

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

DELLA J. DUMBAUGH, Ph.D,

Plaintiff,

v.

Civil Action No.: 3:19cv57 (JAG)

UNIVERSITY OF RICHMOND,

Defendant.

**JURY TRIAL
DEMANDED**

AMENDED COMPLAINT

The plaintiff Della J. Dumbaugh, Ph.D (“Dr. Dumbaugh”), by counsel, pursuant to the Court’s Orders of September 10, 2019 and October 1, 2019, submits this Amended Complaint against the defendant University of Richmond (“UR”), representing unto the Court as follows:

INTRODUCTION

Dr. Dumbaugh is a Professor of Mathematics at UR. She bring this civil action because she was subjected to a hostile work environment on account of her female sex while serving as an Associate Dean in the UR School of Arts and Sciences (“A&S”) by the male Dean of that School, Patrice Rankine. Dean Rankine frequently and repeatedly humiliated Dr. Dumbaugh, and treated her contemptuously in the presence of colleagues and faculty, which he never did to male associate deans or faculty, in an effort to silence her and discourage her from speaking in meetings or engaging in her duties as Associate Dean. Dean Rankine also assigned her tasks only to reassign them to male colleagues without informing her, and after she had performed much of the work assigned.

The Dean's behaviors undermined her authority and credibility, and prevented her from performing her duties. The workplace hostility displayed served to alter the terms and conditions of her employment as an Associate Dean, on account of her female sex, in violation of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e-2 ("Title VII").

THE PARTIES

1. Dr. Dumbaugh is an individual residing in the City of Richmond, Virginia. She is a tenured Professor of Mathematics, in the School of A&S at UR.

2. UR is a private institution of higher learning that serves undergraduate and graduate college students on its campus in the City of Richmond, Virginia.

3. At all times during the events complained of herein, UR employed a sufficient number of individuals to be deemed a "respondent" for purposes of Title VII, as understood under 42 U.S.C. § 1981a(b)(3)(D).

JURISDICTION AND VENUE

4. Jurisdiction over plaintiff's claims is based on 28 U.S.C. § 1331 (federal question jurisdiction) and 28 U.S.C. § 1343(3) (violation of civil rights). Venue is proper in this District as it is the situs of the events complained of herein.

ALLEGATIONS

5. Dr. Dumbaugh joined the faculty of UR's Department of Mathematics and Computer Science in August, 1994. Over the course of her 24 years she earned tenure and became a full Professor of Mathematics. She has co-authored one book, co-edited another, published more than 42 articles in scholarly journals, delivered more than 90 presentations in prestigious academic conferences across the world, and served UR on a number of committees and in capacities critical to the success and continued advancement of the University's mission and reputation.

6. Dr. Dumbaugh was awarded UR's Distinguished Educator Award and the Virginia Council of Higher Education's "Outstanding Faculty Award." As a faculty member, she created courses for UR's First Year Seminar and Sophomore Scholars in Residence programs, among others. Drawing from her research, she has created travel courses to Vienna, Austria and guided the work of many undergraduate research projects. Dr. Dumbaugh excelled in a field dominated by males; only 11 percent of full professors in mathematics in the United States are female.

7. In March 2016, Patrice Rankine, Ph.D was named Dean of UR's School of A&S. The Department of Mathematics and Computer Sciences is one of 22 departments within that School.

8. Soon thereafter, Dean Rankine selected Dr. Dumbaugh to serve as Associate Dean to assist him in the Office of the Dean of the School of A&S, along with the two other associate deans who continued in those positions. This was anticipated to be a three-year assignment, with possible reappointment for three additional years. Dr. Dumbaugh's record and breadth of experience made her a natural fit for this position.

9. During the first several months, Dr. Dumbaugh and Dean Rankine developed a cordial and collaborative working relationship. The mutually-respectful relationship suddenly turned adverse in April 2017, however, after she brought to his attention some faculty criticism of him over a particular incident.

10. During a faculty-wide recognition dinner on April 3, 2017, the Dean was expected to deliver prepared remarks introducing newly-tenured faculty from his School describing the academic research in which faculty member was engaged. Being new to UR, the Dean was not aware that he was expected to deliver such remarks, and performed the best he could under the circumstances without advance preparation.

