Exhibit E

MIAMI-DADE COUNTY

EMPLOYEE PERFORMANCE EVALUATION

RECEIVED
JAN 2 2006
MANAGER / ADMINISTRATIVE SERVICES

01/03/2005 01/01/2006 *(K OF SECOND PAGE)*

TIMES ANNIE L 063-14-018
PT OFF SUPP SPEC 2 [redacted]
STATUS MERIT INCR LATE
PROBATIONAL
PROB END 01/01/2006 PROB PP: 26
MIAMI-DADE AVIATION DEPARTMENT
MAINTENANCE WAREHSES

DEC 3 0 2005
TO PERSONNEL BY [redacted] DPO 12/18/2005

(INITIAL)	Period Covered From (Mo Day Yr) / / To (Mo Day Yr) / /
If Prob. Date Ends	Social Security Number
	Unit

REASON FOR REVIEW

☒ Merit Raise ☒ Status Change ☐ Annual Review ☐ Other ☐ Due Back to Personnel Section by _____

Raters: It is understood that the importance of each category will vary with job classification and department. Explain your rating in terms of performance in each category. Mark the appropriate box. Use additional sheets if necessary.

1. QUANTITY OF WORK. Includes amount of work performed.

RATING: ☐ Unsatisfactory ☐ Needs Improvement ☐ Satisfactory ☒ Above Satisfactory ☐ Outstanding
Explain Why:

2. QUALITY OF WORK: Includes accuracy, achievement of objectives; effectiveness, initiative and resourcefulness and, neatness of work product.

RATING: ☐ Unsatisfactory ☐ Needs Improvement ☐ Satisfactory ☒ Above Satisfactory ☐ Outstanding
Explain Why:

3. WORK HABITS: Includes attendance, observation of work hours, completion of work on schedule, compliance with rules, policies, and directives, safety practice and use of tools and equipment.

RATING: ☐ Unsatisfactory ☐ Needs Improvement ☒ Satisfactory ☐ Above Satisfactory ☐ Outstanding
Explain Why:

4. INTERPERSONAL SKILLS: Includes participation and teamwork; contribution to unit morale; working cooperatively with the public, peers, and subordinates; and accepting advice and counseling from superiors.

RATING: ☐ Unsatisfactory ☐ Needs Improvement ☒ Satisfactory ☐ Above Satisfactory ☐ Outstanding
Explain Why:

RATER'S OVERALL EVALUATION — Only one rating factor to be checked.

	Unsatisfactory:	Performance is inadequate and must be corrected.
☐	**Needs Improvement:**	Performance does not fully meet job requirements as indicated below.
☒	**Satisfactory:**	Employee is performing as required and expected in a satisfactory manner.
☐	**Above Satisfactory:**	Performance surpasses job requirements.
☐	**Outstanding:**	Consistently conspicuous, distinguished performance. Employee displays initiative and creativity. Employee has substantially enhanced departmental efficiency and/or effectiveness.

If an employee is eligible for a merit increase, check following: ☒ Granted ☐ Deferred, reevaluate in _____ months

If an employee is eligible for permanent status, check following: ☒ Granted ☐ Denied ☐ Extended _____ months with the Employee's written permission. (Attached) (Probationary period may not be extended beyond one year.)

WAYS THE EMPLOYEE CAN OR MUST IMPROVE PERFORMANCE: (If overall rating is Needs Improvement or Unsatisfactory, a written plan of action for improvement must be included in this section. Optional if Satisfactory or better).

See Attached

This report is based on my observations, knowledge of employee's performance and review of applicable information. It represents my best judgment of the employee's performance.

RATER'S SIGNATURE Kenneth D. Thrasher DATE 1-23-06

Print Name KENNETH D. THRASHER TITLE A/C SUPV (OCL)

I have reviewed this report and discussed it with the rater. It represents an accurate appraisal of the employee's performance in accordance with Administrative Order. I concur in the recommendation, if any, as to merit raise and/or permanent status.

REVIEWER'S SIGNATURE [signature] DATE 1.23.6

Print Name JOE FERNANDEZ TITLE SUPERINTENDENT

I acknowledge that I received a copy of this evaluation. I have had an opportunity to discuss it with my supervisor. In signing the evaluation, I do not necessarily agree with the conclusions. I understand that I may write my comments below or on another sheet of paper.

A permanent employee who has received an overall evaluation of "Unsatisfactory" or "Needs Improvement," must first request a review of the Performance Evaluation by the Department Director within ten (10) calendar days. If the decision of the Director is not acceptable to the employee, the employee may continue the appeal within ten (10) calendar days after receipt of the Director's decision by making a request in writing to the Personnel Division Director, of the Employee Relations Department.

I have read and understand the above appeal process.

EMPLOYEE COMMENTS:

EMPLOYEE'S SIGNATURE [signature] **DATE:** 01/23/2006

108.01-6A 2/92

DISTRIBUTION: White copy to employee — Green copy to Personnel — Yellow copy to departmental personnel office — Blue copy to reviewer.

EMPLOYEE PERFORMANCE EVALUATION

SS#[redacted] Annie Grimes Period Covered from: 01/03/2005 to 01/01/2006

QUANTITY OF WORK: ABOVE SATISFACTORY A.G.

Ms. Grimes performs all tasks assigned in a professional manner. She is always willing to work on special projects when asked and expedites emergency requests in a timely manner. Annie works on various types of software and she is always trying new procedures to increase productivity in the utilities division.

QUALITY OF WORK: ABOVE SATISFACTORY A.G.

Ms. Grimes is creative in her view of quality work. She is able to logically and efficiently solve problems, regardless of the complexity or magnitude. Annie has worked successfully on our Work order system, performing key functions such as creating technically detailed work orders and efficiently completing these tasks very competently. Annie has also been able to create tables for various purposes utilized by the A/C shop, Plumbing shop and Electrical shop.

WORK HABITS SATISFACTORY A.G.

Ms. Grimes is usually on time and schedules her days off in advance. Annie complies with the Department's policies and shows good safety practices as well as encouraging others she works with to work safely. Annie effectively follows directives and manages her time wisely and whenever possible increasing productivity.

INTERPERSONAL SKILLS: SATISFACTORY A.G.

Annie contributes to maintaining good shop morale; she gets along well with her peers, lead workers and supervisor.

RATER'S OVERALL EVALUATION: SATISFACTORY A.G.

WAYS THE EMPLOYEE CAN OR MUST IMPROVE PERFORMANCE: A.G.

Annie would benefit from training on Microsoft Excel, unfortunately at this time the Aviation Department is not offering these classes as they did in the past. As soon as training is offered Annie should be scheduled for these classes thus improving her value to the utilities division as well as the entire department.

EMPLOYEE MUST INITIAL EACH PARAGRAPH

Exhibit F

MIAMI DADE COUNTY
PERSONNEL CHANGE DOCUMENT

COPY 1

REASON:
3% WAGE ADJUSTMENT

EFFECTIVE DATE
07/03/2006

EMPLOYEE NAME			SOC SEC NUMBER	DEPT	DIV	LOC	BADGE-NBR
GRIMES	ANNIE	L	[redacted]	063	14	018	

DEPARTMENT NAME	OCC CODE	CLASSIFICATION TITLE
MIAMI-DADE AVIATION DEPARTMENT	005306	ARPT OFF SUPP SPEC 2

DATE HIRED	PAY STEP	BI-WEEKLY HOURS	BI-WEEKLY RATE	HOURLY RATE	BASE BI-WEEKLY RATE	BASE HOURLY RATE
05/21/2001	02	80	986.16		936.16	

PAY EXCEPTIONS

CODE **********	REASON **********	CODE **********	REASON **********
4C	PREMIUM PAY		

EMPL. STATUS	STATUS DATE	SHIFT	BUDGET STATUS	ANNIV. DATE	INDEX CODE	BARG. UNIT	ENTITY	SUB-ENTITY
AA	01/02/2006		1	01/02/2006	725671	G	04	01

STREET ADDRESS	CITY	STATE	ZIP CODE
12200 NE 6 AVE #209	NORTH MIAMI	FL	33161

SEX	RACE	CITZ. SHIP	EDUC. LEVEL	DATE OF BIRTH	MARITAL STATUS	TAX EXEMPT	WITHOLDING CODE/AMOUNT	EXEMPT FICA	RETIREMENT CODE/ PCT
F	B	A	12	07/22/1949	S	00	0	0	21 9.85

THIS PCD REFLECTS YOUR CURRENT PERSONNEL PAYROLL RECORD.
PLEASE CONTACT YOUR DEPARTMENT PERSONNEL OFFICER FOR CORRECTIONS
OR INQUIRIES

Exhibit G

PROGRAM: PAYB3510 MIAMI-DADE COUNTY PAGE: 1189
JOB/STEP: J353500/S353500C DATE: 11/19/2006
TIME: 20:18

P E R S O N N E L C H A N G E D O C U M E N T COPY 1

REASON: MERIT	STATUS	LONGEVITY	PERF RPT ONLY	EFFECTIVE DATE
X				01/01/2007

EMPLOYEE NAME			SOC SEC NUMBER	DEPT DIV LOC
GRIMES	ANNIE	L	[redacted]	063 14 018

DEPARTMENT NAME	OCC CODE	CLASSIFICATION TITLE
MIAMI-DADE AVIATION DEPARTMENT	5306	AROFSUPSP2

---------- P A Y E X C E P T I O N S ----------

CODE	REASON	CODE	REASON
4C	PREMIUM PAY		

FROM:	PAY STEP	BI-WK HOURS	BI-WK RATE	HOURLY RATE	PAY ANNIV	STATUS CODE	STATUS DATE
	02	80	986.16		01/02/2006	AA	01/02/2006

TO:	PAY STEP	BI-WK HOURS	BI-WK RATE	HOURLY RATE	PAY ANNIV	STATUS CODE	STATUS DATE
	03	80	1026.06		01/01/2007	AA	01/02/2006

APPOINTING AUTHORITY OFFICE OF MGMT. & BUDGET EMPLOYEE RELATIONS DEPT.

