

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**ASHLEY BROCK FARMER**

**PLAINTIFF**

**VS.**

**CAUSE NO. 4:22cv011-DMB-JMV**

**GREENWOOD TOURISM COMMISSION, d/b/a  
GREENWOOD CONVENTION AND VISITORS BUREAU  
and CITY OF GREENWOOD, MISSISSIPPI**

**DEFENDANTS**

**JURY TRIAL DEMANDED**

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**SECOND AMENDED COMPLAINT**

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This is an action to recover actual damages and injunctive relief for race discrimination and retaliation. The following facts support the action:

1.

Plaintiff ASHLEY BROCK FARMER is an adult resident citizen of 401 Grand Boulevard, Greenwood, Mississippi 38930.

2.

Defendant GREENWOOD TOURISM COMMISSION, d/b/a GREENWOOD CONVENTION AND VISITORS BUREAU, is either a separate legal entity or a political subdivision of the City of Greenwood, Mississippi. *See* Senate Bill No. 3079, describing the Greenwood Tourism Commission as “a part of the executive branch of the municipal government of the City of Greenwood . . .” attached hereto as Exhibit “A.”

Defendant CITY OF GREENWOOD, MISSISSIPPI is a political subdivision of the State of Mississippi. Defendant City of Greenwood may be a proper defendant in this case because the

Greenwood Tourism Commission may not be considered a separate legal entity, but only a division, of the City of Greenwood, Mississippi.

At all relevant times, both Defendants acted under color of state law.

3.

This Court has federal question jurisdiction under 28 U.S.C. § 1331 and civil rights jurisdiction under 28 U.S.C. § 1343, to redress a claim for damages under 42 U.S.C. § 1981, the Fourteenth Amendment of the United States Constitution, and Title VII. This action is authorized by 42 U.S.C. § 1983.

4.

Plaintiff has filed an EEOC charge against Defendant City of Greenwood, Mississippi. *See* EEOC charge, attached hereto as Exhibit “B,” and received a right to sue letter, attached hereto as Exhibit “C.”

5.

Plaintiff has been employed by Defendants for approximately four (4) years. Plaintiff has extensive experience in the hospitality business, and the business of promoting Defendant City of Greenwood, Mississippi’s restaurants and hotels.

6.

Plaintiff effectively served as interim director of Defendant Commission when a former director left the employment of Defendants.

7.

Plaintiff was the natural candidate for the position of director of Defendant Commission, since she had had four (4) years’ experience as being the second person in charge, and since Plaintiff

had actually functioned as interim director, although not given that official title, for approximately four and one-half (4 ½) months.

8.

The majority of the members of the Board of Directors of Defendant Commission are black. The majority members, influenced by certain *ex officio* members, wanted only a black person to hold the position. The members were determined that a black person would have the position, as manifested by several statements by members, including statements that since the City of Greenwood is predominantly black, then the director should be black; and stating, falsely, that Plaintiff had not promoted the interests of black businesses.

9.

Defendants ultimately offered the position to a black person who had no experience whatsoever in the hospitality business, and whose relevant qualification is being black. This person is not a resident of Greenwood, and he lacks knowledge of Greenwood's businesses and its attraction for potential businesses. Defendants hired the unqualified black candidate for the director's position, when Plaintiff was the only qualified candidate. The hiring was made along racial lines, with the majority black members voting for the black director, while minority white members wanted to hire Plaintiff.

10.

On December 13, 2021, Defendants' Commission's Board of Directors reduced Plaintiff's pay by a little more than \$10,000.00, in an apparent effort to make Plaintiff quit.

11.

Race is the reason why Plaintiff was not promoted to director, and race is the reason Plaintiff's pay was decreased. The new director, who was hired for the director's job Plaintiff

should have received, has admitted that he cannot perform the job without Plaintiff. Furthermore, the director has admitted that several of the board members solicited him to take the job.

12.

The adverse employment action was a policy decision of Defendants.

13.

Plaintiff incorporates herein all of the previous allegations. Defendants are liable to Plaintiff for the following violations: (a) Defendants have denied Plaintiff the same right to contract as is given to black persons, in violation of 42 U.S.C. § 1981; and (b) Defendants have denied Plaintiff the equal protection of the laws guaranteed her by the Equal Protection Clause of the Fourteenth Amendment of the United States Constitution, and (c) violated Title VII.

14.

The new executive director only lasted around four (4) months and put in his resignation effective April 14, 2022. At the April 9, 2022, commission meeting, Plaintiff brought several statements signed by local business owners and managers supporting her to be the next director, attached hereto as Exhibit "D." The commission would not even consider the statements. Instead, it was indicated to Plaintiff that she would not even be considered for the interim director position while the board seeks a new director. Plaintiff is still being discriminated against because of her race, white, and now she is being retaliated against because she filed an EEOC charge and lawsuit claiming race discrimination. Plaintiff's Second EEOC Charge is attached hereto as Exhibit "E." When Plaintiff receives her right to sue letter, she asks that this Second Amended Complaint be considered amended to add a claim of retaliation under Title VII. Currently, Plaintiff's claim of retaliation is made under 42 U.S.C. 1981 and the Equal Protection clause of the 14th Amendment.

15.

Plaintiff has suffered and will suffer lost income and mental anxiety and stress as a result of Defendants' failure to promote her to the position of director of Defendants.

16.

Plaintiff is entitled to an order instating her to the position of director and to actual damages.

**REQUEST FOR RELIEF**

Plaintiff requests actual damages in an amount to be determined by a jury, requests an injunction placing her in the appropriate position as Director of Greenwood Convention and Visitors Bureau, and requests reasonable attorneys' fees and costs.

RESPECTFULLY SUBMITTED, this the 5<sup>th</sup> day of May, 2022.

ASHLEY BROCK FARMER, Plaintiff

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ATTORNEYS FOR PLAINTIFF

**CERTIFICATE OF SERVICE**

This will certify that undersigned counsel for Plaintiff has this day filed the above and foregoing with the Clerk of the Court, utilizing the federal court electronic case data filing system (CM/ECF), which sent notification of such filing to the following:

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DATED, this the 5<sup>th</sup> day of May, 2022.

***/s/ RON L. WOODRUFF***  
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RON L. WOODRUFF