11. At a Dean's Office staff meeting the next morning, April 4, 2017, the Dean expressed his embarrassment over the episode and wondered aloud if the staff had any knowledge that he had performed as poorly as he feared. Some in the meeting apologized for not giving the Dean advanced notice of the expectations. Then he specifically asked if anyone had received any negative feedback. Dr. Dumbaugh remained quiet until the Dean pressed her. She initially responded, "I plan to talk to you about what I learned at our [biweekly] meeting." The Dean insisted she speak up then and there. Dr. Dumbaugh told the Dean that, yes, some School of A&S faculty members had contacted her and expressed disappointment that they were not given the recognition from the Dean that faculty from other schools had received. Dean Rankine lashed out at her saying, "That's coming from a position of low esteem!"

12. Dr. Dumbaugh was astounded at this outburst, especially because it occurred in public and was intended to humiliate her after he had specifically pressed her for the information. At her next biweekly meeting with the Dean, she brought up the issue and he apologized and asked her to let him know if he behaved this way again. From then on, however, Dean Rankine made a series of cutting comments designed to demean Dr. Dumbaugh in public settings or in the presence of her academic or Dean's Office peers.

13. In various staff meetings in late April and May 2017, Dean Rankine directed sharp remarks towards Dr. Dumbaugh, including telling her not to "panic," which reinforced a stereotype that Dr. Dumbaugh, as a woman, was acting hysterically. When characterizing her statement, "I'd like to discuss the Undergraduate Research Committee budget," at an Associate Dean's meeting on April 26, 2017, for example, as one of "panic," the Dean conveyed a negative perception of Dr. Dumbaugh to her colleagues. With these types of responses, the Dean systematically humiliated her because she was a woman.

14. In one particular meeting on April 28, 2017, Dr. Dumbaugh again asked the Dean to refrain from ridiculing her in front of her colleagues. He became very angry. When she sought to change the subject by asking if they could move onto the next item on the agenda, he shouted “You are not in charge of this meeting!” Dr. Dumbaugh was obliged to remain composed and professional despite the Dean’s outburst. Dean Rankine exercised domination over Dr. Dumbaugh and showed that he had the power to humiliate her. By refusing to treat Dr. Dumbaugh with respect, the Dean indicated that he didn’t want her participating in meetings. This reinforced in Dr. Dumbaugh the need to remain silent while the Dean and his male colleagues carried on the work of the Dean’s Office. This behavior stifled Dr. Dumbaugh’s ability to perform her duties as Associate Dean.

15. In May 2017, the Dean assigned Dr. Dumbaugh to take over responsibility for the upcoming New Faculty Orientation. When she reported to him later that month her preliminary arrangements so that he could participate, he demanded in anger, “Why do you make these plans without checking with me?” Not only did this response cause her significant anxiety, but it also undermined her authority and diminished her credibility with the faculty and staff of the Dean’s Office. The Dean’s conduct towards Dr. Dumbaugh made it difficult to accomplish the tasks assigned to her, despite her best efforts to remain diligent and take initiative whenever possible.

16. On June 20, 2017, Dean Rankine asked Dr. Dumbaugh to ensure enrollment openings and course offerings for First Year Registration would meet registration demands, which was scheduled for July 14. This proved to be a time-consuming task, as she had to contact several department chairs about enrollments for courses that involved both full time faculty and adjunct professors. It also required some tactful diplomacy in persuading faculty that they might need to abandon cherished classes with low enrollments or raise caps in other courses. Dr. Dumbaugh

had learned these strategies from her predecessor who, to her knowledge, was not criticized for doing them.

17. Dr. Dumbaugh saw the Dean in the hallway of the Dean's office and presented her preliminary conclusions to the Dean. He threw his head back in disgust and criticized her for "singling out chairs this way." This shaming occurred in the presence of an administrative assistant, and was later repeated in an e-mail. Dr. Dumbaugh took the Dean's reaction as direction to cease any discussions with department chairs over course offerings.