FILED
JAN 18 2007
ADMINISTRATIVE SERVICES
BY:

Exhibit H

MIAMI DADE COUNTY
PERSONNEL CHANGE DOCUMENT COPY 3

REASON:
3% WAGE ADJUSTMENT

EFFECTIVE DATE
07/02/2007

EMPLOYEE NAME			SOC SEC NUMBER	DEPT	DIV	LOC	BADGE-NBR
GRIMES	ANNIE	L	[redacted]	063	14	018	

DEPARTMENT NAME	OCC CODE	CLASSIFICATION TITLE
MIAMI-DADE AVIATION DEPARTMENT	005306	AROFSUPSP2

DATE HIRED	PAY STEP	BI-WEEKLY HOURS	BI-WEEKLY RATE	HOURLY RATE	BASE BI-WEEKLY RATE	BASE HOURLY RATE
05/21/2001	03	80	1055.34		1005.34	

PAY EXCEPTIONS

CODE	REASON	CODE	REASON
**********	**********	**********	**********
4C	PREMIUM PAY		

EMPL. STATUS	STATUS DATE	SHIFT	BUDGET STATUS	ANNIV. DATE	INDEX CODE	BARG. UNIT	ENTITY	SUB-ENTITY
AA	01/02/2006		1	01/01/2007	725671	G	04	01

STREET ADDRESS	CITY	STATE	ZIP CODE
12200 NE 6 AVE #209	NORTH MIAMI	FL	33161

SEX	RACE	CITZ. SHIP	EDUC. LEVEL	DATE OF BIRTH	MARITAL STATUS	TAX EXEMPT	WITHOLDING CODE/AMOUNT	EXEMPT FICA	RETIREMENT CODE/ PCT
F	B	A	12	07/22/1949	S	00	0	0	21 9.85

THIS PCD REFLECTS YOUR CURRENT PERSONNEL PAYROLL RECORD.
PLEASE CONTACT YOUR DEPARTMENT PERSONNEL OFFICER FOR CORRECTIONS
OR INQUIRIES

FILED
AUG 2 9 2007
ADMINISTRATIVE SERVICES
BY:

Exhibit I

MIAMI-DADE COUNTY

EMPLOYEE PERFORMANCE EVALUATION

(INSTRUCTIONS ON BACK OF SECOND PAGE)

[redacted] 01/01/2007 12/30/2007

Name GRIMES ANNIE L 063-14-018 (INITIAL) | Period Covered From Mo/Day/Yr To Mo/Da/Yr

Class AIRPORT OFFICE SUPP SPEC 2 MERIT PERMANENT | Date Ends | Social Security Number

Depa MIAMI-DADE AVIATION DEPARTMENT MAINTENANCE WAREHSES PROB PP: 26 | Unit

TO PERSONNEL BY DEC 2 8 2007 DPC 12/16/2007

REASON FOR REVIEW

☑ Merit Raise ☐ Status Change ☐ Annual Review ☐ Other ☐ Due Back to Personnel Section by _____

Raters: It is understood that the importance of each category will vary with job classification and department. Explain your rating in terms of performance in each category. Mark the appropriate box. Use additional sheets if necessary.

1. **QUANTITY OF WORK.** Includes amount of work performed.

RATING: ☐ Unsatisfactory ☐ Needs Improvement ☐ Satisfactory ☑ Above Satisfactory ☐ Outstanding
Explain Why:

2. **QUALITY OF WORK:** Includes accuracy, achievement of objectives; effectiveness, initiative and resourcefulness and, neatness of work product.

RATING: ☐ Unsatisfactory ☐ Needs Improvement ☐ Satisfactory ☑ Above Satisfactory ☐ Outstanding
Explain Why:

3. **WORK HABITS:** Includes attendance, observation of work hours, completion of work on schedule, compliance with rules, policies, and directives, safety practice and use of tools and equipment.

RATING: ☐ Unsatisfactory ☐ Needs Improvement ☐ Satisfactory ☑ Above Satisfactory ☐ Outstanding
Explain Why:

LB2436

MAR 03 2008

4. **INTERPERSONAL SKILLS:** Includes participation and teamwork; contribution to unit morale; working cooperatively with the public, peers, and subordinates; and accepting advice and counseling from superiors.

RATING: ☐ Unsatisfactory ☐ Needs Improvement ☑ Satisfactory ☐ Above Satisfactory ☐ Outstanding
Explain Why:

ISABEL AUDIT

108.01-6 400

03/12/08

RATER'S OVERALL EVALUATION — Only one rating factor to be checked.

☐ **Unsatisfactory:**	Performance is inadequate and must be corrected.
☐ **Needs Improvement:**	Performance does not fully meet job requirements as indicated below.
☐ **Satisfactory:**	Employee is performing as required and expected in a satisfactory manner.
☒ **Above Satisfactory:**	Performance surpasses job requirements.
☐ **Outstanding:**	Consistently conspicuous, distinguished performance. Employee displays initiative and creativity. Employee has substantially enhanced departmental efficiency and/or effectiveness.

If an employee is eligible for a merit increase, check following: ☑ Granted ☐ Deferred, reevaluate in _____ months

If an employee is eligible for permanent status, check following: ☑ Granted ☐ Denied ☐ Extended _____ months with the Employee's written permission. (Attached) (Probationary period may not be extended beyond one year.)

WAYS THE EMPLOYEE CAN OR MUST IMPROVE PERFORMANCE: (If overall rating is Needs Improvement or Unsatisfactory, a written plan of action for improvement must be included in this section. Optional if Satisfactory or better).

This report is based on my observations, knowledge of employee's performance and review of applicable information. It represents my best judgment of the employee's performance.

RATER'S SIGNATURE _____ DATE 12.19.7

Print Name JOE FERNANDEZ TITLE SUPERVISOR

I have reviewed this report and discussed it with the rater. It represents an accurate appraisal of the employee's performance in accordance with Administrative Order. I concur in the recommendation, if any, as to merit raise and/or permanent status.

REVIEWER'S SIGNATURE _____ DATE 12/19/07

Print Name: RICHARD L. JAFFE TITLE SUPERINTENDENT

I acknowledge that I received a copy of this evaluation. I have had an opportunity to discuss it with my supervisor. In signing the evaluation, I do not necessarily agree with the conclusions. I understand that I may write my comments below or on another sheet of paper.

A permanent employee who has received an overall evaluation of "Unsatisfactory" or "Needs Improvement," must first request a review of the Performance Evaluation by the Department Director within ten (10) calendar days. If the decision of the Director is not acceptable to the employee, the employee may continue the appeal within ten (10) calendar days after receipt of the Director's decision by making a request in writing to the Personnel Division Director, of the Employee Relations Department.

I have read and understand the above appeal process.

EMPLOYEE COMMENTS:

2008 FEB 20 PM 1:23

EMPLOYEE'S SIGNATURE _____ DATE: 01/29/2008

108.01-6A 2/92

DISTRIBUTION: White copy to employee — Green copy to Personnel — Yellow copy to departmental personnel office — Blue copy to reviewer.

EJ 2/22/08

INSTRUCTIONS

1. This form is to be typed.
2. This form is to be used for all classifications covered under bargaining units and not subject to the management or field/operational form.
3. The immediate supervisor (the rater) reviews the job description, the employee's performance of those duties, and the Personnel Records Summary Sheet prior to completing this form. Material in the Personnel Record Summary Sheet written during the period covered by the evaluation should be appropriately mentioned in the report.
4. The rater considers each of the factors and rates the performance as Unsatisfactory, Needs Improvement, Satisfactory, Above Satisfactory and Outstanding. Unsatisfactory performance is defined as performance that must be corrected immediately or disciplinary action will be initiated. Performance that is classified as Needs Improvement is acceptable for retaining employment but is below the supervisor's standards of performance for the position. Satisfactory performance is performance that fulfills the supervisor's standards of performance for the position. When the level of performance is at a level above the standards for the position, the Above Satisfactory category should be marked. SPECIFIC EXAMPLES OF PERFORMANCE OR INCIDENTS MUST BE GIVEN TO SUPPORT THE RATINGS.
5. The rater evaluates overall performance and it should be consistent with the individual factor ratings. Rater should determine [illegible] aspects of the position are to be most significant for an overall rating. A rating of Unsatisfactory means that the employee must immediately improve performance to retain employment. The employee whose performance is sufficient to warrant continued employment but does not fully meet the standards of the supervisor should be evaluated as Needs Improvement. The rater will defer a merit raise for an "Unsatisfactory" employee for 3-6 months and 1-6 months for an employee who is evaluated as "Needs Improvement." To receive a merit raise and/or permanent status an employee [illegible] Satisfactory or above. The employee who performs at a level greater than the standards for the position [illegible] Above Satisfactory or Outstanding.
6. If an employee is eligible for a merit raise or permanent status, the rater determines whether it is to be granted. If a merit raise is deferred, the rater states when the next evaluation will be conducted. A merit raise may not be granted if probational status is extended. There will be no extension of probationary period for any employee whose classification is covered under the bargaining unit of AFSCME, Local 1363. IF AN EMPLOYEE'S PERIOD COVERED DATE ELAPSES WITH NO ACTION TAKEN, PERMANENT STATUS IS GRANTED AUTOMATICALLY.
7. [illegible] recommends in what ways the employee can or must improve performance. If an employee has received a rating [illegible] Satisfactory or Needs Improvement, a written plan of action for improvement must be included in this section.
8. The rater confers with the reviewer. If the rating is accurate and the standards used to judge the level of performance [illegible], the reviewer must sign and date the evaluation first. NO UNILATERAL CHANGES WILL BE MADE BY THE REVIEWER. If the rater and reviewer cannot agree, then the Department Director or Division Director must be consulted for a final decision.
9. After the reviewer signs and dates the evaluation, the rater then prepares for a conference with the employee to discuss [illegible] performance standards. The department personnel officer or administrative officer should check the evaluation for compliance with rules and procedures prior to the employee conference.
10. The signed completed form is discussed with the employee who may add his/her comments and signs the form. If the employee refuses to sign, a third party must sign and date it as a witness acknowledging that the employee saw the [illegible]. Employee's refusal to sign does not stop completion of the evaluation process. If an employee disagrees with [illegible] evaluation he/she must write comments at the time or indicate on the form that comments are forthcoming.
11. [illegible] receives an overall rating of Needs Improvement or Unsatisfactory and has permanent status in the [illegible] evaluation occurs then he/she is eligible for an Appeal Hearing. First a request for review of [illegible] made to the Department Director within 10 calendar days. If the employee is dissatisfied with [illegible] done within 10 calendar days, then a request for an Appeal Hearing must be submitted [illegible] Personnel Division Director, within 10 calendar days.
12. [illegible] and/or permanent status an Advice of Personnel Action must accompany the [illegible] to the Administrative Services Division.
13. The employee, the Personnel Division, the departmental file, and the reviewer should receive copies of the completed form.

EMPLOYEE PERFORMANCE EVALUATION

Annie Grimes

SS# [redacted] from 01/01/2007 to 12/30/2007

A.G

QUANTITY OF WORK: ABOVE SATISFACTORY

Annie has performed well in this category during this evaluation period. As part of Annie's accomplishments has been timely data input of daily work orders; both closing and generating work orders, generating Honeywell requests, and parts requests. Annie works well with her supervisor and lead worker and is always available to become involved in new projects. Annie has assisted this rater with maintaining P-1 work orders and p-2 work orders to acceptable standards.

A.G.

