C. §1132(e)(2) as, upon information and belief, all Defendants do business in the United States District Court of the Northern District of New York, and a substantial portion of the events or omissions giving rise to the claims occurred in said district.

8. On or about October 19, 2012, Plaintiff filed a complaint with the United States Equal Employment Opportunity Commission alleging discrimination based upon her race and sex.

9. Attached hereto as **Exhibit "A"** is a copy of the Dismissal of the United States Equal Employment Opportunity Commission and Notice of Right to Sue dated September 24, 2013 concerning Plaintiff's complaint against the Townsquare Defendants.

FACTS

10. Plaintiff repeats and realleges each of the foregoing paragraphs as if set forth more fully herein.

11. Upon information and belief, Plaintiff has been employed as a Reporter/Anchor/Co-Host/Producer of one or more of the three (3) named corporate Defendants, Townsquare Media, Inc., Townsquare Media of Utica/Rome, Inc. and Townsquare Media Broadcasting, LLC (collectively, the "Defendants").

12. Upon information and belief, Defendant Townsquare Media of Utica/Rome, Inc., filed an EEO-1 report stating that it employs various employees with the radio stations which operate in the Utica-Rome area. Upon information and belief, Defendant Townsquare Media of Utica/Rome, Inc. is a Delaware corporation duly authorized to do business in the State of New York.

13. As a result, upon information and belief, Plaintiff was employed by one or more of these entities for the purposes of the allegations in the amended complaint and they are therefore collectively referred to as the "Townsquare Defendants".

14. Plaintiff was hired in July of 2010 as a news reporter for the Townsquare Defendants' news radio station WIBX. Her various job duties included, but were not limited to, onsite and remote location gathering of facts for news stories, writing copy based upon said facts and reading said stories throughout the day on air.

15. In October of 2010, Townsquare Defendants' General Manager/Vice President Mary Jo Beach, offered Plaintiff the position of on-air talent for a morning talk show "First Look". Plaintiff was to co-host the show with Jeff Monaski, News Director for WIBX. Mr. Monaski advised Plaintiff and Ms. Beach he did not want Plaintiff to be the host and openly and persistently opposed Plaintiff becoming the co-host to both Ms. Beach and others in Townsquare Defendants' Management Team.

16. Many weeks after Ms. Beach offered Plaintiff the on-air position, Plaintiff officially began as co-host on November 15, 2010. Plaintiff was specifically told she would have to work more hours but would not be receiving any additional pay. Plaintiff was in fact not paid any additional monies at the time she took on the co-hosting duties, although it involved her working substantially more hours and always in excess of forty (40) hours per week.

17. In mid 2011, Mr. Monaski was promoted to Program Director, leaving the News Director position at WIBX vacant. Plaintiff applied for the position as the Townsquare Defendants often promoted from within, and given her performance to date, her work experience and her educational level, Plaintiff believed she was qualified for the job. During her interview for the News Director position, William McAdams, the Operations Manager for WIBX, stated he would not hire Plaintiff because she had not been a “good follower”. Upon information and belief, the following day, the Townsquare Defendants announced they had hired a white male in his 50’s, Jules Thompson, as News Director. Upon information and belief, Mr. Thompson lived in Syracuse, complained daily about not being a “morning person”, struggled with being an “on air” host and, upon information and belief, was not qualified for the News Director job.

18. Upon information and belief, beginning in mid 2011, Plaintiff’s supervisors at WIBX began bringing to her attention criticism and derogatory comments regarding her race posed on social media websites. In addition, Plaintiff was told by supervisors and co-workers “you act like you are better than everyone”, “everyone complains about you”, and “they have never had to deal with so many problems”. There was no criticism of Plaintiff’s job performance, however, similar comments were not being made concerning other white male news reporters.

19. In October of 2011, Jules Thompson, the News Director, who had been selected for the position over Plaintiff, left WIBX after only three (3) months. In October of 2011, Plaintiff was also abruptly relieved of her duties as co-host of “First Look”, leaving the co-hosting duties for the show vacant. Mr. Monaski, a white male whose sports show was suffering from low ratings, took over the co-hosting duties. The other co-host position was filled with a white female in March of 2012, who had no journalism or radio talent experience.

