

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLORADO

Civil Action No.: 1:23-cv-02740-GPG-SBP

Oluwanisola Abolaji,
Plaintiff,

v.

Brandy Melendy, Ronald Melendy, Teri Doehring, St. Vrain SCHOOL DISTRICT RE-1J,
Defendants.

Third Amended COMPLAINT

A. PLAINTIFF INFORMATION

- **Oluwanisola Abolaji**
524 Hawthorn Cir
Frederick, CO 80530
Phone: 720-245-0971
Email: Sola@nfa-fk.com

Plaintiff Oluwanisola Abolaji, on behalf of himself, submits this amended complaint and Jury Demand against Defendants, collectively referred to as “Defendants,” as follows:

B. DEFENDANT(S) INFORMATION

- **Plaintiff Information:** Plaintiff Oluwanisola Abolaji is a natural person who is and, at all times relevant to this Complaint, has been a resident of the State of Colorado, African American (Black), and a citizen of the United States of America.
- **Defendants:**
 - **St. Vrain SCHOOL DISTRICT RE-1J:** An entity operating in Colorado, Mr. Abolaji's employer, and an “employer” as defined by Title VII and the Colorado Anti-Discrimination Act (CADA).
 - **Frederick High School (FHS):** A high school operated by St. Vrain SCHOOL DISTRICT RE-1J, located at 5690 Tipple Pkwy, Longmont, CO 80504.
 - **Brandy Melendy and Ronald Melendy:** Residents of the State of Colorado, associated with Frederick High School. Their home address is 5474 Wetlands Dr, Frederick, CO 80504.

- **Teri Doehring:** A resident of the State of Colorado and associated with Frederick High School. Address: 10303 County Road 25, Fort Lupton, Co 80621-9606
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C. JURISDICTION

This action arises under the Constitution and laws of the United States of America and the State of Colorado, including Article III, Section 1 of the United States Constitution.

Jurisdiction of this Court is invoked pursuant to 28 U.S.C. §§ 451, 1331 & 1343, and 42 U.S.C. § 1988, as amended by the Civil Rights Attorney Fee Award Act of 1976.

This action is authorized and instituted pursuant to Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e et seq.; the Colorado Anti-Discrimination Act, Colo. Rev. Stat. 24-34-401 et seq.; and 42 U.S.C. § 1981.

Venue lies in this judicial district under 28 U.S.C. § 1391(b) as all of the unlawful employment practices alleged herein occurred in the State of Colorado.

D. FACTUAL ALLEGATIONS

1. Plaintiff, an African-American male of Nigerian descent, was employed by St. Vrain School District RE-1J as the head boys' and girls' soccer coach at Frederick High School for the 2021-2022 school year.
2. Plaintiff faced racially motivated harassment and discrimination by various defendants, including but not limited to:
 - **Accusations of illegal recruitment and inappropriate behavior:** Teri Doehring falsely accused Plaintiff of recruiting her 8th-grade son in violation of CHSAA and district policies, a claim Plaintiff recognized as racially motivated.
 - **Harassment during soccer games:** Plaintiff endured verbal abuse and racial slurs from Brandy Melendy, who called Plaintiff a "Nigger."
 - **Retaliatory actions:** Following Plaintiff's complaints, he was suspended and eventually replaced by a white coach, Josh Woita.
3. **Impact on Plaintiff's Business:**
 - Plaintiff had an agreement with Ty Gordan, the FHS athletic director, to use school facilities for his private soccer business, which allowed Plaintiff to run the business at no cost.

- Defendants' defamatory and discriminatory actions damaged Plaintiff's reputation within the community and led to the loss of access to school facilities, harming his business.

4. Harassment at Public Facilities:

- Plaintiff was racially discriminated against by Josh Woita, who harassed him at public parks and recreation centers, unlawfully barring Plaintiff from using facilities while white counterparts were not similarly restricted.

5. January 2022 Incident:

- Teri Doebling accused Plaintiff of recruiting her son illegally, which Plaintiff recognized as false and motivated by racial bias.
- Mr. Gordan acknowledged that there was no merit to Doebling's accusations but failed to take appropriate action.

6. February and March 2022 Incidents:

- Mr. Gordan communicated that multiple parents, including the Melendys and Doeblings, were upset with Plaintiff's use of school facilities to run his private soccer company.
- Plaintiff expressed concerns about the racial motivations behind the accusations, but no actions were taken by Mr. Gordan.