QUALITY OF WORK: ABOVE SATISFACTORY

Annie is cognizant of what is expected of her; she is very responsible in completing her daily assignments regardless of their magnitude. During this evaluation period Annie has strived in producing good quality work and has assured to follow directions on follow ups on documents or generated work orders. Annie is quick to point out ways she may deem important or that may improve efficiency. Annie is always willing to accept additional work. This rater is pleased with Annie's performance during this evaluation period.

A.G.

WORK HABITS ABOVE SATISFACTORY

Annie is usually on time; she follows departmental policies when scheduling her time off. Ms Grimes employs a good safety conscience and follows departmental policies adequately in this category. Annie effectively manages her time, is self motivated and a reliable employee requiring very little supervision. During this evaluation Annie has shown initiative and a willingness to complete work assigned to her.

A.G

INTERPERSONAL SKILLS: SATISFACTORY

Annie has developed a good rapport with her lead worker and supervisor; she gets along well with her peers and contributes to good shop morale.

A.G

RATER'S OVERALL EVALUATION: ABOVE SATISFACTORY

A.G

WAYS THE EMPLOYEE CAN OR MUST IMPROVE PERFORMANCE:

Annie would benefit from becoming proficient in Microsoft Excel and Microsoft Power point. Profieiency in this software will increase Annie's value to the Maintenance Department.

EMPLOYEE MUST INITIAL EACH PARAGRAPH

PROCESSED
FEB 2 1 2008
ADMINISTRATIVE SERVICES
BY:

Exhibit J

PROGRAM: PAYB3510 MIAMI-DADE COUNTY PAGE: 1325
JOB/STEP: J353500/S353500C DATE: 11/18/2007
TIME: 19:46

P E R S O N N E L C H A N G E D O C U M E N T

COPY 1

REASON:	MERIT	STATUS	LONGEVITY	PERF RPT ONLY	EFFECTIVE DATE
	X				12/31/2007

EMPLOYEE NAME			SOC SEC NUMBER	DEPT DIV LOC
GRIMES	ANNIE	L	[redacted]	063 14 018

DEPARTMENT NAME	OCC CODE	CLASSIFICATION TITLE
MIAMI-DADE AVIATION DEPARTMENT	5306	AROFSUPSP2

P A Y E X C E P T I O N S

CODE	REASON	CODE	REASON
4C	PREMIUM PAY		

	PAY STEP	BI-WK HOURS	BI-WK RATE	HOURLY RATE	PAY ANNIV	STATUS CODE	STATUS DATE
FROM:	03	80	1055.34		01/01/2007	AA	01/02/2006
TO:	04	80	1093.19		12/31/2007	AA	01/02/2006

RECEIVED
DEC 04 2007
ADMINISTRATIVE SERVICES

APPOINTING AUTHORITY OFFICE OF MGMT. & BUDGET EMPLOYEE RELATIONS DEPT.

FILED
DEC 05 2007
ADMINISTRATIVE SERVICES
BY:

Exhibit K

MIAMI DADE COUNTY
PERSONNEL CHANGE DOCUMENT COPY 1

REASON:
4% WAGE ADJUSTMENT

EFFECTIVE DATE
06/30/2008

EMPLOYEE NAME			SOC SEC NUMBER	DEPT	DIV	LOC	BADGE-NBR
GRIMES	ANNIE	L	[redacted]	063	14	018	

DEPARTMENT NAME	OCC CODE	CLASSIFICATION TITLE
MIAMI-DADE AVIATION DEPARTMENT	005306	AROFSUPSP2

DATE HIRED	PAY STEP	BI-WEEKLY HOURS	BI-WEEKLY RATE	HOURLY RATE	BASE BI-WEEKLY RATE	BASE HOURLY RATE
05/21/2001	04	80	1134.92		1084.92	

PAY EXCEPTIONS

CODE	REASON	CODE	REASON
**********	**********	**********	**********
4C	PREMIUM PAY		

EMPL. STATUS	STATUS DATE	SHIFT	BUDGET STATUS	ANNIV. DATE	INDEX CODE	BARG. UNIT	ENTITY	SUB-ENTITY
AA	01/02/2006		1	12/31/2007	725671	G	04	01

STREET ADDRESS	CITY	STATE	ZIP CODE
12200 NE 6 AVE #209	NORTH MIAMI	FL	33161

SEX	RACE	CITZ. SHIP	EDUC. LEVEL	DATE OF BIRTH	MARITAL STATUS	TAX EXEMPT	WITHOLDING CODE/AMOUNT	EXEMPT FICA	RETIREMENT CODE/ PCT
F	B	A	12	07/22/1949	S	00	0	0	21 9.85

THIS PCD REFLECTS YOUR CURRENT PERSONNEL PAYROLL RECORD.
PLEASE CONTACT YOUR DEPARTMENT PERSONNEL OFFICER FOR CORRECTIONS
OR INQUIRIES

SEQ #: 000019441

Exhibit L

MIAMI-DADE COUNTY

EMPLOYEE PERFORMANCE EVALUATION

(INSTRUCTIONS ON BACK OF SECOND PAGE)

00138677 12/31/2007 12/28/2008
GRIMES ANNIE L 063-14-018
AIRPORT OFFICE SUPP SPEC 2
MERIT
PERMANENT
PROB PP: 26
MIAMI-DADE AVIATION DEPARTMENT
MAINTENANCE WAREHSES
FEB - 6 2009
TO PERSONNEL BY _____ DPO 12/14/2008

(INITIAL)

Period Covered
From Mo/Day/Yr To Mo/Da/Yr

Prob. Date Ends

Social Security Number

Unit

REASON FOR REVIEW

☑ Merit Raise ☐ Status Change ☐ Annual Review ☐ Other ☐ Due Back to Personnel Section by _____

Raters: It is understood that the importance of each category will vary with job classification and department. Explain your rating in terms of performance in each category. Mark the appropriate box. Use additional sheets if necessary.

1. QUANTITY OF WORK. Includes amount of work performed.

RATING: ☐ Unsatisfactory ☐ Needs Improvement ☐ Satisfactory ☑ Above Satisfactory ☐ Outstanding
Explain Why:

RECEIVED
FEB 04 2009
FACILITIES MAINTENECE
ADMINISTRATION & MANAGEMENT SERVICES

2. QUALITY OF WORK: Includes accuracy, achievement of objectives; effectiveness, initiative and resourcefulness and, neatness of work product.

RATING: ☐ Unsatisfactory ☐ Needs Improvement ☐ Satisfactory ☑ Above Satisfactory ☐ Outstanding
Explain Why:

ELL
FEB 11 2008

3. WORK HABITS: Includes attendance, observation of work hours, completion of work on schedule, compliance with rules, policies, and directives, safety practice and use of tools and equipment.

RATING: ☐ Unsatisfactory ☐ Needs Improvement ☑ Satisfactory ☐ Above Satisfactory ☐ Outstanding
Explain Why:

WRIGHT
AUDI

4. INTERPERSONAL SKILLS: Includes participation and teamwork; contribution to unit morale; working cooperatively with the public, peers, and subordinates; and accepting advice and counseling from superiors.

RATING: ☐ Unsatisfactory ☐ Needs Improvement ☑ Satisfactory ☐ Above Satisfactory ☐ Outstanding
Explain Why:

RECEIVED
FEB 06 2009
AdmServices

108.01-6 4/98

02/9/09

138677

RATER'S OVERALL EVALUATION — Only one rating factor to be checked.

☐ **Unsatisfactory:** Performance is inadequate and must be corrected.

☐ **Needs Improvement:** Performance does not fully meet job requirements as indicated below.

☐ **Satisfactory:** Employee is performing as required and expected in a satisfactory manner.

☑ **Above Satisfactory:** Performance surpasses job requirements.

☐ **Outstanding:** Consistently conspicuous, distinguished performance. Employee displays initiative and creativity. Employee has substantially enhanced departmental efficiency and/or effectiveness.

If an employee is eligible for a merit increase, check following: ☑ Granted ☐ Deferred, reevaluate in ____ months

If an employee is eligible for permanent status, check following: ☑ Granted ☐ Denied ☐ Extended ____ months with the Employee's written permission. (Attached) (Probationary period may not be extended beyond one year.)

WAYS THE EMPLOYEE CAN OR MUST IMPROVE PERFORMANCE: (If overall rating is Needs Improvement or Unsatisfactory, a written plan of action for improvement must be included in this section. Optional if Satisfactory or better).

WRIGHTS AUDIT

This report is based on my observations, knowledge of employee's performance and review of applicable information. It represents my best judgment of the employee's performance.

RATER'S SIGNATURE [signature] DATE 1-20-9

Print Name Joe Fernandez TITLE Supervisor

I have reviewed this report and discussed it with the rater. It represents an accurate appraisal of the employee's performance in accordance with Administrative Order. I concur in the recommendation, if any, as to merit raise and/or permanent status.

REVIEWER'S SIGNATURE [signature] DATE 1/21/09

Print Name: [signature] TITLE Superintendent

I acknowledge that I received a copy of this evaluation. I have had an opportunity to discuss it with my supervisor. In signing the evaluation, I do not necessarily agree with the conclusions. I understand that I may write my comments below or on another sheet of paper.

A permanent employee who has received an overall evaluation of "Unsatisfactory" or "Needs Improvement," must first request a review of the Performance Evaluation by the Department Director within ten (10) calendar days. If the decision of the Director is not acceptable to the employee, the employee may continue the appeal within ten (10) calendar days after receipt of the Director's decision by making a request in writing to the Personnel Division Director, of the Employee Relations Department.

I have read and understand the above appeal process.

EMPLOYEE COMMENTS:

EMPLOYEE'S SIGNATURE [signature] **DATE:** 01/30/2009

106.01 6A 2/92

DISTRIBUTION: White copy to employee — Green copy to Personnel — Yellow copy to departmental personnel office — Blue copy to reviewer.

