

UNITED STATES SUPREME COURT

RE; MARJORIE A. CREAMER

#21-5881

PETITION FOR REHEARING is presented in good faith to UNITED STATES SUPREME COURT JUSTICES and CLERKS as is:

1) CASE #92 S 1673 Plaintiff, Marjorie A. Creamer, in District of Colorado HELD AS A BENCH TRIAL and plaintiff requested on the civil cover sheet of case #92S1673- JURY BY TRIAL

DENIED JURY TRIAL , THEREFORE BENCH discretion resulting in civil rights violation

2) DENIED JURY therefore defamation of character of Plaintiff, Marjorie A. Creamer and District of Colorado Judge Daniel B. Sparr and Plaintiff's attorney Andrew T. Brake, inadequate representation and DENIED TRIAL BY JURY,also

3) CREAMER DENIED APPEAL see attached Judge Daniel B. Sparr in 1994

4) Case #92S1673 becomes

5) PUBLISHED LAW June, 1996 86 F.3rd 167 (10th circuit 1996) no mention of RAPE AT WORK and supervisor calls the hostile action "pleasantries" in file see attached , black dispatcher of Laidlaw Bus Transit, John Chapman III LAW OF "SEVERE AND PERVASIVE", this is an exceptional circumstance

6) TESTIMONY IN CASE #03-1019 10th circuit appeal is offered and affidavit of Lisa Gold

7) Lisa Gold as well as Terri Danford employed after Marjorie Creamer's 1991 incidents, proving the hostile sexual work environment never corrected nor men never reprimanded

8) HIGHEST COURT should grant relief for EXTRAORDINARY JUSTICE and granted in this exceptional circumstance , time elapsed however this is still case law in the Federal Reporter

PETITION FOR REHEARING IS PRESENTED IN GOOD FAITH and DELAY IS DUE TO THE VIOLATIONS OF JUDGES, good reason, relief is extraordinary justice as FALSE CASE LAW in the FEDERAL REPORTER all these years.

IN THE UNITED STATES
SUPREME COURT

IN RE: MARJORIE A. CREAMER #21-5881

Motion Rehearing - 5th

#21-5881 U.S. Supreme Court Case
Enclosed page 16 - table of
authorities cited - Racial
Hostile Work

Environment, Racial and Sexual

Harassment as E-filing support

Clerks not filing #21-5881 rehearing

(4) motions for Rape at Work

"severe and pervasive" clause

year 1991 John Chapman III

Dispatcher was a black man

and a supervisory management
positioned employee for Laidlaw
(ie Flixbility) with his own
limosine company in Denver, CO

Laidlaw Liability of Sexual
Harassment for 3 monts and on
April 24, 1991 per 86 F.3^d 167
(10th circuit 1996) needs overtured
for RAPE on pool table "severe..."

U.S Courts Dist of
Colorado #92S1673

Maryon A Creamer

✓ Laidlaw

Cert of Mailing Jan 25, 2022
- Clerk of US Supreme
- Flixbility
(2-3)

PO Box 816
Bism Ko
67520
816-812-2803

U.S. Supreme Court

SDNY #19-02973

TABLE OF AUTHORITIES CITED

#21-5881

CASES

Tierra Williams v. Realty S. Corp

PAGE NUMBER

Meritor Savings Bank

Michelle Vinson

477 US 57 (1986)

(black men) 8, 6, 12, 13

dispatch
John Chapman III
(black men)

Harris v. Forklift Systems
510 US 17 (1993)

7, 6, 12

Faragher v. City of Boca Raton

STATUTES AND RULES

524 U.S. 775 (1998)

11 Chap
John Chapman

Sexual Harassment Policy

LAW (RTD)

DISPATCH

Bill of Rights - Constitutional

Amend #7 - jury

Amend #10 - appeal

20-
1 month

RAPE at Work

28 U.S.C. § 1651(a)

OTHER

False published "Seven or persuasive"

86 F.3d 167 (10th Cir 1996) - ALL

- articles, reviews written

- Bonta Barnett, EEOC action filed

#95M792 Dist of Colorado (3-3)

16-

①
G

2 incidents on April 24, 1961
to when I was seen

On April 24th at approximately 6:30 p.m. ~~at the~~
Greene came into the night office to get her

my office, Jack Hill also entered. After several minutes
of exchanging the usual pleasantries Mr. Hill handed over and
kissed Miss Greene on the left cheek of her face, and
proceeded to have the officer, Mr. Greene then made
the statement "I've never seen him like this before. Is he
always this happy after doing a favor. She never appeared
upset to me just terribly embarrassed. I asked Mr. Hill
that I thought his actions were totally excusable
for, and he continued to bid around firing off one favor
like always."

At about 6:45 I went into the Driver's lounge
area and I saw Mr. Hill physically lift Miss Greene
off the floor and set her upon the pool table. I asked
him to release the woman now, and that he should
explain to her what his intentions were. At that point
I left and am not sure of what was said afterwards.

John. Clayton III
Detective

11
J. J. [Signature]

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

FILED

UNITED STATES DISTRICT COURT
DENVER, COLORADO

Civil Action No. 92-S-1673

DEC 23 1994

MARJORIE A. CREAMER

JAMES R. MANSPEAKER
CLERK

BY

Plaintiff

VS

LAIDLAW TRANSIT, INC.