7. March 2022 Incident:

- Mr. Melendy harassed Plaintiff during a soccer game. Plaintiff reported the incident, but the harassment continued, with the Melendys recruiting other parents to join in.

8. April 2022 Incidents:

- On April 2, Plaintiff was aggressively confronted by a parent during a game, which other coaches recognized as racially motivated.
- Despite assurances from Mr. Gordan, the harassment persisted, and Plaintiff was suspended from an April 19 game after further false accusations from the Melendys.

9. April 21, 2022 Incident:

- Upon Plaintiff's return to coaching, the Melendys led a group of people to heckle Plaintiff, with Mrs. Melendy calling him a "Nigger."

10. April 22, 2022 Meeting:

- Plaintiff communicated his fears and concerns to Mr. Gordan, who did not address the racism but instead informed Plaintiff that he could no longer use school facilities for his business.

11. Further Retaliation:

- After being fired, Plaintiff was threatened with charges of stealing school property by Mr. Gordan.
- Mr. Woita, who replaced Plaintiff, made slanderous remarks, damaging Plaintiff's reputation further.

12. August 30, 2023 Incident:

- At a public park, Mr. Woita and Mrs. Dirks taunted Plaintiff about his firing and threatened to call the police on him, falsely accusing him of threatening to kill Mrs. Dirks.

13. Failure to Address Discrimination:

- Despite Plaintiff's reports of harassment and safety concerns, Defendants did nothing to prevent the ongoing harassment.

14. **Damages:** Plaintiff experienced severe emotional distress, anxiety, loss of employment, and damage to his professional reputation, private soccer business, and ultimately forcing his resignation.

E. CLAIMS FOR RELIEF

First Claim for Relief: Hostile Work Environment, Harassment, and Discriminatory Treatment Because of Race in Violation of 42 U.S.C. § 1981 and Title VII (Against Defendants St. Vrain SCHOOL DISTRICT RE-1J, Brandy Melendy, and Ronald Melendy)

15. **Incorporation of Allegations:** Plaintiff realleges and incorporates by reference all preceding paragraphs as if fully set forth herein.
16. **Unlawful Discriminatory Practices:** Defendants St. Vrain Valley School District engaged in unlawful discriminatory practices, creating a hostile work environment and subjecting Plaintiff to discriminatory treatment based on his race.
17. **Specific Incidents of Harassment and Discrimination:** Defendants Brandy and Ronald Melendy engaged in repeated acts of harassment and racial discrimination against Mr. Abolaji, including verbal abuse and racial slurs.
18. **Unlawful Employment Practices:** The discriminatory practices carried out by Defendants, including failure to address complaints and actions of Defendants, constituted a hostile work environment.
19. **Violation of Federal and State Laws:** The unlawful employment practices violated Mr. Abolaji's rights under 42 U.S.C. § 1981, Title VII, and CADA.
20. **Harm and Damages:** Plaintiff suffered significant harm, including loss of employment opportunities, emotional distress, and damage to reputation.
21. **Intentional Conduct and Reckless Indifference:** Defendants acted with malice or reckless indifference to Mr. Abolaji's federally protected rights.
22. **Prayer for Relief:** Plaintiff requests compensatory damages, punitive damages, injunctive relief, attorneys' fees, and any other relief the Court deems just and proper.

Second Claim for Relief: Retaliation (Against Defendants St. Vrain Valley School District)

23. **Incorporation of Allegations:** Plaintiff realleges and incorporates by reference all preceding paragraphs.

24. **Retaliatory Actions:** Defendants retaliated against Plaintiff for his complaints and charges of racial discrimination, including terminating his use of school facilities, employment and threatening to press theft charges on Plaintiff.

25. **Harm and Damages:** Plaintiff suffered economic damages, loss of reputation, loss of private soccer business and mental anguish.

26. **Prayer for Relief:** Plaintiff requests compensatory and punitive damages, and other relief deemed just and proper.