INSTRUCTIONS

1. This form is to be typed
2. This form is to be used for all classifications covered under bargaining units and not subject to the management or field/operational form.
3. The immediate supervisor (the rater) reviews the job description for employee's performance of those duties and the Personnel Records Summary Sheet prior to completing this form. Material in the Personnel Record Summary Sheet written during the period covered by the evaluation should be appropriately mentioned in the report.
4. The rater considers each of the factors and rates the performance as Unsatisfactory, Needs Improvement, Satisfactory, Above Satisfactory and Outstanding. Unsatisfactory performance is defined as performance that must be corrected immediately or disciplinary action will be initiated. Performance that is classified as Needs Improvement is acceptable for retaining employment but is below the supervisor's standards of performance for the position. Satisfactory performance is performance that fulfills the supervisor's standards of performance for the position. When the level of performance is at a level above the standards for the position, the Above Satisfactory category should be marked. SPECIFIC EXAMPLES OF PERFORMANCE OR INCIDENTS MUST BE GIVEN TO SUPPORT THE RATINGS.
5. The rater evaluates overall performance and it should be consistent with the individual factor ratings. Rater should determine what aspects of the position are to be most significant for an overall rating. A rating of Unsatisfactory means that the employee must immediately improve performance to retain employment. The employee whose performance is sufficient to warrant continued employment but does not fully meet the standards of the supervisor should be evaluated as Needs Improvement. The rater will defer a merit raise for an "Unsatisfactory" employee for 3-6 months and 1-6 months for an employee who is evaluated as "Needs Improvement." To receive a merit raise and/or permanent status an employee must be rated Satisfactory or above. The employee who performs at a level greater than the standards for the position is to be rated Above Satisfactory or Outstanding.
6. If an employee is eligible for a merit raise or permanent status, the rater determines whether it is to be granted. If a merit raise is deferred, the rater states when the next evaluation will be conducted. A merit raise may not be granted if probational status is extended. There will be no extension of probationary period for any employee whose classification is covered under the bargaining unit of AFSCME, Local 1363. IF AN EMPLOYEE'S PERIOD COVERED DATE ELAPSES WITH NO ACTION TAKEN, PERMANENT STATUS IS GRANTED AUTOMATICALLY.
7. The rater recommends in what ways the employee can or must improve performance. If an employee has received a rating of Unsatisfactory or Needs Improvement, a written plan of action for improvement must be included in this section.
8. The rater confers with the reviewer. If the rating is accurate and the standards used to judge the level of performance are consistent, the reviewer must sign and date the evaluation first. NO UNILATERAL CHANGES WILL BE MADE BY THE REVIEWER. If the rater and reviewer cannot agree, then the Department Director or Division Director must be consulted for a final decision.
9. After the reviewer signs and dates the evaluation, the rater then prepares for a conference with the employee to discuss the rating and performance standards. The department personnel officer or administrative officer should check the evaluation for compliance with rules and procedures prior to the employee conference
10. The signed completed form is discussed with the employee who may add his/her comments and signs the form. If the employee refuses to sign, a third party must sign and date it as a witness acknowledging that the employee saw the evaluation. Employee's refusal to sign does not stop completion of the evaluation process. If an employee disagrees with any or all of the evaluation he/she must write comments at the time or indicate on the form that comments are forthcoming.
11. If an employee receives an overall rating of Needs Improvement or Unsatisfactory and has permanent status in the classification in which the evaluation occurs then he/she is eligible for an Appeal Hearing. First a request for review of the evaluation should be made to the Department Director within 10 calendar days. If the employee is dissatisfied with the Director's response, to be done within 10 calendar days, then a request for an Appeal Hearing must be submitted in writing to the County Personnel Division Director, within 10 calendar days.
12. If an employee is granted a merit raise and/or permanent status, an Advice of Personnel Action must accompany the evaluation, that is forwarded to the Administrative Services Division.
13. The employee, the Personnel Division, the departmental file, and the reviewer should receive copies of the completed form.

EMPLOYEE PERFORMANCE EVALUATION

Annie Grimes

SS# [redacted] From 12/31/2007 to 12/28/2008

QUANTITY OF WORK: ABOVE SATISFACTORY A.G.

Annie has performed well in this category; she has maintained a positive outlook and diligence closing priority 1 and 2 work orders during the course of this evaluation period. Annie has been a vital asset to this rater minimizing surplus, unfinished or lost work orders.

When required ,Annie has taken additional responsibilities, such as training other staff members or air port personnel complete mandated diversity Training. This rater is satisfied with Annie's performance.

QUALITY OF WORK: ABOVE SATISFACTORY A.G.

Annie is cognizant of what is expected of her; she is very responsible in completing her daily assignments regardless of their magnitude. During this evaluation period Annie has been very active with customer service.

Annie is quick to point out ways she feels may improve efficiency. Annie has played a major role in this rater's perception to optimize customer service, including the function of placing follow-up calls to ensure efficient customer service.

WORK HABITS SATISFACTORY A.G.

Annie is usually on time; she follows departmental policies and procedures as well as schedules her time off appropriately. Ms Grimes employs a good safety conscience and adheres to departmental policies. Annie effectively manages her time, is self motivated and a reliable employee.

INTERPERSONAL SKILLS: SATISFACTORY A.G.

Annie has developed a good rapport with her lead worker and supervisor; she has maintained a professional relationship with her peers.

RATER'S OVERALL EVALUATION: ABOVE SATISFACTORY A.G.

WAYS THE EMPLOYEE CAN OR MUST IMPROVE PERFORMANCE: A.G.

Annie would benefit from becoming proficient in Microsoft Excel and Microsoft Power point. Proficiency in this software will increase Annie's value to the Maintenance Department. I would like to see Annie continue her quest taking county sponsored online courses.

EMPLOYEE MUST INITIAL EACH PARAGRAPH

Exhibit M

PROGRAM: PAYB3510 MIAMI-DADE COUNTY PAGE: 336
JOB/STEP: J353500/S353500C #138677 DATE: 11/18/2008
TIME: 20:43

PERSONNEL CHANGE DOCUMENT

COPY 3

REASON: MERIT	STATUS	LONGEVITY	PERF RPT ONLY	EFFECTIVE DATE
X				12/29/2008

EMPLOYEE NAME			SOC SEC NUMBER	DEPT DIV LOC
GRIMES	ANNIE	L	[redacted]	063 14 018

DEPARTMENT NAME	OCC CODE	CLASSIFICATION TITLE
MIAMI-DADE AVIATION DEPARTMENT	5306	AROFSUPSP2

PAY EXCEPTIONS

CODE	REASON	CODE	REASON
4C	PREMIUM PAY		

FROM:	PAY STEP	BI-WK HOURS	BI-WK RATE	HOURLY RATE	PAY ANNIV	STATUS CODE	STATUS DATE
	04	80	1134.92		12/31/2007	AA	01/02/2006
TO:	PAY STEP	BI-WK HOURS	BI-WK RATE	HOURLY RATE	PAY ANNIV	STATUS CODE	STATUS DATE
	05	80	1174.33		12/29/2008	AA	01/02/2006

WRIGHTS AUDIT

ELL

FEB 11 2008

APPOINTING AUTHORITY OFFICE OF MGMT. & BUDGET EMPLOYEE RELATIONS DEPT.

Chg $94.58 pd 1/22/09
Chg $ 7.88

Exhibit N

PROGRAM: PAYB3510 MIAMI-DADE COUNTY PAGE: 293
JOB/STEP: J353500/S353500C DATE: 11/17/2009
TIME: 20:36

13677

AA

PERSONNEL CHANGE DOCUMENT COPY 3

6

REASON: MERIT X STATUS LONGEVITY PERF RPT ONLY EFFECTIVE DATE 12/28/2009

EMPLOYEE NAME: GRIMES ANNIE L SOC SEC NUMBER: [redacted] DEPT DIV LOC: 063 14 018

DEPARTMENT NAME: AVIATION OCC CODE: 5306 CLASSIFICATION TITLE: AROFSUPSP2

PAY EXCEPTIONS

CODE	REASON	CODE	REASON
4C	PREMIUM PAY		

	PAY STEP	BI-WK HOURS	BI-WK RATE	HOURLY RATE	PAY ANNIV	STATUS CODE	STATUS DATE
FROM:	05	80	1174.33		12/29/2008	AA	01/02/2006
TO:	06	80	1220.26		12/28/2009	AA	01/02/2006

ELL

FEB 05 2010

APPOINTING AUTHORITY OFFICE OF MGMT. & BUDGET EMPLOYEE RELATIONS DEPT.

C19 $67.17 1/2/10
C74 $9.19

GOODLY AUDIT

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
Miami Division

CASE NO. 10-23996 Civ-COOKE

ANNIE GRIMES,

Plaintiff,

v.

MIAMI-DADE COUNTY,

Defendant. /

DEFENDANT'S NOTICE OF FILING
AFFIDAVIT OF ELIEL FLORES

Defendant, Miami-Dade County, files the attached Affidavit of Eliel Flores in support of its motion for summary judgment.

Respectfully submitted,

R. A. CUEVAS, JR.
Miami-Dade County Attorney
Stephen P. Clark Center
111 N.W. 1st Street, Suite 2810
Miami, Florida 33128

By: s/ Eric Rodriguez
Eric Rodriguez, Assistant County Attorney
Florida Bar No. 970875
Phone: (305) 375-5151
Fax: (305) 375-5634

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served via transmission of Notices of Electronic Filing generated by CM/ECF/via Regular U.S. Mail on March 29, 2012 on all counsel or parties of record on the Service List below.

s/Eric Rodriguez
Assistant County Attorney

SERVICE LIST

Annie L. Grimes
12200 N.E. 6th Avenue, Suite 209
N. Miami, FL 33161
Plaintiff
Served via Regular U.S. Mail

Eric Rodriguez
Assistant County Attorney
E-Mail: car2@miami-dade.gov
Miami-Dade County Attorney's Office
Stephen P. Clark Center
111 N.W. 1st Street, Suite 2810
Miami, Florida 33128
Tel: (305) 375-5151
Fax: (305) 375-5634
Attorney for Defendant
No Service Made

AFFIDAVIT OF ELIEL FLORES

STATE OF FLORIDA

SS:

COUNTY OF MIAMI-DADE

1. BEFORE ME, the undersigned authority, on this day personally appeared Eliel Flores, who, being first duly sworn, deposes and says as follows:

2. My name is Eliel Flores and I am over the age of eighteen.

3. I have personal knowledge of the facts contained within this affidavit.

4. I am employed by Miami-Dade County ("the County") in the County's Human Resources Department as the HR Records Supervisor. I am responsible for maintaining the County's official personnel records for its employees.

5. This is to certify that attached hereto as Exhibit 1 is a true and correct copy of an official County personnel record for Annie Grimes titled Personnel Change Document (PCD) indicating that Annie Grimes had an original date of hire effective May 21, 2001 as an Office Support Specialist 2 with Miami Dade County Housing Agency. This record is customarily maintained in the regular course of official government business and maintained in Annie Grimes' official personnel file.

6. This is to certify that attached hereto as Exhibit 2 is a true and correct copy of an official County personnel record for Annie Grimes titled Personnel Change Document (PCD) indicating that the code for the termination of Annie Grimes was changed in 2004 from Incompetency (DA) to Voluntary Resignation (BA) effective May 3, 2002. This record is customarily maintained in the regular course of official government business and maintained in Annie Grimes' official personnel file.

Further affiant sayeth naught.

Eliel Flores

Sworn to (or affirmed) and subscribed before me this 29 day of March, 2012, by _____.

(sign) Ed. G. M.

(print) EDWIN G. MORALES

NOTARY PUBLIC,
State of Florida at large

NOTARY PUBLIC - STATE OF FLORIDA
EDWIN G. MORALES
Commission # DD 816136
Expires: Sept. 13, 2012
BONDED THRU NATIONAL NOTARY ASSN.