20. Plaintiff was given no reason for her removal from the “First Look” show, except

for she failed to “volunteer” for a work event she did not know she was required to attend.

21. After being removed from “First Look”, Ms. Beach gratuitously forwarded Plaintiff an email she had received thanking Ms. Beach for removing Plaintiff from “First Look”. Upon information and belief, Ms. Beach did not forward similar critical email to other white male on-air talent.

22. In October of 2011, Plaintiff again inquired about being considered for the vacant News Director position and was dismissed outright by Ms. Beach and told she would not be considered for the position.

23. On December 5, 2011, Plaintiff was advised by a third party that a co-worker had referred to Plaintiff as a “black bitch” and stated “that black woman does not know what she’s doing.” Plaintiff complained to Ms. Beach and provided Ms. Beach with a tape recording of the employee’s statement. As a result, the employee was required to apologize to Plaintiff in a meeting with Plaintiff, Ms. Beach and Mr. Monaski. After the employee left the room, Ms. Beach told Plaintiff she “has never had so many problems until Plaintiff came along”, clearly implying Plaintiff had some fault in the employee making the racist comments. Although Plaintiff was routinely denied raises and not properly paid for the work she performed, upon information and belief, the employee who made the racist comments was given a raise and promotion mere months later in January of 2012.

24. Throughout late 2011 and 2012, the Townsquare Defendants continued to treat Plaintiff in a manner different from all other employees and Plaintiff continued to remain the sole black employee at WIBX.

25. In January of 2012, Plaintiff was again passed over for the position of News Director and a white male who did not want the job was hired over the Plaintiff.

26. On or about January 18, 2012, Plaintiff notified Townsquare Defendants' Human Resource Department that she believed the treatment she had been enduring from co-workers and supervisors was based upon her race and therefore she was being improperly discriminated against.

27. Upon information and belief, the Townsquare Defendants conducted an investigation and concluded while there were "personality conflicts", they did not find any discrimination based upon her race.

28. After filing the complaint, the discriminatory treatment of Plaintiff continued to escalate and she began to suffer a series of retaliatory actions from her supervisors and co-employees, including, but not limited to, the following:

- a) Plaintiff was routinely excluded from all office activities and denied extra work assignments even though she requested to cover them;
- b) Co-workers blatantly ignored Plaintiff and refused to speak with Plaintiff;
- c) The outcome of an online listener web contest voting for "Who Is Your Favorite Radio Personality" was manipulated after the fact to ensure a different winner was announced even though Plaintiff had been voted the winner;
- d) During the late summer of 2012, Plaintiff was routinely told she should "think about finding employment elsewhere"; and
- e) Plaintiff was accused of sabotaging other co-workers.

29. On or about October 12, 2012, Plaintiff was terminated from her position as anchor, reporter and producer. She was not provided with a reason for her termination and Plaintiff believes her termination was based upon her race and sex and in retaliation for her complaint of discrimination based upon her race.

**AS AND FOR A FIRST CAUSE OF ACTION AGAINST
THE TOWNSQUARE DEFENDANTS FOR DISPARATE TREATMENT
AND DISCRIMINATION BASED UPON PLAINTIFF'S RACE AND GENDER
PURSUANT TO 42 U.S.C. §2000(e), et al.**

30. Plaintiff repeats and realleges each of the foregoing paragraphs as if set forth more fully herein.

31. Plaintiff is a black female and is therefore a member of two (2) protected classes based upon her race and sex.

32. Plaintiff was and remained qualified throughout her employment with the Townsquare Defendants to be a reporter, producer and on-air talent.

33. Plaintiff suffered adverse employment actions as set forth above, including, but not limited to, being denied promotions and job advancement, being paid wages and benefits less than employees of the opposite gender for jobs that required substantially equal skill, effort and responsibility and that were performed under similar working conditions, and Plaintiff was ultimately terminated.

34. The adverse actions occurred in an atmosphere where hostile racial comments were made by co-workers and tolerated and condoned by management. Some were made as a result of Plaintiff's complaint of racial discrimination.

