

COMMONWEALTH OF PENNSYLVANIA

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PENNSYLVANIA HUMAN RELATIONS COMMISSION

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COMMISSION

Marilynn J. Phillips, PH.D. and Robert B.
Winans, Ph.D.,
Complainant

v.

www.BoroughVent.com aka Deborah Golden,
Respondent

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: PHRC Case No. 200705059
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AMENDED COMPLAINT

JURISDICTION

1. Jurisdiction is pursuant to the Pennsylvania Human Relations Act 43 P.S. §§951-963.

PARTIES

2. The Complainants herein are:

Marilynn J. Phillips, PH.D. and Robert B. Winans, Ph.D.
2673 Oswald Drive
Hampstead MD 21074

3. The Respondent herein is:

www.BoroughVent.com aka Deborah Golden
c/o Gettysburg Signs
Buford Avenue
Gettysburg PA 17325

UNDERLYING FACTS

4. Complainants have filed complaints of discrimination against various entities in the Gettysburg area.
5. Complainants Phillips and Winans are married.

Count 1

Harassment (class related)

Disability - Has a Disability - Discrimination

6. Paragraphs 1 through 5 are incorporated herein by reference as though set forth in full.
7. Complainant Phillips has post-polio syndrome and severe osteoporosis.
8. Complainant Phillips condition is permanent.
9. Complainant Phillips uses a wheelchair.
10. "BoroughVent" is an open to the public venue.
11. Respondent is owned and/or operated by Eugene ("Gene") Golden aka Venter, (Administrator), Deb Golden aka deb g (Moderator) and Matt Calley aka MattC (Enforcer).
12. According to Respondent's rules, BoroughVent is a means of discussing issues about the Borough of Gettysburg and issues of Regional interest.
13. According to Respondent's rules, personal attacks are not welcome on the site, and the moderators vow to intervene, remove or close a post, or ban/remove a member.
14. Respondent has violated the BoroughVents' Forum Rules and Disclaimers in the relentless intimidation of Complainants.

15. Complainants contend that Respondent goaded and encouraged Forum users to berate, insult, demean and utilize various means of intimidation against Complainants because Complainants lawfully filed complaints with the Pennsylvania Human Relations Commission (PHRC) and/or opposed practices violative of the Pennsylvania Human Relations Act (PIIRA).
16. Respondent used unreasonable profanity in verbal assaults against Complainants, in particular, against Complainant Phillips.
17. Respondent referred to Complainant Phillips in sexual, scatological, sexist and disability-bigoted language, including, but not limited to the following:
18. On August 18, 2007, VENTER posted: ".....She and her husband are no more than extortionists and terrorists.....".
19. On August 18, 2007, ENFORCER posted "Beware shop owners, the Bitch on Wheels... who sues people to have handicap ramps, has hit three stores today...This woman's extortion ends NOW!".
20. On August 18, 2007, MODERATOR posted "I think we should have posters in all of the business (sic) downtown with her photo explaining what she is doing."
21. On August 20, 2007, ENFORCER posted " Just post those pictures. I'm ready to yell at her if I see her coming down the block. I hope you also got pictures of the ol man to (sic)".
22. On August 21, 2007, ENFORCER posted "Speaking of head-hunting, that's what I want from this couple: their head (figuratively, of course)">.
23. On October 21, 2007 VENTER posted: "We are not pawns in your game, we are not soldiers in your battle. When you get your shit together, then you can come back to Gettysburg and let us know. Until then, leave this town alone.
24. The aforementioned are currently posted at www.BoroughVent.com.
25. Respondent intimated throughout the verbal assaults against Complainants that only those with disabilities who did not assert their civil rights under the PHRAAct would be tolerated in "their town".

26. Respondent initiated and cajoled others to "run Complainants out of town" because of Complainants' accessibility in public accommodations complaints lawfully filed with the PHRC.
27. Respondent's intimidation caused Complainants to fear for their safety during their occasional visits to Gettysburg, Pennsylvania, where Respondent and many of www.BoroughVent.com forum members reside and/or own businesses.
28. Based upon the foregoing, we allege that the respondent violated Sections 5(d) and 5(e) of the Pennsylvania Human Relations Act 43 P.S. 951-963.
29. The Complainants pray that the respondent be required to provide all appropriate remedies under § 9 of the Pennsylvania Human Relations Act.

VERIFICATION

I hereby verify that the statements contained in this complaint are true and correct to the best of my knowledge, information, and belief. I understand that false statements herein are made subject to the penalties of 18 PA.C.S. § 4904, relating to unsworn falsification to authorities.

March 28, 2008

(Date Signed)

Marilynn J. Phillips + Robert B. Winans

Marilynn J. Phillips, PH.D. and Robert
B. Winans, Ph.D.