My commission expires:

Personally known ✓ OR Produced identification ____

Type of identification produced: _____

EXHIBIT 1

REVISED IN ACCORDANCE WITH ORD. 97-216

MIAMI-DADE

PERSONNEL CHANGE DOCUMENT
Employee Relations Department

SOCIAL SECURITY [redacted] EFFECTIVE DATE 05 21 01

NAME GRIMES ANNIE L
Last First Initial

1) A ORIGINAL APPOINTMENT B RE-EMPLOYMENT R RETIRED RE-EMPLOYED

Dept. 080 Div. 04 Loc. 01 Employee Status Code AE

Classification OSS2 Occupational Code 0021

Complete only if other than step 01 &/or 080 hours. Step Bi-Wkly Hrs.

Complete only if Pay Step is 99: Bi-Wkly Rate $ MTA Hrly $

Will position last for more than 6 months? Yes No Enrolled in Retirement? Yes No

Pay Exceptions Codes

(Attach supporting documents when required)

Req. #	Eligible List#	Index Code	Entity	Sub Entity	Uniform Allow.
080102		386508	0105	0102	Yes / No

2) C TRANSFER D STATUS E REALLOCATION G RATE CHANGE J PROMOTION O OTHER N DEMOTION

FROM: Dept. Div. Loc. Released by:

TO: Dept. Div. Loc. Employee Status Code

Classification Occupational Code

Complete only if Pay Step is 99: Bi-Wkly Rate $

Pay Exceptions Codes

(Attach supporting documents when required)

Req. #	Eligible List#	Index Code	Entity	Sub Entity	Uniform Allow.
					Yes / No

3) F SEPARATION H RESTORATION I PERSONAL M LEAVE OF ABSENCE O OTHER Reason Code

FROM: TO: No. of Days

4) Remarks: New hire - Part-time Placement

MAY 24 2001

5) Authorization 5/18/01

Dept. Appointing Authority Office of Mgmt. & Budget Employee Relations Dept.

DO NOT WRITE BELOW THIS LINE

PASSED

Step	Bi-Wkly $	Status Date	Bud St	Medical Date	Sex	Race	Citizenship	DOB	Educ
01	728.82	5-28-01	3	5/1/01	F	B	A	722-49	12

Anniv	Marital	Tax Ex	With Code	With Amt	Ex FICA	Ret Code	Ret Amt	Retro Adj	PR Date
5-28-01	S	0				21	9.15	40H	6/27/01

108.01-02 3/98 DISTRIBUTION: CANARY TO ADMINISTRATIVE SERVICES DIVISION – WHITE RETAINED BY DEPARTMENT

EXHIBIT 2

•••REVISED IN ACCORDANCE WITH ORD. 97-216•••

MIAMI-DADE

PERSONNEL CHANGE DOCUMENT
Employee Relations Department

SOCIAL SECURITY [redacted] EFFECTIVE DATE 05 03 02

NAME GRIMES (Last) ANNIE (First) L (Initial)

RECEIVED EMPLOYEE RELATIONS DEPT. ADMINISTRATIVE

1) A ORIGINAL APPOINTMENT 2004 SEP 2 B RE-EMPLOYMENT R RETIRED RE-EMPLOYED

Dept. Div. Loc. Employee Status Code

Classification Occupational Code

Complete only if other than step 01 &/or 080 hours. Step Bi-Wkly Hrs.

Complete only if Pay Step is 99: Bi-Wkly Rate $. MTA Hrly $.

Will position last for more than 6 months? Yes No Enrolled in Retirement? Yes No

Pay Exceptions Codes

(Attach supporting documents when required)

Req. # Eligible List# Index Code Entity Sub Entity Uniform Allow. Yes No

2) C TRANSFER D STATUS E REALLOCATION G RATE CHANGE J PROMOTION O OTHER N DEMOTION

FROM: Dept. Div. Loc. Released by:

TO: Dept. 080 Div. 04 Loc. 01 Employee Status Code DA

Classification Occupational Code 0021

Complete only if Pay Step is 99: Bi-Wkly Rate $.

Pay Exceptions Codes

(Attach supporting documents when required)

Req. # Eligible List# Index Code Entity Sub Entity Uniform Allow. Yes No

3) F SEPARATION H RESTORATION I PERSONAL M LEAVE OF ABSENCE O OTHER Reason Code BA

FROM: TO: No. of Days

4) Remarks: To change termination code to resignation ANGELO

5) Authorization

Marianela Moreno — Dept. Appointing Authority

Office of Mgmt. & Budget

SEP 27 2004 — Employee Relations Dept.

DO NOT WRITE BELOW THIS LINE

Step Bi-Wkly $ Status Date Bud St Medical Date Sex Race Citizenship DOB Educ

Anniv Martial Tax Ex With Code With Amt Ex FICA Ret Code Ret Amt Retro Adj PP Date

108.01-52 3/96 DISTRIBUTION: CANARY TO ADMINISTRATIVE SERVICES DIVISION – WHITE RETAINED BY DEPARTMENT

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
Miami Division

CASE NO. 10-23996 Civ-COOKE

ANNIE GRIMES,

Plaintiff,

v.

MIAMI-DADE COUNTY,

Defendant. /

DEFENDANT'S NOTICE OF FILING
AFFIDAVIT OF WILLIAM X. CANDELA

Defendant, Miami-Dade County, files the attached Affidavit of William X. Candela in support of its motion for summary judgment.

Respectfully submitted,

R. A. CUEVAS, JR.
Miami-Dade County Attorney
Stephen P. Clark Center
111 N.W. 1st Street, Suite 2810
Miami, Florida 33128

By: s/ Eric Rodriguez
Eric Rodriguez, Assistant County Attorney
Florida Bar No. 970875
Phone: (305) 375-5151
Fax: (305) 375-5634

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served via transmission of Notices of Electronic Filing generated by CM/ECF/via Regular U.S. Mail on March 29, 2012 on all counsel or parties of record on the Service List below.

s/Eric Rodriguez
Assistant County Attorney

SERVICE LIST

Annie L. Grimes
12200 N.E. 6th Avenue, Suite 209
N. Miami, FL 33161
Plaintiff
Served via Regular U.S. Mail

Eric Rodriguez
Assistant County Attorney
E-Mail: ear2@miami-dade.gov
Miami-Dade County Attorney's Office
Stephen P. Clark Center
111 N.W. 1st Street, Suite 2810
Miami, Florida 33128
Tel: (305) 375-5151
Fax: (305) 375-5634
Attorney for Defendant
No Service Made

AFFIDAVIT OF WILLIAM X. CANDELA

BEFORE ME, the undersigned authority, personally appeared William X. Candela, who after first being duly sworn, deposes and states:

1. I am currently employed by Miami-Dade County as an Assistant County Attorney and have been so employed since October 1988.

2. I represented Miami-Dade County in the charge filed by Annie Grimes with the Equal Employment Opportunity Commission, Charge No. 150-2003-03910 against the Housing Agency.

3. Attached as Exhibit A is true and correct copy of the Negotiated Settlement Agreement that I received from the EEOC resolving Annie Grimes EEOC Charge No. 150-2003-03910.

FURTHER AFFIANT SAYETH NOT.

WILLIAM X. CANDELA

STATE OF FLORIDA)
)
COUNTY OF DADE)

SWORN TO AND SUBSCRIBED before me at Miami, Dade County, Florida on this 27th day of March, 2012 by William X. Candela.

✓ Who is personally known to me
___ Who produced identification:_____
Type of Identification

Signature of Notary Public
State of Florida at Large

SILVIA ARMENTEROS
MY COMMISSION # DD 861662
EXPIRES: February 16, 2013
Bonded Thru Notary Public Underwriters

Print name of notary public

My commission expires:

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Miami District Office

One Biscayne Tower
2 South Biscayne Blvd. Suite 2700
Miami, FL 33131
(305) 536-4491
TTY (305) 536-5721
FAX (305) 536-4011

August 25, 2004

MO (1) 1

(2) Send to M. Wadfelter HUD

Miami-Dade County,
County Attorney
Mr. William Candela, Assistant County Atty.
111 N.W. 1st Street, Suite 2810
Miami, Florida 33128

Re: Grimes vs. Miami Dade Housing Agency
EEOC Charge No: 150 2003 03910

Dear Mr. Candela:

Please find enclosed a fully executed copy of the Negotiated Settlement Agreement in reference to the above named charge .

We would like to express our sincere appreciation for your efforts to resolve this matter.

Sincerely,

Donn Dernick,
Investigator

EXHIBIT A

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Miami District Office

One Biscayne Tower
2 South Biscayne Blvd, Suite 2700
Miami, FL 33131
(305) 536-4491
TTY (305) 536-5721
FAX (305) 536-4011

RECEIVED
AUG 14 2004

NEGOTIATED SETTLEMENT AGREEMENT

1. The following agreement refers to Charge No: 150-2003-03910 on file with the Equal Employment Opportunity Commission (EEOC) under Title VII of the Civil Rights Act of 1964, as amended.

2. In exchange for satisfactory fulfillment by Respondent of the promises contained in paragraph (3) of this Agreement, the Charging Party agrees not to institute a lawsuit with respect to the above referenced charge.

3. In exchange for the promises of Annie Grimes (Charging Party) contained in paragraph (2) of this Agreement, Miami Dade Housing Agency (Respondent) agrees to:

   A) Expunge all off the negative references from the personnel records of the Charging Party. This also refers to entries contained within the Respondent's computer data base.

   B) Assist and Guide the Charging Party in applying for other positions. The Respondent will make available a contact person to assist the Charging Party. Ms. Lilian Fernandez, a Representative of the Miami-Dade County Employee Relations Department, or successors, will assist the Charging Party.

4. It is understood that this Agreement does not constitute an admission by the Respondent of any violation of Title VII of the Civil Rights Act of 1964.

5. The Respondent agrees to provide written notice to the Director of the Miami District Office within 10 days of satisfying each obligation specified at paragraph (3) of this Agreement.

6. The parties agree that this Agreement may be specifically enforced in court and may be used as evidence in a subsequent proceeding in which any of the parties allege a breach of this Agreement.

page two
charge no. 150-2003-03910

Respondent

Aug. 23, 04
Date

Charging Party

08/17/2004
Date

7. In reliance on the promises made in paragraphs (2) and (3), (5) and (6) EEOC agrees to terminate the investigation which it has begun and not to use the above referenced charge as the jurisdictional basis for a civil action under Title VII of the Civil Rights Act. EEOC does not waive or in any manner limit its right to process or seek relief in any other charge or investigation including but not limited to, a charge filed by a member of the Commission against the Respondent.