35. The Townsquare Defendants had no legitimate business reason for taking the adverse employment actions against Plaintiff.

36. The Townsquare Defendants therefore discriminated against Plaintiff on the basis of race and sex.

37. As a result of the intentional and willful discrimination and disparate treatment of Plaintiff by the Townsquare Defendants, Plaintiff has suffered damages, including, but not limited to, back pay, lost wages and benefits, front pay and/or reinstatement, pain and suffering, compensatory damages and attorneys' fees as allowed by law.

AS AND FOR A SECOND CAUSE OF ACTION AGAINST
THE TOWNSQUARE DEFENDANTS FOR DISPARATE TREATMENT
AND DISCRIMINATION BASED UPON PLAINTIFF'S RACE AND GENDER
PURSUANT TO NEW YORK STATE EXECUTIVE LAW §296
(NEW YORK HUMAN RIGHTS LAW)

38. Plaintiff repeats and realleges each of the foregoing paragraphs as if set forth more fully herein.

39. Plaintiff is a black female and is therefore a member of two (2) protected classes based upon her race and sex.

40. Plaintiff was and remained qualified throughout her employment with the Townsquare Defendants to be a reporter, producer and on-air talent.

41. Plaintiff suffered adverse employment actions as set forth above, including, but not limited to, being denied promotions and job advancement, being paid wages and benefits less than employees of the opposite gender for jobs that required substantially equal skill, effort and responsibility and that were performed under similar working conditions, and Plaintiff was ultimately terminated.

42. The adverse actions occurred in an atmosphere where hostile racial comments were made by co-workers and tolerated and condoned by management. Some were made as a result of Plaintiff's complaint of racial discrimination.

43. The Townsquare Defendants had no legitimate business reason for taking the adverse employment actions against Plaintiff.

44. The Townsquare Defendants therefore discriminated against Plaintiff on the basis of race and sex.

45. As a result of the intentional and willful discrimination and disparate treatment of Plaintiff by the Townsquare Defendants, Plaintiff has suffered damages, including, but not limited to, back pay, lost wages and benefits, front pay and/or reinstatement, pain and suffering, and compensatory damages as allowed by law.

**AS AND FOR A THIRD CAUSE OF ACTION AGAINST
THE TOWNSQUARE DEFENDANTS FOR RETALIATION**

PURSUANT TO 42 U.S.C. §2000(e), et al.

46. Plaintiff repeats and realleges each of the foregoing paragraphs as if set forth more fully herein.

47. On December 5, 2011, Plaintiff advised her supervisor that a co-worker had made racist comments about her. On January 18, 2012, Plaintiff advised the Townsquare Defendants of the discrimination she was suffering based upon her race.

48. The Townsquare Defendants acknowledged Plaintiff's complaint, however, as a result of complaining about the discriminatory conduct, Plaintiff suffered adverse employment actions including, but not limited to, criticizing Plaintiff's work, routinely excluding her from office activities, assigning work to junior and less qualified employees which had previously been given to Plaintiff, manipulating listener contest results; accusing Plaintiff of sabotaging other co-workers; and advising Plaintiff she should "go find other work".

49. Based upon the foregoing, the Townsquare Defendants retaliated against Plaintiff for objecting to the Townsquare Defendants' actions in discriminating against her based upon her race.

50. As a result of the intentional and willful discrimination and retaliation by the Townsquare Defendants, Plaintiff has suffered damages including, but not limited to, back pay, lost wages and benefits, front pay and/or reinstatement, pain and suffering, compensatory damages and attorneys' fees as allowed by law.

**AS AND FOR A FOURTH CAUSE OF ACTION AGAINST
THE TOWNSQUARE DEFENDANTS FOR RETALIATION
PURSUANT TO NEW YORK STATE EXECUTIVE LAW §296
(NEW YORK HUMAN RIGHTS LAW)**

51. Plaintiff repeats and realleges each of the foregoing paragraphs as if set forth more

fully herein.

52. On December 5, 2011, Plaintiff advised her supervisor that a co-worker had made racist comments about her. On January 18, 2012, Plaintiff advised the Townsquare Defendants of the discrimination she was suffering based upon her race.

