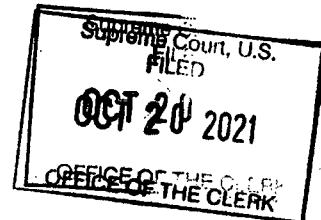


No. 21-5184

ORIGINAL

SUPREME COURT OF THE UNITED STATES

ELIZABETH PASTOR,  
Petitioner,



vs.

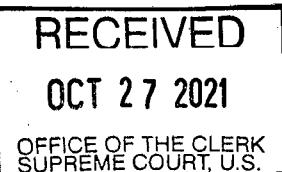
PARTNERSHIP FOR CHILDREN'S RIGHTS,  
Respondent

On Petition for Writ of Certiorari to the United States Court

**PETITION FOR RE-HEARING**

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October 20, 2021



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## **PETITION FOR REHEARING**

Pursuant to Supreme Court Rule 44, I Elizabeth Pastor, Pro-Se Litigant respectfully petitions for rehearing of the Courts decision issued on October 4, 2021. I move this court to grant this petition for a rehearing and to reverse the lower court's decision. Pursuant to Supreme Court Rule 44, this petition for rehearing is filed within 25 days of this Court's decision and is filed in good faith.

## **REASON FOR GRANTING THE PETITION**

The original writ of certiorari petition in this case presented the vital question of what basically the law says in respect to Title VII, and how it protects employees from retaliation, discrimination, color, race, disability, age, national origin, etc. The EEOC enforces the laws and the rights to be free from Retaliation all mentioned above. Unfortunately, the EEOC intervened when findings from respondent were incorrect, untrue and were misinterpret in this case when Respondent knowingly violated Title VII. The EEOC took the words of the Respondent and just placed it on paper without analyzing or conducting a thorough

investigation onto whether the employer caused injury and if they had the requisite number of employees (15 or more) for the purpose of Title VII.

In respect to this case, there was intentional deception that caused injury and interference due to Respondent's negligence and fraud that caused harm and resulted in the loss of my employment at no fault of my own. They discriminated due to race by preferring to hire younger white females to be employed in the organization and retaliated for speaking out the truth & complained about favoritism. This extended in occurring a worse situation of retaliation even after I returned from my disability leave that led to termination shortly after and Respondent stated that I was no good for nothing while in crutches and in my 40's.

The misrepresentation of my case and concealment of respondent's records brought suspicion that they had more employees under that radar as mentioned in the affidavit signed by the accountant. Their records were fabricated, and they were untruthful which made the lower courts overlook everything assuming there were less employees for the purpose of Title VII, so they ignored the harm which was violation of Title VII and my rights as an employee. The courts had access to the evidence in the exhibit and did not analyze the evidence in summary judgment. The affidavit-proof was from a very credible person who conducted the payroll, for Partnership of Children's Rights. The additional employees existed besides the ones listed only on their ADP payroll that was submitted. This is precisely what

happened here” Partnership had records that were not revealed because they used another account to pay other employees. But again, the merits of this case caused harm that has been swept under the rug. The number of employees too for the purpose of Title VII.

Especially when there was suspicion and respondent was reluctant to presenting documents that only were necessary but equally important. Its proximate cause of their bad conduct that basically raised a red flag.

Respondent’s negligence and poor conduct and unfair treatment was foreseeable in the occurring worse situations of retaliation and discrimination when they have provided a reassignment or accommodation vs. termination. Yet, their defense regarding my termination was “experiencing a hardship” which not only was untrue, but I was the only Hispanic and only person terminated and the rest of the younger white employees kept their job whether hired before or after me.

Their inconsistencies misguided everything in this case and has not risen to its facts. If a witness was needed, Alvin would be the one to ask about the number of employees and Ms. Joanne Kahn would be the one to speak to about racist and favoritism. She noticed herself thought she was one of the younger white employees who was hired.

This case would have been very different if there were no errors of review made by the courts below as it seemed irreparable when being denied on new evidence. Discovery was limited and so was time. Respondent records all appeared legitimate and sounded believable, but all their taxes and financial yearly reports weren't up to par and did not match with their payroll expenses. There was evidence of harm, and it has suggested that Partnership for Children's Rights had more employees, and that the interference was more /not less degree of certainty about discrimination and injury to a person.

The court should recognize the importance of reviewing records more closely and not discourage petitioners by deciding without facts while not having counsel.

## CONCLUSION

Elizabeth Pastor respectfully requests that this Court grant the petition for a re-hearing and order a review or argument on the merit of this case because the respondent played a substantial part in bringing about an injury and discriminatory act that caused a lot of harm for no reason at all.

This case does present an appropriate matter for consideration because it involves Fraud under Title VII, Retaliation, my age being a factor and the fact that courts have misrepresented the details in this case and is still open for a discussion/argument. It has allowed petitioner to exhaust court remedies when proof was submitted and has not been given full and fair consideration to correct the facts in dispute.

Respectfully Submitted,

A handwritten signature in black ink that reads "Elizabeth Pastor". The signature is fluid and cursive, with "Elizabeth" on the top line and "Pastor" on the bottom line.

Elizabeth Pastor

6801-21<sup>st</sup> Avenue, Brooklyn, NY 11204,

(347)578-0323

October 20, 2021

SUPREME COURT OF THE UNITED STATES

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Elizabeth Pastor

CASE NO. 21-5184

Petitioner

vs.

Partner for Children's Rights

Respondent

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**AFFIDAVIT OF SERVICE**

I Elizabeth Pastor, Petitioner and Pro Se Litigant is before The Supreme Court of the United States in Washington, DC. I hereby affirm the following under penalty of perjury:

That on the 20th day of October 2021, I served a true and correct copy of the foregoing Petition for Re-Hearing to the Supreme Court of the United States for review and consideration.

Jackson Lewis P.C.

Michael A. Frankel

44 South Broadway, 14<sup>th</sup> floor

White Plains, NY 10601

(914) 872-8060

By: Elizabeth Pastor

Dated: October 2021

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