On behalf of the Commission:

Date

for Elsa M. Higuera
Federico Costales
District Director

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
Miami Division

CASE NO. 10-23996 Civ-COOKE

ANNIE GRIMES,

Plaintiff,

v.

MIAMI-DADE COUNTY,

Defendant. /

DEFENDANT'S NOTICE OF FILING
DECLARATION OF MELVIN PAYNE

Defendant, Miami-Dade County, files the attached Declaration of Melvin Payne in support of its motion for summary judgment.

Respectfully submitted,

R. A. CUEVAS, JR.
Miami-Dade County Attorney
Stephen P. Clark Center
111 N.W. 1st Street, Suite 2810
Miami, Florida 33128

By: s/ Eric Rodriguez
Eric Rodriguez, Assistant County Attorney
Florida Bar No. 970875
Phone: (305) 375-5151
Fax: (305) 375-5634

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served via transmission of Notices of Electronic Filing generated by CM/ECF/via Regular U.S. Mail on March 29, 2012 on all counsel or parties of record on the Service List below.

s/Eric Rodriguez
Assistant County Attorney

SERVICE LIST

Annie L. Grimes
12200 N.E. 6th Avenue, Suite 209
N. Miami, FL 33161
Plaintiff
Served via Regular U.S. Mail

Eric Rodriguez
Assistant County Attorney
E-Mail: ear2@miami-dade.gov
Miami-Dade County Attorney's Office
Stephen P. Clark Center
111 N.W. 1st Street, Suite 2810
Miami, Florida 33128
Tel: (305) 375-5151
Fax: (305) 375-5634
Attorney for Defendant
No Service Made

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
Miami Division

CASE NO. 10-23996 Civ-COOKE

ANNIE GRIMES,

Plaintiff,

v.

MIAMI-DADE COUNTY,

Defendant.
_____/

DECLARATION OF MELVIN PAYNE

1. My name is Melvin Payne, Jr. and I am over the age of eighteen.

2. I have personal knowledge of the facts contained within this affidavit.

3. I am employed by Miami-Dade County ("the County") in the County's Aviation Department. The Aviation Department operates Miami International Airport and other aviation facilities within Miami-Dade County.

4. At the Aviation Department, I am the Division Director for the Aviation Department's Facilities Management Division and have had the responsibilities associated with this position for at least the last ten years.

5. Annie Grimes was hired as an Airport Office Support Specialist 2 in late December 2004 to work in the Facilities Management Division of which I am the Director.

6. Annie Grimes was not demoted at any time during her employment with the Aviation Department. During 2007, 2008, and 2009, Annie Grimes was in the same

classification of Airport Office Support Services 2. During that time the Aviation Department did not reduce her pay.

7. As an Airport Office Support Specialist 2 working in the Division that I managed, Annie Grimes had various clerical duties including closing out work orders for maintenance work. One of Annie Grimes' multiple job tasks as an Office Support Specialist 2 was to track the procurement of parts and to monitor and enter requisitions on the Enterprise Resource Planning (ERP) system.

8. In and around the first few months of 2008, I made the decision to remove this ERP requisition assignment from Annie Grimes' responsibilities because I had received numerous complaints from Aviation Department employees that Annie Grimes was improperly creating requisitions, which created a backlog in procuring parts and hindered the operations of the Utilities section.

9. My decision in the first few months of 2008 to relieve Annie Grimes from working on requisitions in the ERP system did not in any way reduce Grimes' pay, salary or benefits. My decision did not change Annie Grimes' work location. There was no significant negative effect on Annie Grimes' classification, status or position as a result of my decision. My decision was not a demotion.

10. At the time I made the decision in 2008 to remove the ERP requisition assignment from the tasks that Annie Grimes was performing, I was not aware that Annie Grimes had filed an EEOC charge.

11. I have not been an employee of the County's Housing Agency nor did I work with Annie Grimes in the County's Housing Agency.

I declare under penalty of perjury that the foregoing is true and correct.

Dated this 29th day of March, 2012.

MELVIN PAYNE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 10-23996-Civ-COOKE/TURNOFF

ANNIE L. GRIMES,

Plaintiff

vs.

MIAMI DADE COUNTY,

Defendant.

_____/

SUPPLEMENTAL SCHEDULING ORDER

THIS CASE has been reassigned to me pursuant to Administrative Order 2012-16. All deadlines and requirements set forth in the Honorable Adalberto Jordan's Scheduling Order (ECF No. 38) shall remain in place except for the following changes:

1. **Trial Date and Calendar Call**. This case is set for trial on the Court's two-week trial period commencing **July 30, 2012, at 9:30 a.m.**, before the undersigned United States District Judge at the Federal Courthouse, Courtroom 11-2, 400 North Miami Avenue, Miami, Florida. Calendar Call shall be held on Wednesday, **July 25, 2012, at 3:00 p.m.**, at the same location. The case shall be assigned to the standard case management track.

2. **Pretrial Deadlines**. The remaining pretrial deadlines are as follows:

[June 20, 2012] (a) A Joint Pretrial Stipulation must be filed. The stipulation shall conform to Local Rule 16.1.E and include a joint, neutral summary of the claims and defenses in the case, not to exceed one short paragraph per litigant claim, to be read as an introduction for voir dire examination. The Court will not accept unilateral pretrial stipulations, and will strike sua sponte any such submissions. Should any of the parties fail to cooperate in the preparation of the joint pretrial stipulation, all other parties shall file a certification with the Court stating the circumstances. Upon receipt of such certification, the Court shall issue an order requiring the non-cooperating party or parties to show cause why such party or parties (and their respective attorneys) have failed to comply with the Court's order. A copy of the joint pretrial stipulation shall be delivered to chambers in Corel WordPerfect format at the time of filing via computer disk, or emailed to: Cooke@flsd.uscourts.gov); and

(b) A Joint Summary of the Parties' Motion(s) *in Limine* must be filed. The joint summary shall contain a cover page providing the style of the case and an index of the motion(s) *in limine*. For each evidentiary issue, the joint summary must include: a one page argument identifying the evidence sought to be excluded or included at trial and citing legal authority supporting exclusion or inclusion; and a one page response to the argument citing legal authority in support of admission or exclusion of the disputed evidence. The parties shall work together to prepare the joint summary, and are encouraged to resolve evidentiary issues through stipulation. Motions *in limine* will not be accepted in any other form.

[July 20, 2012] (a) Final proposed jury instructions and verdict form must filed.1 The parties shall submit a SINGLE, JOINT set of proposed jury instructions and verdict form, though the parties need not agree on the proposed language of each or any instruction or question on the verdict form. Where the parties do agree on a proposed instruction or question, that instruction or question shall be set forth in Times New Roman 14 point typeface. Instructions and questions proposed only by the plaintiff(s) to which the defendant(s) object shall be italicized. Instructions and questions proposed only the defendant(s) to which the plaintiff(s) object shall be bold-faced. Each jury instruction shall be typed on a separate sheet and must be supported by citations of authority. Each disputed jury instruction shall also state the basis for the objection(s) at the bottom of the sheet, before the citations of authority. In preparing their requested jury instructions, the parties shall utilize as a guide the Pattern Jury Instructions for Civil Cases approved by the United States Eleventh Circuit, including the Directions to Counsel contained therein. A copy of the proposed jury instructions and verdict form shall be delivered to chambers in Corel WordPerfect format at the time of filing via computer disk, or emailed to: Cooke@flsd.uscourts.gov);

(b) A trial witness list indicating each witness who will testify at trial, a one-sentence synopsis of the testimony, and in consultation with opposing counsel, indicate the amount of time needed for direct and cross examination;

(c) a list of witnesses with some identifying information (address or place of employment) to provide to jury; and

(d) Proposed Voir Dire questions specific to the case (general voir dire questions should not be included).

3. **Trial Instructions**. All exhibits must be pre-marked. The Plaintiff's exhibits shall be marked numerically preceded by the letter "P." Defendant's exhibits shall be marked numerically preceded by the letter "D." For example, Plaintiff's exhibit shall be marked P-1, P-2, P-3 etc. Likewise, Defendant's exhibit shall be marked D-1, D-2, D-3 etc. A typewritten exhibit list setting forth the number and letter, and description of each exhibit must be submitted at the time of trial.

---

1 If this action is to be set for a bench trial the Parties are directed to submit proposed findings of fact and conclusions of law in lieu of proposed jury instructions.

The parties shall submit said exhibit list on Form AO 187, which is available from the Clerk's office.

6. **Referral to Magistrate**. The above-styled action is referred to the Honorable William C. Turnoff, United States Magistrate Judge for the Southern District of Florida, for appropriate resolution of all non-dispositive pretrial matters, in accordance with 28 U.S.C. §§ 636(b)(1)(A) and (B). Motions in Limine and any motion affecting deadlines set by the Court's Scheduling Order are excluded from this referral, unless specifically referred by separate order. It shall be the responsibility of the respective parties in this case to note on all materials necessary to the resolution of the referred matters the name of Magistrate Judge Turnoff on the case number caption (i.e., Case No. 99-1234-CIV-COOKE/TURNOFF) and that courtesy copies of such materials shall be directed to his Chambers.

7. **Non-Compliance**. Non-compliance with any provision of this Order may subject the offending party to sanctions, including denial of the motion, dismissal of claims or striking of defenses. It is the duty of all counsel to enforce the timetable set forth herein in order to insure an expeditious resolution of this cause.

8. **Settlement**. If this case is settled, counsel are directed to inform the Court promptly by calling Chambers and submitting an appropriate order for dismissal within ten (10) days of notification of settlement to the Court, pursuant to Fed. R. Civ. P. 41(a)(1). The case will remain on the trial calendar until an order dismissing the action is entered by the Court.

DONE and ORDERED in chambers at Miami, Florida, this 12th day of April 2012.

Marcia G. Cooke

MARCIA G. COOKE
United States District Judge

Copies furnished to:
William C. Turnoff, U.S. Magistrate Judge
Counsel of record

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO: 10-23996-CIV-COOKE

FILED by CHL D.C.
APR 26 2012
STEVEN M. LARIMORE
CLERK U.S. DIST. CT.
S. D. of FLA. - MIAMI

ANNIE L. GRIMES,

Plaintiff,

VS.

MIAMI-DADE COUNTY
Defendants.

_____/

PLAINTIFF'S RESPONSE AND AFFIDAVIT IN OPPOSITION TO DEFENDANT'S MOTION FOR SUMMARY JUDGMENT AND SUPPORTING MEMORANDUM OF LAW

I, Annie L. Grimes, Plaintiff, pursuant to Federal Rules of Civil Procedures, hereby responds to Defendant's Motion for Summary Judgment and states as follow:

INTRODUCTION

My case exemplifies the fact that even decades after the struggle to free this nation from the institutional racism that caused those in positions of authority to subjugate and persecute persons of color, and who seeks to avail myself of the Civil Rights laws, that kind of racism will sometimes still rear its ugly head in the place of employment. Miami-Dade County have no excuse for this all of aviation department employee's and other County agencies was test on the subject of discrimination in the year of 2007 which I was still employed and help other with the test that had to be put into the (ERP) system. My score was 100% on the subject of discrimination so I could not said that the County was not aware of the law on Civil Rights as well as all other County Employee's.