53. The Townsquare Defendants acknowledged Plaintiff's complaint, however, as a result of complaining about the discriminatory conduct, Plaintiff suffered adverse employment actions including, but not limited to, criticizing Plaintiff's work, routinely excluding her from office activities, assigning work to junior and less qualified employees which had previously been given to Plaintiff, manipulating listener contest results; accusing Plaintiff of sabotaging other co-workers; and advising Plaintiff she should "go find other work".

54. Based upon the foregoing, the Townsquare Defendants retaliated against Plaintiff for objecting to the Townsquare Defendants' actions in discriminating against her based upon her race.

55. As a result of the intentional and willful discrimination and retaliation by the Townsquare Defendants, Plaintiff has suffered damages including, but not limited to, back pay, lost wages and benefits, front pay and/or reinstatement, pain and suffering and compensatory damages as allowed by law.

**AS AND FOR A FIFTH CAUSE OF ACTION AGAINST
THE TOWNSQUARE DEFENDANTS PURUSANT TO
29 U.S.C. §206(a) (FEDERAL EQUAL PAY ACT)**

56. Plaintiff repeats and realleges each of the foregoing paragraphs as if set forth more fully herein.

57. Upon information and belief, Ms. Beach, as station manager of WIBX, had responsibility and authority in regard to the setting of wages and salaries for employees of the

Townsquare Defendants.

58. Upon information and belief, the Townsquare Defendants did not set salaries and payments for employees pursuant to an organized structured compensation system based on either seniority, merit, quantity or quality of work or any other legitimate factor.

59. Upon information and belief, the Townsquare Defendants unilaterally and arbitrarily set salaries of employees on an individual case-by-case basis.

60. During her time as an employee of the Townsquare Defendants, Plaintiff's job performance as reporter, producer and on-air talent required substantially equal skill, effort and responsibility as the job performance of all other white male counterparts, yet Plaintiff was not properly and similarly compensated as those other white male employees.

61. Plaintiff performed her job as reporter, producer and on-air talent under similar working conditions as the other white male reporters and producers in similar positions.

62. During her employment with the Townsquare Defendants, Plaintiff was paid an annual salary which was, upon information and belief, significantly less than the annual salary of other male and/or white employees performing similar job duties.

63. Upon information and belief, the Townsquare Defendants paid wages, compensation and benefits to Plaintiff that were less than those paid to male white employees for jobs that required substantially equal skill, effort and responsibility and that were performed under similar working conditions.

64. The Townsquare Defendants therefore discriminated against Plaintiff on the basis of her race and sex.

65. Plaintiff is entitled to damages pursuant to the Federal Equal Pay Act, including, but not limited to, loss of wages caused by gender and race based wage disparity, pain and suffering

and other compensatory damages and attorneys' fees.

66. The Townsquare Defendants acted intentionally and maliciously in setting Plaintiff's wages, compensation and benefits in a discriminatory manner. Plaintiff is therefore additionally entitled to liquidated damages pursuant to the Federal Equal Pay Act.

AS AND FOR A SIXTH CAUSE OF ACTION AGAINST
THE TOWNSQUARE DEFENDANTS PURSUANT TO
NEW YORK LABOR LAW §194
(NEW YORK EQUAL PAY ACT)

67. Plaintiff repeats and realleges each of the foregoing paragraphs as if set forth more fully herein.

68. Upon information and belief, Ms. Beach, as station manager of WIBX, had responsibility and authority in regard to the setting of wages and salaries for employees of the Townsquare Defendants.

69. Upon information and belief, the Townsquare Defendants did not set salaries and payments for employees pursuant to an organized structured compensation system based on either seniority, merit, quantity or quality of work or any other legitimate factor.

70. Upon information and belief, the Townsquare Defendants unilaterally and arbitrarily set salaries of employees on an individual case-by-case basis.

71. During her time as an employee of the Townsquare Defendants, Plaintiff's job performance as reporter, producer and on-air talent required substantially equal skill, effort and responsibility as the job performance of all other white male counterparts, yet Plaintiff was not properly and similarly compensated as those other white male employees.