Third Claim for Relief: Defamation (Against Defendants Brandy Melendy, Ronald Melendy, and Teri Doebling)

27. **Statements by Teri Doebling:** In January of 2022, Defendant Teri Doebling (hereinafter "Mrs. Doebling") wife of former FHS highschool soccer coach Jay Doebling, published false and defamatory statements via email to Mr. Abolaji and Ty Gordan (Frederick High School Athletic Director, hereinafter "Mr. Gordan") accusing Plaintiff, Mr. Abolaji, of illegally recruiting her 8th-grade son in violation of Colorado High School Activities Association (CHSAA) and St. Vrain Valley School District athletic bylaws.

28. Mrs. Doebling's statements were false, malicious, and made with the intent to harm Plaintiff's professional reputation.

29. The statements were communicated to Mr. Gordan and others within the school district, causing widespread dissemination.

30. As a direct and proximate result of Mrs. Doebling's false and defamatory statements, Plaintiff's employment was jeopardized, leading to violations of CHSAA bylaws and damage to his reputation.

31. The statements made by Mrs. Doebling were made with actual malice, knowing they were false or with reckless disregard for the truth, and constituted defamation per se as they accused Plaintiff of actions that would be criminal or unethical.

32. Plaintiff has suffered economic damages, loss of opportunity, loss of reputation, and mental anguish as a direct result of these defamatory statements and is entitled to an award of compensatory and punitive damages.

33. **Statements by Brandy Melendy, Ronald Melendy, and Emma Melendy:** During the months of February, March, and April of 2023, Defendants Brandy Melendy, Ronald Melendy, and their daughter Emma made false and defamatory statements accusing Plaintiff of calling players "fat," being physically and emotionally abusive, engaging in sexually inappropriate conduct with Frederick High School soccer players, attempting to fight Brandy Melendy, and FHS athletic director Ty Gordan had to physically restrain Plaintiff from attacking Mr. and Mrs. Melendy.

34. These statements were communicated to school officials and others, leading to widespread dissemination and harm to Plaintiff's reputation.

35. The statements made by the Melendy Defendants were false, defamatory, and made with the intent to cause harm to Plaintiff's professional and personal reputation.

36. As a direct and proximate result of these false and defamatory statements, Plaintiff's employment and standing within the community were harmed, resulting in economic damages, loss of opportunity, loss of reputation, and mental anguish.

37. The Melendys acted with actual malice, knowing the statements were false or with reckless disregard for the truth, and their actions constituted defamation per se.

38. Plaintiff is entitled to compensatory and punitive damages as a result of the Melendy Defendants' defamatory actions.

F. REQUEST FOR RELIEF

39. Plaintiff respectfully requests that this Court:

- **Assume Jurisdiction** over this action;

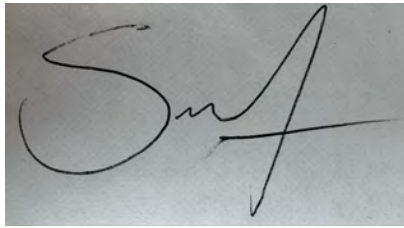
- **Enter judgment in favor of Plaintiff** and declare that Defendants have violated the Colorado Anti-Discrimination Act, 42 U.S.C. § 1981, 42 U.S.C. § 1983, Title VII of the Civil Rights Act, and Title I of the Americans with Disabilities Act (ADA), 42 U.S.C. § 12111 et seq.;
- **Order Defendants to revise their policies, practices, and procedures** to ensure compliance with federal and state anti-discrimination laws, including public acknowledgment of false allegations made against Plaintiff;
- **Grant appropriate remedial relief** to make Plaintiff whole.
- **Award compensatory damages** for Plaintiff's pain and suffering, emotional distress, humiliation, loss of income, loss of enjoyment of life, and other damages resulting from Defendants' actions;
- **Award back pay with pre-judgment interest**, front pay, a gross-up adjustment for taxes, and any subrogation interests;
- **Grant exemplary and/or punitive damages** as allowed by law;
- **Award attorneys' fees and costs**, including expert witness fees, as permitted by law;
- **Award pre-judgment and post-judgment interest** at the highest lawful rate;
- **Grant such other and further relief** as the Court deems just, proper, and equitable.

Plaintiff further **demand a trial by jury** on all issues so triable.

DATED: 8/30/24

Respectfully submitted,

Oluwanisola Abolaji

A handwritten signature in black ink, appearing to be 'Sola', written on a light-colored background.

524 Hawthorn Cir
Frederick, CO 80530
Phone: 720-245-0971
Email: Sola@nfa-fk.com