18. At the same time, the Dean barred Dr. Dumbaugh from working with the Associate Provost who had provided the preliminary data for first year enrollments to the Dean's Office. This prevented Dr. Dumbaugh from completing her assignments. Dr. Dumbaugh learned after her resignation that that the Dean barred other women from contacting necessary personnel to complete their assigned tasks. She also learned the following year, when another Associate Dean had assumed this responsibility, that the Dean emailed the chairs and program coordinators on June 27, 2018 celebrating that this new male Associate Dean and the Associate Provost "have been bringing together data on the incoming students' anticipated majors and the current available seats...I have asked the Associate Deans to follow up with some of you regarding specific cases in which we might use more creative strategies."

19. On July 3, 2017, however, the Dean *asked* Dr. Dumbaugh to call department chairs about under-enrolled courses. She asked for clarification and reminded him that he had just recently expressed criticism for her doing just that. The Dean snapped, "I don't like hallway conversations." Even with her near quarter-century of work at the highest level of the profession, the Dean went to extreme efforts to impede her success with these belittling remarks.

20. Later that same day, Dr. Dumbaugh and Dean Rankine met with other members of his office staff to discuss a budget matter. A male colleague presented a complicated spreadsheet, and the Dean calmly told him “I’m having a difficult time understanding this spreadsheet.” The Dean then asked Dr. Dumbaugh about a Faculty Research Committee issue over which he had previously expressed frustration. She prefaced her comment with “I know this might make you frustrated or angry,” to which Dean Rankine responded with clear consternation, “When have I been frustrated or angry? This comment is not constructive. It is not helpful.” These sorts of stinging comments repeatedly humiliated Dr. Dumbaugh and undermined her credibility as a woman and as a colleague. The Dean frequently demeaned other women, creating a toxic environment for female faculty and staff in the Dean’s Office. The other woman in this meeting resigned her position eleven days later

21. Not only was Dr. Dumbaugh once again embarrassed in front of staff she respected, she realized that the Dean never reacted that way to male colleagues who prefaced difficult news with, “This is going to piss you off,” or words to that effect. In fact, when a male Associate Dean used the exact phrase, “This is going to piss you off” in a similar type of situation, the Dean encouraged him by replying, “Try me.” Instead, Dean Rankine reserved his derogatory remarks for Dr. Dumbaugh and other women.

22. By this time, Dr. Dumbaugh learned that the Dean had reassigned some tasks to male colleagues that he had previously assigned to her, without informing her that the project had been reassigned. In one particular case, Dr. Dumbaugh had spent several weeks exploring the Undergraduate Research Committee and reporting updates to the Dean in their biweekly meetings. When she gave the first two reports on May 23 and June 7, 2017, he encouraged her

with phrases like “This will be great [for the budget manager]” and “This will be great when we talk to [the VP for Planning & Policy].”

23. On June 20, 2017, however, after Dr. Dumbaugh presented another round of data, the Dean inexplicably asked, “Now why are you doing this?” On July 6, he asked for her data and on July 11 he handed her a piece of paper allocating these responsibilities elsewhere. When Dr. Dumbaugh tried to express her disappointment about this reassignment when they were poised for the year ahead, he cut her off. She was reminded again that the Dean used the power of his position to silence her.

24. On August 7, 2017, Dean Rankine reappointed Dr. Dumbaugh as Associate Dean for another year. His letter included an expectation, “That you continue to communicate with me openly in an environment of trust and confidentiality.” This stunned her since he consistently criticized her for communicating in an open and candid manner and shut her down if she suggested an alternative viewpoint. His letter attempted to normalize behavior that humiliated and silenced her, but she refrained from bringing up this contradiction with the Dean since it would only lead to further humiliation.

25. Upon information and belief, Dean Rankine reappointed Dr. Dumbaugh for another year as Associate Dean because he would have had to justify removing Dr. Dumbaugh involuntarily for misconduct (of which there was none) had he done so in the middle of her intended three-year appointment.