72. Plaintiff performed her job as reporter, producer and on-air talent under similar working conditions as the other white male reporters and producers in similar positions.

73. During her employment with the Townsquare Defendants, Plaintiff was paid an

annual salary which was, upon information and belief, significantly less than the annual salary of other male and/or white employees performing similar job duties.

74. Upon information and belief, the Townsquare Defendants paid wages, compensation and benefits to Plaintiff that were less than those paid to male white employees for jobs that required substantially equal skill, effort and responsibility and that were performed under similar working conditions.

75. The Townsquare Defendants therefore discriminated against Plaintiff on the basis of her race and sex.

76. Plaintiff is entitled to damages pursuant to the New York Equal Pay Act, including, but not limited to, loss of wages caused by gender and race based wage disparity, pain and suffering and other compensatory damages and attorneys' fees.

77. The Townsquare Defendants acted intentionally and maliciously in setting Plaintiff's wages, compensation and benefits in a discriminatory manner. Plaintiff is therefore additionally entitled to liquidated damages pursuant to the New York Equal Pay Act.

AS AND FOR A SEVENTH CAUSE OF ACTION AGAINST
THE TOWNSQUARE DEFENDANTS PURSUANT TO
SECTION 206 AND SECTION 207 OF THE
FAIR LABOR STANDARDS ACT

78. Plaintiff repeats and realleges each of the foregoing paragraphs as if set forth more fully herein.

79. From June of 2010 to November 15, 2010, Plaintiff worked as an employee of the Townsquare Defendants as a news reporter. From November of 2010 to November of 2011, Plaintiff was assigned additional on-air talent duties, however, the primary focus of her duties was that of a news reporter.

80. The Townsquare Defendants are an employer as defined by 29 U.S.C. §203(e)(1).

81. The Townsquare Defendants improperly classified Plaintiff as an exempt employee and failed and refused to pay overtime for hours work over forty (40) hours each week as required by §206 and §207 of the Fair Labor Standards Act.

82. As a result, Plaintiff is entitled to unpaid wages, overtime, liquidated damages, costs and attorneys' fees as required by law.

AS AND FOR A EIGHTH CAUSE OF ACTION AGAINST
THE TOWNSQUARE DEFENDANTS PURSUANT TO
NEW YORK LABOR LAW §651 AND §661

83. Plaintiff repeats and realleges each of the foregoing paragraphs as if set forth more fully herein.

84. From June of 2010 to November 15, 2010, Plaintiff worked as an employee of the Townsquare Defendants as a news reporter. From November of 2010 to November of 2011, Plaintiff was assigned additional on-air talent duties, however, the primary focus of her duties was that of a news reporter.

85. The Townsquare Defendants are an employer as defined by New York Labor Law §651(6).

86. Plaintiff is an employee as defined by 12 NYCRR §142-2.14 as she does not fall within any exception set forth therein.

87. The Townsquare Defendants failed and refused to pay Plaintiff overtime wages as required by Section 651 of the New York State Labor Law and 12 NYCRR §142.2, et al.

88. Upon information and belief, the Townsquare Defendants have failed to keep the necessary records as required by Section 661 of the New York Labor Law.

89. As a result, Plaintiff is entitled to unpaid wages, overtime, liquidated damages, costs and attorneys' fees as required by law.

JURY DEMAND

90. Plaintiff repeats and realleges each of the foregoing paragraphs as if set forth more fully herein.

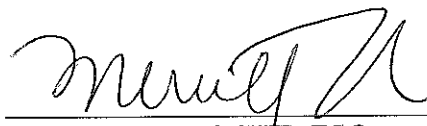
91. Plaintiff hereby demands a trial by jury on all issues.