The case involves allegation of retaliation under Title VII in which I was demoted from my work duties, which I have already shown to the court and I filed charges in the court on November 04, 2010. **See attached Complaint and Right to Sue Letter as Exhibit A**. My Complaint outlines how my work duties were taken away from me. I complained several time to Bobbie Phillips, who was Upper Management in the Department of Aviation at that time and Melvin Payne, Upper Management in the

Department of Aviation whom both turned a deaf ear to me regarding my complaints. Therefore, I filed charges of retaliation under Title VII because I realized that their lack of attention to my complaints was a form of retaliation under Title VII. So in effect I was being dressed up and targeted to be terminated again from the County. The Court document #33 stated that the details in my Complaint along with the attachments to my Complaint was sufficient at this stage.

During my deposition on 01/31/2012, I handed Eric Rodriquez a copy of a person of interest list, **which I am attaching as Exhibit B to this Response**, letting him know that I would not reveal my strategy to him and he replied that was legally, but if court allow me to move forward I will reveal my strategy. The information Eric Rodriquez and I discussed, at the deposition, was regarding falsification of documentation, such as my Application for Employment, which contained incorrect dates as well as someone putting my signature on the document he showed me. I have the original settlement Agreement see **(attachment as Exhibit C)**. Upper management was well aware of previous chargers, as I have shown, and that it was entered in my employment file from the beginning of the time that I was re-hired compared please with real settlement agreement and you will see.

SUMMARY OF THE FACTS

Plaintiff, Annie L. Grimes

The County established policies specifically prohibiting discrimination of employment. However, my first encounter with Bobbie Jones-Wolfork, formerly known as, Bobbie Phillips, was when I received a telephone call from her because of a conversation I had with William X. Candela, Esq., concerning a all white interview panel and the fact that I was turned down for the position I applied for with Security & Safety Division, **Attached as Exhibit D**, please see letter. Ms. Phillips asked me to come to her office and I went to her office to speak with her and she stated to me before she starting to go over the interviewing scores from my interview with Security & Safety that she was aware of the problems that I previous had as an employee with the County. Therefore, this shows that she was fully aware of my prior employment history. Later, I was sent to be interviewed with Department of Maintenance at Aviation and was hired as an employee of Tri- State Employment on 12/13/2004. But, I did not work in the

Department of Maintenance in the beginning but I first worked under Supervisor Trenda Floyd and I had pay stubs from Tri-State Employment to support this. **(See attached Exhibit E)**. Later she moved me over to the maintenance department in January.

THE PLAINTIFF'S EMPLOYMENTWITH HOUSING AGENCY IN 2001 AND 2003 EEOC CHARGE AGAINST HOUSING AGENCY

The settlement agreement that I filed with EEOC charge#150-2003-03910, that Miami-Dade County Housing Agency claimed that I filed on 2004 please take note of **(attachment Exhibit F)** of real Charges, as well as my employment data record that I printed out of the County's computer system. That claim was settled but the (DA) was never removed and that explains why I was struggling so long with being re-hired with the County. It was not until Jackie Bailey at the Department of Transit Metro Bus company told me over the phone to go down to the county records department and check my employment file, which I am **attaching as Exhibit G**, and are copies of both files from Aviation and Housing. It was plain and clear that no one would have hired me because of the negative (DA) status. Ms. Bailey stated to me that until you get the (DA) off your records no one would hire you. So she canceled my interview and I called up William X. Candela downtown to make him aware of the problem with my file and he promised to remove the (DA) and all negative information as stated in the Settlement Agreement, that came up again and again.

PLAINTIFF IS HIRED IN DECEMBER 2004 BY THE AVIATION DEPARTMENT AND IS ASSIGNED TO FACILITIES MANAGEMENT DIVISION WHICH IS DIRECTED BY MELVIN PAYNE

I was told in Orientation that for some reason I was already a County Employee, which shows that the County reinstated me or returned me, after asking a question about the cost of paying a fee for (ID). Bobbie Jones-Wilfork statement that I was hired as a new hire is not correct as the employment data shows that I was listed as a returned employee and not a new hire. **I attach as Exhibit H.**

THE AVIATION DEPARTMENT PASSES PLAINTIFF'S PROBATION, GRANTS HER PERMANENT STATUS IN THE CLASSIFIED SERVICE AND REPEATEDLY GRANTS PLAINTIFF PAY INCREASES

Regarding my probation and evaluation being granted permanent status was not an issue. The issue was the fact that Daniel Douglas failed my probation although the Department did not allow him to go forward with the failure. But he wrote negative reports that was put in my employee file and reflected negatively. I was not aware of these negatives reports until the Union gave me a folder that contained information showing the persons names of those who caused this hold-up of my evaluation. The bottom line is that Daniel Douglas failed my probation because the previous settlement agreement in my main employee folder downtown had the settlement agreement in it and that was pulled by someone in Aviation and put in my Aviation employee file. This is further evidence that Aviation was fully aware of my prior case and used that to fail my probation. Copies of emails to support this was included in the folder that the Union provided me and this supports my argument. It is also important to note that my records were kept in the offices of Melvin Payne and Kelly Flores.

COMPLAINTS COME IN REGARDING PLAINTIFF'S ERP REQUISITION WORK CAUSING MELVIN PAYNE TO RELIEVE HER IN 2008 OF THAT PART OF HER DUTIES BUT PLAINTIFF REMAINS IN THE SAME CLASSIFICATION AND GETS TWO INCREASES IN PAY

I never denied in my EEOC charges that I received pay raises or that my job classification was wrong. I filed charges because all my work as well as Honeywell reports, which was part of my work duties, was taken away from me and I was left with no work at all. I called up Bobbie several times to complain that the work was taken away from me and I told her that in order for me to have work and to keep busy I had to go around to other departments asking for works. The persons who my work and duties were given to were less qualified than I was to perform my duties. We all started ERP in the year of 2006 on the EPR system. I will give more detail when we come cross that bridge. I have a copy of my typing scores **attached also as Exhibit I**. I not only met the qualifications for the position that I was hired for, but the first time as a part-time worker see the data on their attachment as to what was required of me in that position as Oss#2 position. Melvin Payne said that if I call downtown or EEOC again he would terminate me for insubordination because I was not following the chain of command. When he said this to me, it put me under pressure. So when I made further calls to EEOC several time after that, I would ask them that they please do not call my job. I did

not call downtown or Bobbie, but I did call Michael Edwards and explained to him that Melvin would terminate me if he told him that I called. So I asked him to please don't call Bobbie at this time as upper management continued to put pressure on me because I filed those charges and they made a concentrated effort to find ways to get me out. They did not want to hire me from the beginning so as result this was their strategy to put pressure on me because of my filing retaliation charges in 2008.

OCTOBER 42, 2008 PLANTIFF FILES EEOC CHARGE AGAINST AVITION DEPARTMENT

I filed charges with EEOC #846-2009-002802 and I received the Dismissal Notice from EEOC along with the right to sue letter. In document #33 that the court ruled that I filed my case in a timely matter and that the letter with the right-to-sue is consistent with the allegations in the complaint Miami-Dade County's argument is therefore unconvincing. I have high respect for the Court decisions. The document#37 state that Eric Rodriguez said he did not believe that I had any right to Title VII at the time that I filed the charges. So if that was the case, then why are we saying that Aviation was not aware of charges? And that they were never filed. I don't think anyone would have hired me if I had just filed retaliation charges against him or her. It doesn't make sense to me.

AVIATION DEPARTMENT MANAGEMENT DID NOT KNOW THAT GRIMES HAD FILED AND SETTLED AN EEOC CHARGE AGAINST THE HOUSING AGENCY BEFORE GRIMES CAME TO WORK AT AVIATION

Aviation stated that they were not aware of prior charges, please take note of document that was in my employment file that was send to me by the union president at the time Antonio M. Eiroa. (**See attach document as Exhibit J**). Upper management failed my probation and as retaliation they lessened my duties and responsibilities and gave me menial tasks rather than working on what I was qualified for and that was working on the ERP system. I never saw my employee folder until Antonio went and took it away from Kelly. I never signed any of the documents contained in the folder. I would have filed with EEOC if I had saw the information in my employment records that was kept over at Melvin office by Kelly as they both work at same location included in **Exhibit J.** Aviation department did not know about prior charges on channel #7 Help me Howard a Legal expert he said as long as the top person know about your case of

discrimination before you file in court that all that matter and the top in the Miami-Dade County would be your office, however if the top person was not aware the Judge would have to dismiss the case and give him a change to fix it.

AVIATION DEPARTMENT GIVES PLAINTIFF A RAISE AFTER SHE FILES 2008 EEOC CHARGE AGAINST AVIATION DEPARTMENT

My complaint is not about my raise, it is about my work duties being removed from me because of filing prior charges.

INTRODUCTION TO LEGAL ISSUES

Legal issues are legal issues. I am representing myself, but not as an attomey and I am without knowledge as to what the law states on my situation. However, document #33 shows that the Court already ruled that my allegations are factual. I highly respect the Court and any decisions that they would make on legal issues and continue to rely on the court to grant me what is fair and just.

PLAINTIFF CANNOT ESTABLISH A CLAIM OF RETALLATION

Please take note of documents attach of retaliation in original charges the two documents issue by the court number#33 and 37. The court have already ruled on, also other exhibit above.

PLAINTIFF CANNOT ESTABLISH TWO OF THE ELEMENTS NEEDED TO ESTABLISH A PRIMA FACIE CLAIM OF RETALIATION – FAIURE OF ETHER ELEMENT IS FATAL TO HER CLAIM

The two elements that I needed to establish according to what I understand from court document#33 have proven to be factual information that I submit to the court already ruled on

THE ADJUSTMENT IN DUTIES IS NOT AND ADVERSE EMPLOYMENT ACTTION

Adjustment in works duties I already discuss in **attached Exhibit I no** adjustment was made all my works duties was taken away and went I was lay-off in November 01,2010 still no work duties was given to me ok. I call Mike Edwards several time about this I was very happy to go because as I told him and Bobbie I was wasting

the tax payer money by coming into a office for which their was no work to do and I was hired to work and want to work for the check that I earn. The suffering I went through was mental distressing to me. After I filed the charges Bobbie & upper management e-mailed me it in their e-mail on 15th during that meeting Bobbie say I need to see someone and have my head check because I was not following the chain of command, I ask her for the county head doctor number after the meeting and she said I will give it you later never did.