26. Dr. Dumbaugh’s frustration came to a head during a staff retreat on August 21, 2017. The Dean began the retreat by asking the staff to evaluate their “love languages” via a survey inspired by the book *The Five Love Languages: The Secret to Love that Lasts*. One Associate Dean (male) immediately expressed concern about an assessment tool in a professional setting

that included “physical touch” as one of the attributes. The Dean did not respond negatively to this input but, rather, justified his decision by citing his veterinarian’s success with this tool in her office. After the staff members completed the survey and relayed their results to the group, the Dean led an amusing conversation about expressing “words of affirmation.” The Dean said to the first member of the staff, “You are a ‘words of affirmation’ person: You are doing a good job.” Everyone laughed. Dr. Dumbaugh was next. He said, again, “You are a ‘words of affirmation’ person: You are doing a good job.” The male Associate Dean seated immediately to Dr. Dumbaugh’s left positioned his face 6 inches from hers and said, “So you want affirming words, just not from this close distance.” The group laughed. Amid the laughter, she lightheartedly said “We just discussed how these words only count if they are not spoken disingenuously.” The entire group laughed again. But Dean Rankine stopped the meeting and icily said, “That is so low.” Dr. Dumbaugh tried to apologetically rephrase what she said, but he repeated “That is so low.” When she later explained that she meant the comment as playful jest in the spirit of the meeting at that moment, he stated, “You called me disingenuous.” This type of comment does not align with Dr. Dumbaugh’s character or with what Dean Rankine often referred to as her “strong moral code.” A colleague later privately told Dr. Dumbaugh that she observed disdain towards her in the Dean’s expression throughout the meeting. It became clear to her that the Dean would look for and create opportunities to criticize and belittle her no matter what her intentions. Colleagues from Dean Rankine’s former institution, Hope College, would later inform Dr. Dumbaugh that he had also implemented this practice of twisting the words of competent women to shame them while serving as Dean for the Arts & Humanities at that institution.

27. Two days after the above incident, exasperated with being constantly humiliated, undermined and discredited on account of her female gender, Dr. Dumbaugh resigned as Associate Dean on August 23, 2017, Dr. Dumbaugh communicated her resignation by telephone (followed by letter) to the Dean. He replied simply, “Okey, dokey.” He e-mailed her immediately to confirm his acceptance of her resignation in writing. The next day, Dean Rankine asked Dr. Dumbaugh to stay until October 13 to help in the transition of her replacement.

28. Dean Rankine did not express any disappointment or bewilderment at hearing Dr. Dumbaugh’s resignation; nor did he ask for an explanation. Upon information and belief, the Dean was relieved that Dr. Dumbaugh understood his repeated humiliations and challenges to her authority as promptings for her resignation, which saved him from the need to remove her involuntarily.

29. On Tuesday, September 5, 2017, the Dean tepidly announced to Academic Council (a bi-weekly meeting of chairs of departments and program coordinators) that Dr. Dumbaugh planned to return to her department. This seemingly innocuous announcement prompted one department chair to ask Dr. Dumbaugh whether “you made the decision or the decision was made for you.”

30. On September 14, 2017, the Dean blandly announced Dr. Dumbaugh’s resignation to an assembly of the School of A&S faculty. According to the approved faculty meeting minutes (which the Dean customarily reviewed carefully before they were submitted to the faculty), the Dean stated simply: “Della Dumbaugh will be returning to her position in the math department on October 13.” The Dean’s brusque announcement offered no acknowledgement of Dr. Dumbaugh’s contributions to the School, made no expression of gratitude for her efforts, and did

not ask the faculty to signify appreciation for her service, all of which were standard protocol when associate deans return to their departments.

31. This announcement stood in stark contrast to the Dean's announcement to the same assembled faculty seven months later when a male Associate Dean returned to the faculty after an interim appointment. The approved faculty minutes of April 12, 2018 state:

There is one other person that I really want to take a moment to thank for all that this person has given of himself and of his talents to UR over the years, but especially during my first two years as your dean. Two years ago in the spring, I got the call that I'd be your Dean. I don't know how many people know this, but I interviewed on one of our big snow storms in Richmond, in February 2016. Campus shut down with accumulation of less than an inch. I had come from a place where we skied to work - honestly - some people skied to work. The first day of my interview was cancelled, and this person had the foresight and thoughtfulness to ask then-Provost [name withheld], who was co-chairing the committee with him, if he might make sure I was ok and not holed up in the hotel all day. We spent some good time that day walking around VMFA, where we also ran into [administrator name withheld] and [faculty member name withheld]. We talked about the importance of shared governance in academic leadership, and many other topics. When I got the job, I sort of immediately imposed a practice that I was used to at Hope College. You see, Hope is a place that prided itself on a spirit of hospitality. It was part of our ethos. In 3 years at Hope, I ate at and visited more faculty homes - and they mine - than I had in my entire 15 years at Purdue. So, naturally, when I got the job, I invited myself to his house for dinner, I along with 2 other guests who were accompanying me to campus. In the same spirit of hospitality that I was used to, despite the imposition, this person said yes, in service of UR and A&S, and he has said yes, thoughtfully, patiently, and with questions aimed at your best interest, each time. He said yes to leading the Concept 30 planning process. He said yes again to serving as Interim Associate Dean, extending the C30 work into the Dean's Office, along with all the other duties of an Associate Dean in A&S. I know that his yesses have been on your behalf, in the spirit of hospitality, so that we can continue *to live into* our best promise as a community of learners in A&S. As [Associate Dean name withheld] returns to his scholarship and teaching in the Department of History, please join me in thanking him - and his family - for their humility, service, and his yesses, on our behalf.

32. Dr. Dumbaugh's concern is not about hurt feelings, but rather the esteem of her fellow professors who were deliberately given the impression that the Dean pushed her out for poor performance. His conspicuous refusal to offer some gracious remarks about Dr. Dumbaugh's departure fed perceptions among several faculty members that she had been

fired. One faculty member raced to her following the meeting and asked, “What was that about?” Three faculty members told her they concluded that she was fired, and a fourth was later informed by faculty who attended the meeting that Dr. Dumbaugh had been fired. The Dean’s dismissive attitude diminished the esteem with which her colleagues held her. He intentionally used the faculty meeting to publicly shame Dr. Dumbaugh. His willingness to intentionally discredit Dr. Dumbaugh before long-time colleagues in a public setting only underscored his inclination to demean and humiliate her in private.

33. Dr. Dumbaugh’s reputation for academic excellence and professional competence – that she carefully developed over the course of her 24-year career at UR – was suddenly and needlessly tarnished by the Dean. The Dean only exacerbated the injury by his intentional shaming in his announcement of Dr. Dumbaugh’s departure from his office.

34. Between April 4 and August 23, 2017, Dr. Dumbaugh had 15 *scheduled* meetings with the Dean and other Dean’s Office colleagues. In at least 9 of those meetings the Dean insulted her, stripped her of some responsibilities, encouraged her to work on data then asked her for the data and removed responsibility without warning, and he asked her to complete tasks then criticized her for doing just that. In one unscheduled meeting in the hallway the Dean threw his head back in disgust and criticized her for doing exactly what he asked her to do. In her August 23 resignation phone call and his “okey, dokey” response, the humiliation only continued. Thus, in 17 interactions that she had with the Dean, she experienced hostility in 11.

35. Dr. Dumbaugh is aware of several other female faculty and staff members at UR, including some in the Dean’s Office, who have experienced hostility from Dean Rankine. Many have resigned their positions so as to avoid contact with him. Others continue to suffer in their positions. Some of these women suffered similar humiliation and/or were barred from contacting

necessary personnel to complete their assigned tasks. These women maintained the highest standards of professionalism as they fulfilled the responsibilities of their position and, naturally, internalized and blamed themselves for the problems. Resignations of talented women in the Dean's Office in May, July and August 2017, and February, November, and December 2018 demonstrate a pattern in the Dean's demeaning behavior towards women. Several staff members have taken new positions elsewhere, causing professional disruption and personal inconvenience.

36. To Dr. Dumbaugh's knowledge, five and possibly six female faculty and staff members have left the Dean's office because of similar disparate treatment by the Dean. Three of the six staff who resigned were initially replaced by men. All six women are thriving in their new positions. After suffering in the A&S Dean's office, many of them have been tapped for leadership positions and enhanced training in their new roles. The Dean's problem was not solely with Dr. Dumbaugh, but with confident, assured and accomplished woman in what is still a male-dominated field.

37. Two of the resigning women who suffered under Dean Rankine had exit interviews with UR's Human Resources Department, and in the interviews called attention to the Dean's behavior. At least one of these women identified the "pattern" of the Dean's behavior towards women. Two other women, plus Dr. Dumbaugh, were not offered exit interviews. One woman who resigned did not feel confident that participating in an exit interview would change anything, and so declined.