Defendant

ORDER DENYING LEAVE TO FILE
NOTICE OF APPEAL IN FORMA PAUPERIS

The matter before the Court is the Motion for Leave to Proceed on Appeal In Forma Pauperis and Affidavit in Support thereof. The Court has examined said motion and affidavit and finds that this appeal is not taken in good faith. It is therefore,

ORDERED that the Motion for Leave to Proceed on Appeal In Forma Pauperis is denied.

DATED at Denver, Colorado this 21st day of December, 1994.

BY THE COURT:


JUDGE, UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

(118)

AFFIDAVIT OF LISA GOLD

STATE OF COLORADO)
) SS.
CITY AND COUNTY OF DENVER)

I, Lisa Gold, being of lawful age, and being first duly sworn upon oath, state and allege:

1. I began working at Laidlaw Transit on or about August of 1991 and resigned approximately two years and two months later. I was employed this entire time, with the exception of taking three months off for maternity leave.

2. While at Laidlaw Transit, I experienced several encounters and witnessed many incidences of what I consider to be sexual harassment and an extremely sexually hostile working environment.

3. The first specific encounter that I can remember involved a Don Showalter, who was one of the teachers of the classroom portion of our training. During our breaks, while going through this training, he would say things like "I love women", and he would constantly flirt with me during class and while on break. Additionally, he consistently gave many different women hugs during the breaks and was always putting his arm around the women in the training class. To the best of my knowledge, his physical actions were in no way solicited or encouraged by any of the women that were on the receiving end of his affections.

4. During the driving portion of our training shortly after I stated, Charlie Adilon, who was a driving instructor, made specific comments to me that his first wife had the ability to take

care of his needs one hundred percent, and that his current wife was not into it. His comments suggested to me that he was not being sexually fulfilled and that he was, in reality, soliciting my favors. I told Mr. Showalter of Mr. Adilon's comments and behavior towards me and told him that I did not want him as a driving instructor anymore. I filed a complaint with the company, and Mr. Adilon was suspended for four days for sexual harassment.

5. Another incident involved Don Showalter who was a supervisor/weekend dispatcher. He got on a bus I was getting ready to take out on or about October of 1991. After he entered the bus, he gave me a hug and it was apparent to me that he was sexually attracted to me. A couple days later, Mr. Showalter told me that he was going to have to quit working at Laidlaw because he could not have an affair with me while he was working there. I spoke with Mr. Showalter a few times after this incident, and nothing more came of it. I did not report this incident to Laidlaw Transit.

6. I gave some of the drivers hair cuts for extra income while I was working at Laidlaw Transit. On one occasion, I gave an individual, Yogi, a hair cut. Shortly after I did this, he wrote me a love letter, stating that he wanted to have an affair with me. My husband found this letter and it made our marriage very uncomfortable for a period of time as a result of Yogi writing this letter to me.

7. I remember many incidences involving Mr. Jack Hoff wherein he would constantly make comments towards the female

drivers like "come here and give me a kiss," or "give me a big hug sweetie," and things of that nature. These comments were unsolicited and unwelcome, but it did not seem to deter his interest in making such comments to the female drivers. Steve Hawkins, another driver, had touched me on several occasions but was never reprimanded for it.

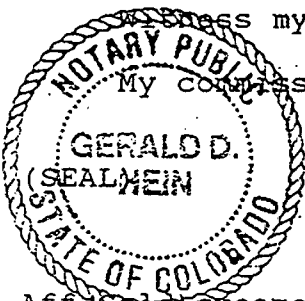
9. In addition to the above-named incidences, the atmosphere at Laidlaw Transit was, in my opinion, very sexually hostile towards the female drivers. It is further my belief that the management of Laidlaw Transit had been informed of many of the incidences that occurred with the female drivers, and were aware of the type of behavior. For instance, it seemed that every time I walked into the drivers room, men would be talking nasty, and making comments to each other like "Do you want to f--- her" and telling jokes. I would constantly overhear the single men talking to each other about what they did in bed with a woman and many of the drivers were constantly making passes at certain female drivers. Some female drivers would be tagged "easy" and I would hear comments from the male drivers that certain females would go for anyone who asked. I would hear comments about what it would be like to "eat pu--y and f---ing" certain people. The male drivers were always talking about their penis sizes and grabbing female drivers as they made these comments. The atmosphere in the Laidlaw Transit was horrible, and made me very uncomfortable. Every time I walked into the drivers room, I was always aware of who was going to make a pass at me or make a

sexual comment to me. I was advised by some people there to keep my mouth shut or in the alternative just walk away from it. If you didn't, you were considered a trouble maker and all the drivers would make your life at Laidlaw very difficult.

FURTHER AFFIANT SAYETH NOT

Lisa Gold
Lisa Gold

Subscribed and sworn to before me this 31st day of October, 1994 by Lisa Gold.



My commission expires: January 9, 1998

Gerald D. Hein
Notary Public

Aff. Gold, Creamer's disc

Certificate of Mailings
US Mail
for good show of cause

February 10, 2021

Myra A Cleaman

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- US Supreme Court
- FlixMobility