THERE IS NO EVIDENCE THAT MELVIN PAYNE'S 2008 DECISION TO RELIEVE PLANTIFF FROM PERFORMING REQUESTION WORK ON THE ERP SYSTEM WAS BECAUSE PLAINTIFF HAD FILED AND SETTLED A 2003 EEOC CHARGE WITH THE HOUSING AGENCY.

In exhibit j their information concern requisition work (ERP). Melvin Payne never told me of the so call complaint of not putting the work in the system correct all the persons who start on that system the same time so, if the decision was not because of filing the charge why was I the only one taken off? Everyone was having trouble with entry information on requisition (ERP) I was the only one that was not having problems with my entry because I would get valid response and was using the right budget code it was upper management who took me off and Melvin Payne because the people I work with that was over the system was also upper management.

PLAINTIFF CANNOT DEMONSTRATE THAT THE COUNTY'S ARTICULATED REASONS FOR THE ADJUSTMENT IN DUTIES WAS A MERE PRETEXT FOR RETALIATION.

Plaintiff cannot demonstrate that the reason was a pretext for retaliate I feel I have already answer in the above exhibit's and if the court grant me to move on I will give more at that time. Causing a backlog in procuring parts hindered the operations of the Utilities not true at all my input was the high of all the other who input work into the system (ERP) all of who was inputting at that time could be put together and my numbers of input was more I have no reasons to lie about the unfairness that upper management allow to happen to me as my Bible train conscious will not allow me to lie about what happen to me.

CONCLUSION

Plaintiff requests that the court not grant the defendant from engaging in acts of discrimination and retaliation as this is prohibiting by law and award the plaintiff all damages she is entitled to and any other relief she is due that the court deems proper and just. I was put to death in the work world because of discriminatory and retaliatory acts that the defendant allow to happen to.

WHEREFORE, plaintiff Annie L. Grimes respectfully prays the court to deny summary judgment.

AFFIDAVIT OF ANNIE L. GRIMES

STATE OF FLORIDA)

COUNTY OF MIAMI-DADE)

I, ANNIE L. GRIMES, hereby swear to and affirm the following facts of which I have personal knowledge:

1. The statement in the above document are true facts that I have personal knowledge of.

2. All attachment that come from Miami-Dade County system.

FURTHER AFFIANT SAYETH NOT.

ANNIE L. GRIMES

SWORN TO AND SUBSCRIBED before the undersigned authority on this 26 day of APRIL, 2012. Affinity personally known or produced ID: FL DL.

Notary Public State of Florida
Ian S James
My Commission DD860180
Expires 04/03/2013

NOTARY PUBLIC

Respectfully submitted,

Annie L. Grimes, pro se
12200 N.E. 6th Avenue, # 209
North Miami, FL 33161

CERTIFICATE OF SERVICE

I hereby certify that on April 26 2012,U.S. Mail served the foregoing on all persons on the Service List.

Service List

R. A. Cuevas, Jr.
Miami-Dade County Attorney
Stephen P. Clark Center
111 N.W. 1st Street, Suite 2810
Miami, FL 33128

Eric A. Rodriguez
Assistant County Attorney
Miami-Dade County Attorney's Office
Stephen P. Clark Center
111 N.W. 1st Street, Suite 2810
Miami, FL 33128

EXHIBIT A

EEOC Form 161 (11/09)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Annie L. Grimes**
12200 NE 6th Avenue, #209
Miami, FL 33161

From: **Miami District Office**
2 South Biscayne Blvd
Suite 2700
Miami, FL 33131

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

EEOC Charge No.	EEOC Representative	Telephone No.
846-2009-02802	**Dennis Kendrick, Investigator**	**(305) 808-1807**

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

☒ 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

Enclosures(s)

Delner Franklin-Thomas,
Acting District Director

AUG 11 2010
EEOC Miami District Office
(Date Mailed)

cc:
William Candella, Assistant County Attorney
MIAMI DADE COUNTY
111 N.W. First St., Suite 2810
Miami, FL 33128

EEOC Form 5 (5/01)

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To: Agency(ies) Charge No(s):

- [ ] FEPA
- [X] EEOC — 846-2009-02802

and EEOC

State or local Agency, if any

Name *(indicate Mr., Ms., Mrs.)*	Home Phone *(Incl. Area Code)*	Date of Birth
Ms. Annie L. Grimes	**(305) 892-0051**	**07-22-1949**

Street Address / City, State and ZIP Code

12200 Ne 6th Avenue, #209, Miami, FL 33161

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. *(If more than two, list under PARTICULARS below.)*

Name	No. Employees, Members	Phone No. *(Include Area Code)*
MIAMI DADE COUNTY AVIATION	**500 or More**	**(305) 876-7300**

Street Address / City, State and ZIP Code

P.O. Box 592075, Miami, FL 33159

Name	No. Employees, Members	Phone No. *(Include Area Code)*

Street Address / City, State and ZIP Code

DISCRIMINATION BASED ON *(Check appropriate box(es).)*

- [ ] RACE
- [ ] COLOR
- [ ] SEX
- [ ] RELIGION
- [ ] NATIONAL ORIGIN
- [X] RETALIATION
- [ ] AGE
- [ ] DISABILITY
- [ ] OTHER *(Specify below.)*

DATE(S) DISCRIMINATION TOOK PLACE

Earliest	Latest
04-15-2008	**10-24-2008**

- [ ] CONTINUING ACTION

THE PARTICULARS ARE *(If additional paper is needed, attach extra sheet(s)):*

I a person who participated in an activity protected by Title VII when I filed a previous charge against Miami Dade County Aviation and resolved the issue by withdrawing my charge and signing a settlement agreement.

In retaliation, I was demoted from my work duties with the computer and assigned to work as a clerk.

I believe I am being retaliated against in violation of Title VII of the Civil Rights Act of 1964, as amended.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

Oct 24, 2008
Date

Charging Party Signature

NOTARY – *When necessary for State and Local Agency Requirements*

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.
SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(month, day, year)

EXHIBIT B

EXHIBIT I

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO: 10-23996-CIV-JORDAN

ANNIE L. GRIMES,

Plaintiff,

VS.

MIAMI-DADE COUNTY
Defendants.

_____/

PERSON OF INTEREST FOR : NOTICE OF DEPOSITION January 31, 2012

DEMOTED FROM MY WORK DUTIES

Luis R. Masia Ivon Gomez Sharron Grayson Alesia Henry

Diosdado Joe Fernandez Kelley Flores Bobbie Jones-Wilfork

UPPER MANAGEMENT AWARE OF WHAT WAS GOING ON

Bobbie Jones-Wilfork Kelley Flores Melvin Payne Carlos Jose

Michael Edwards William Candella

Aviation director office Jose Abreu

MIAMI – DADE PERSONEL DOCUMENT OF ME

Antonio M. Eiroa William Candella Michael Edwards

EVENT'S THAT SUPPORT MY CASE

The year of 2006 The year of 2007

Maybe Other name's during the trail.

Respectfully submitted,

Annie L. Grimes, pro se
12200 N.E. 6th Avenue, # 209
North Miami, FL 33161

CERTIFICATE OF SERVICE

I hereby certify that on January 31, 2012, during the deposition I submitted a copy to the name's of person's below.

Service List

Eric A. Rodriguez
Assistant County Attorney
Miami-Dade County Attorney's Office
Stephen P. Clark Center
111 N.W. 1st Street, Suite 2810
Miami, FL 33128

R. A. Cuevas, Jr.
Miami-Dade County Attorney
Stephen P. Clark Center
111 N.W. 1st Street, Suite 2810
Miami, FL 33128

EXHIBIT C

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Miami District Office

One Biscayne Tower
2 South Biscayne Blvd, Suite 2700
Miami FL, 33131
PH (305) 536-4476
TTY (305) 536-5721
FAX (305) 530-6121

(24)

Annie Grimes — Charging Party
12200 N.E. 6th Avenue, # 209
North Miami, FL 33161

Miami Dade Housing Agency — Respondent
c/o William X. Candela, Esq.
111 N.W. 1st Street
Suite 2810
Miami, FL 33128

Re: EEOC Charge No. 150-A2-03043
Annie Grimes v. Miami Dade Housing Agency

Please find enclosed the fully executed settlement agreement in the above matter. We thank you for participating in our alternative dispute resolution program.

This settlement agreement closes EEOC's processing of EEOC Charge No. 150-A2-03043. If you have any questions or concerns, please feel free to contact me.

Sincerely,

Gilbert Carrillo
ADR Coordinator
(305) 536-4476

August 29, 2002
Date

GC/nem

SETTLEMENT AGREEMENT

CHARGE NUMBER: 150 A2 03043

CHARGING PARTY: Annie Grimes

RESPONDENT: Miami Dade Housing Agency

1. In exchange for the promises made by **Miami Dade Housing Agency** pursuant to Charge Number **150 A2 03043, Annie Grimes** agrees not to institute a law suit under Title VII of the Civil Rights Act of 1964, as amended, based on EEOC Charge Number **150 A2 03043.**

2. Further we agree that submission of this agreement to EEOC will constitute a request for closure of EEOC Charge Number **150 A2 03043.**

3. It is understood that this agreement does not constitute an admission by Respondent of any violation of Title VII.

4. Respondent agrees that there shall be no discrimination or retaliation of any kind against any person because of opposition to any practice deemed illegal under Title VII, as a result of filing this charge, or for giving testimony, assistance or participating in any manner in an investigation, proceeding or a hearing under the aforementioned Act.

5. This document constitutes a final and complete statement of the agreement between the parties.

6. The parties agree that the EEOC is authorized to investigate compliance with this agreement and that this agreement may be specifically enforced in court by the EEOC or the parties and may be used as evidence in a subsequent proceeding in which a breach of this agreement is alleged.

7. As evidence of a good faith effort to resolve EEOC Charge Number **150 A2 03043,** Respondent offers and Charging Party accepts the following proposal of settlement:

Respondent agrees to pay the Charging Party a lump sum of $ 1,500.00. Respondent agrees to only provide nuetral letters of reference to Prospective employers. Prespective employers should contact Madeline Clodfelter. Respondent will mail

x A.G. WKC

Annie Grimes v. Miami Dade Housing Agency
Charge No.150 A2 03043
Page 2 of 2

Payment to Charging Party within 15 days of the signing of this agreement.

Miami Dade Housing Agency — Date 08/26/2002

Annie Grimes — Date 08/26/2002

In reliance on the promises made in paragraphs 1 through 7 above, EEOC agrees to terminate its investigation and to not use the above referenced charge as a jurisdictional basis for a civil action under Title VII of the Civil Rights Act of 1964, as amended. EEOC does not waive or in any manner limit its right to investigate or seek relief in any other charge including, but not limited to, a charge filed by a member of the Commission against the Respondent.

On Behalf of the Commission:

Federico Costales, District Director — Date 8/29/02