38. One woman who was not initially offered an exit interview wrote the university leadership on February 15, 2019. She described a similar mutually-respectful relationship with Dean Rankine that suddenly turned adverse. She chronicled a confusing scheduling issue that

involved several people on campus and prompted Dean Rankine's anger one Friday. He called her into his office and berated her. According to her statement to UR:

He raised his voice at times, cut me off when I tried to speak, and said he could not believe that I was "making excuses" for what I had done...He scolded and criticized me while I sat there and sobbed until finally I got up and left quickly. Some of my colleagues saw this.

39. This staff member thought that was the end of the matter but awakened on Monday "to another email from Dr. Rankine articulating the same points all over again. After reading it, I was too distraught to go to work that day." She also documented having "observed Dr. Rankine upset at least two other women in the A&S Dean's office including Dr. Dumbaugh and make unprofessional comments about female faculty members."

40. A former colleague of Dean Rankine's from his prior employment as Dean of Arts & Humanities at Hope College wrote to UR leadership on February 9, 2019 describing similar types of belittling and discriminatory behavior towards women at that institution.

41. After her resignation, Dr. Dumbaugh retained legal counsel to send a letter to UR's Provost Jeff Legro on November 2, 2017, advising the University of Dean Rankine's discriminatory conduct towards her, and explaining the reason for her resignation as Associate Dean. The letter also informed the Provost that other women – faculty and staff alike – had been similarly subjected to discrimination because of their female gender.

42. Dr. Dumbaugh thereafter met in person with Provost Legro on January 21, 2018 and explained how the Dean's public mishandling of her resignation seemed to deliberately feed the perception that she had been fired from her position, which diminished her professional standing with the School of A&S and the University. Dr. Dumbaugh reiterated that other women had been subjected to discrimination by the Dean but the Provost did not ask her for the women's

identities. Accordingly, neither the Provost nor the University made any effort to follow up with the women affected.

43. This daily mistreatment of women members of the faculty and staff stands in marked contrast to the publicly stated values of the university that include the promotion of inclusivity and diversity.

44. Upon information and belief, Dr. Dumbaugh was constructively discharged from her position as Associate Dean of the UR School of A&S on account of her female gender, in violation of Title VII.

45. As a direct result of being constructively discharged from her position as Associate Dean, Dr. Dumbaugh has lost a valuable opportunity for career advancement within UR, and prestige within her academic field. She has also suffered lost earnings, damage to her professional reputation, and she has suffered substantial emotional distress, humiliation and embarrassment.

46. Dr. Dumbaugh exhausted the remedies available to her by filing a Charge of Discrimination with the U.S. Equal Employment Opportunity Commission (“EEOC”) on or about April 4, 2018 alleging sex discrimination. Dr. Dumbaugh received a Notice of Right to Sue (Issued on Request) from the EEOC dated October 30, 2018.

COUNT I
CLAIM AGAINST UR FOR HOSTILE WORK ENVIRONMENT
UNDER TITLE VII, 42 U.S.C. § 2000e-2

47. By persistently humiliating and undermining Dr. Dumbaugh in a manner that prevented her from performing her assigned job duties, on account of her female gender, including engaging in a pattern and practice of disrespecting her as a fellow faculty member, as described herein, Dean Rankine subjected her to a hostile work environment that was sufficiently

severe and pervasive to alter the terms and conditions of her employment, and thereby create a hostile working environment, such that UR violated her rights under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e-2.

48. Dr. Dumbaugh's injuries under this Count entitle her to an award for (a) loss of past and future earnings, including fringe benefits; (b) humiliation, pain and suffering, emotional distress, and loss of personal and professional reputation; (c) injury to her future career; (d) punitive damages; (e) attorney's fees under 42 U.S.C. § 1988; and (f) costs of suit.

WHEREFORE, the plaintiff Della J. Dumbaugh, Ph.D demands a judgment against the defendant University of Richmond in the amount of ONE MILLION DOLLARS (\$1,000,000.00) in compensatory and punitive damages; plus attorney's fees, costs of suit, and such other and further relief as this Court may deem just and proper.

Respectfully submitted,

DELLA J. DUMBAUGH, Ph.D

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CERTIFICATE OF SERVICE

I hereby certify that on the 8th day of October, 2019, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

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