WHEREFORE, Plaintiff prays for an Order and Judgment of the Court:

- a. As and for the First Cause of Action against the Townsquare Defendants for back pay, lost wages and benefits, front pay and/or reinstatement, pain and suffering, compensatory damages and attorneys' fees;
- b. As and for the Second Cause of Action against the Townsquare Defendants for back pay, lost wages and benefits, front pay and/or reinstatement, pain and suffering and compensatory damages;
- c. As and for the Third Cause of Action against the Townsquare Defendants for back pay, lost wages and benefits, front pay and/or reinstatement, pain and suffering, compensatory damages and attorneys' fees;
- d. As and for a Fourth Cause of Action against the Townsquare Defendants for back pay, lost wages and benefits, front pay and/or reinstatement, pain and suffering and compensatory damages;
- e. As and for the Fifth Cause of Action against Townsquare Defendants for loss of wages, pain and suffering, compensatory damages, liquidated damages and attorneys' fees;
- f. As and for the Sixth Cause of Action against the Townsquare Defendants for loss of wages, pain and suffering, compensatory damages, liquidated damages and attorneys' fees;

- g. As and for the Seventh Cause of Action against the Townsquare Defendants for unpaid wages, overtime, liquidated damages, costs and attorneys' fees;
- h. As and for the Eighth Cause of Action against Townsquare Defendants for unpaid wages, overtime, liquidated damages, costs and attorneys' fees;
- i. As and for all such causes of action, such other and further relief as the Court deems just and proper.

Dated: December 20, 2013.



MERRITT S. LOCKE, ESQ.

Federal Bar Roll No. 507164

Saunders Kahler, L.L.P.

Attorneys for Plaintiff – Jeanette T. Lenoir

185 Genesee Street, Suite 1400

Utica, New York 13501

Telephone: (315) 733-0419

mlocke@saunderskahler.com

EXHIBIT "A"

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: Jeanette T. Lenoir
12 Walnut Dr
Whitesboro, NY 13492

From: Buffalo Local Office
6 Fountain Plaza
Suite 350
Buffalo, NY 14202

On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

525-2013-00203

Mary Ann Drabczyk,
Investigator

(716) 551-3604

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

- The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.
Your allegations did not involve a disability as defined by the Americans With Disabilities Act.
The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.
Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge.
[X] The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.
The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.
Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.

On behalf of the Commission

John E. Thompson,
Local Office Director

SEP 24 2013

Enclosures(s)

(Date Mailed)

cc: Pamela Dahl
Director, Human Resources
TOWNSQUARE MEDIA GROUP
9418 River Road
Marcy, NY 13403

Christa R. Cook, Esq.
BOND SCHOENECK KING
One Lincoln Center
Syracuse, NY 13202

JS 44 (Rev. 12/12)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS
JEANETTE T. LENOIR

DEFENDANTS
TOWNSQUARE MEDIA OF UTICA/ROME, INC., TOWNSQUARE MEDIA BROADCASTING, LLC and TOWNSQUARE MEDIA, INC.

(b) County of Residence of First Listed Plaintiff Oneida
(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant Oneida
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

(c) Attorneys (Firm Name, Address, and Telephone Number)
Merritt S. Locke, Esq., Saunders Kahler, L.L.P.
185 Genesee Street, Suite 1400, Utica, NY 13501
Telephone: 315-733-0419

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff
- 3 Federal Question (U.S. Government Not a Party)
- 2 U.S. Government Defendant
- 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | | | | | |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
PERSONAL INJURY	LABOR	PROPERTY RIGHTS	SOCIAL SECURITY
<input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))
REAL PROPERTY	PRISONER PETITIONS	FEDERAL TAX SUITS	
<input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input checked="" type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	
	HABEAS CORPUS:	IMMIGRATION	
	<input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	<input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding
- 2 Removed from State Court
- 3 Remanded from Appellate Court
- 4 Reinstated or Reopened
- 5 Transferred from Another District (specify)
- 6 Multidistrict Litigation

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
42 U.S.C. §2000(e)
 Brief description of cause:
Discrimination/Retaliation

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ _____ CHECK YES only if demanded in complaint:
 JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

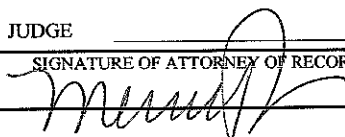
(See instructions):

JUDGE _____

DOCKET NUMBER _____

DATE
12/20/2013

SIGNATURE OF ATTORNEY OF RECORD



FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____