

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

**LAWRENCE DIKE,
PLAINTIFF**

VS.

**COLUMBIA HOSPITAL CORPORATION OF
BAY AREA, INDIVIDUALLY AND D/B/A
CORPUS CHRISTI MEDICAL CENTER;
BAY AREA HEALTHCARE GROUP, LTD.,
INDIVIDUALLY AND D/B/A CORPUS
CHRISTI MEDICAL CENTER; AND HCA
HEALTHCARE, INC.,
DEFENDANTS**

§
§
§
§
§
§
§
§
§
§
§

CIVIL ACTION NO. _____

JURY DEMAND

PLAINTIFF'S ORIGINAL COMPLAINT

I. JURISDICTION AND VENUE

1. This is a civil action against Defendants, Columbia Hospital Corporation of Bay Area, Individually and d/b/a Corpus Christi Medical Center; Bay Area Healthcare Group, Ltd., Individually and d/b/a Corpus Christi Medical Center; and HCA Healthcare, Inc., for damages in violation of rights guaranteed to Plaintiff under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §2000e, et seq. in accordance with its provisions against race, color, and national origin discrimination and retaliation. More specifically, this action seeks monetary damages, including mental anguish, and all other appropriate relief to which Plaintiff is entitled under the law on account of race, color, and national origin discrimination and retaliation.

2. This is a civil action against Defendants, Columbia Hospital Corporation of Bay Area, Individually and d/b/a Corpus Christi Medical Center; Bay Area Healthcare Group, Ltd., Individually and d/b/a Corpus Christi Medical Center; and HCA Healthcare, Inc., for damages in violation of rights guaranteed to Plaintiff under 42 U.S.C. §1981, §1981a regarding the right to

make and enforce contracts and full and equal benefits under the statute. More specifically, this action seeks monetary damages, including mental anguish, and all other appropriate relief to which Plaintiff is entitled under the law on account of race and color discrimination, hostile work environment, and retaliation.

3. The jurisdiction of this Court is invoked pursuant to 42 U.S.C. §2000e-5(f)(3), 42 U.S.C. §1981, 28 U.S.C. §1343(a), 28 U.S.C. §1331, as amended and venue is proper pursuant to 28 U.S.C. §1391(b) for acts committed within this judicial district.

II. PARTIES

4. Lawrence Dike, (hereinafter Plaintiff), a Black African male and former employee, was an individual employed by an employer as contemplated by Title VII of the 1964 Civil Rights Act, as amended, 42 U.S.C. §2000e(a). Plaintiff was a resident of Corpus Christi, Nueces County, Texas at the time of the incident. Plaintiff is a citizen of the United States and at all times relevant to this complaint was a resident of this division.

5. Defendant, Columbia Hospital Corporation of Bay Area, Individually and d/b/a Corpus Christi Medical Center (hereinafter Medical Center or Defendant), is a corporation organized and registered to do business under the laws of the State of Texas and doing business in Nueces County, Texas and is an employer as contemplated under Title VII of the 1964 Civil Rights Act, as amended, 42 U.S.C. §2000e(b). This entity is identified as Plaintiff's employer on his pay stub issued to him because of the employment made the basis of this lawsuit and this entity is being sued as Plaintiff's employer in this lawsuit. Service of process may be served upon CT Corporation System, registered agent of Bay Area Healthcare Group, Ltd., d/b/a Corpus Christi Medical Center, whose address is 1999 Bryan Street, Suite 900, Dallas, Texas 75201-3136. This Defendant is an independent legal entity, and it is an affiliate under the corporate umbrella of HCA Healthcare,

Inc. a publicly traded entity which owns and operates over 180 hospitals at multiple sites, including surgery and urgent care centers, in multiple states and internationally.

6. Defendant, Bay Area Healthcare Group, Ltd., Individually and d/b/a Corpus Christi Medical Center, (hereinafter Medical Center or Defendant), is a domestic limited partnership registered to do business under the laws of the State of Texas and doing business in Nueces County, Texas and is an employer as contemplated under Title VII of the 1964 Civil Rights Act, as amended, 42 U.S.C. §2000e(b). It has two general partners, Columbia Hospital Corporation of Bay Area and South Texas Surgicare, Inc. This Defendant is Plaintiff's employer and/or joint employer and it owns and operates hospital facilities located at Corpus Christi Medical Center Doctors Regional, 3315 Alameda, Corpus Christi, Texas; Corpus Christi Medical Center – The Heart Hospital, 700 Williams Dr., Corpus Christi, Texas 78412; Corpus Christi Medical Center Bay Area, 7101 South Padre Island Drive, Corpus Christi, Texas 78412; Corpus Christi Medical Center – Bayview, 6629 Wooldridge Road, Corpus Christi, Texas 78414 and Corpus Christi, Medical Center – Cancer Center, 1625 Rodd Field Road, Suite 200, Corpus Christi, Texas 78412; ER 24/7 Northwest located at 13725 Northwest Blvd., Corpus Christi, Texas 78410; ER 24/7 Portland located at 1702 Highway 181 North, Suite A-11, Portland, Texas 78374; and ER 24/7 Rockport located at 400 Enterprise Blvd., Rockport, Texas 78382. Service of process will be served as provided under the Federal Rules of Civil Procedure.

7. Defendant, HCA Healthcare, Inc. ("HCA"), is a business incorporated under the laws of the State of Delaware and doing business in Nueces County, Texas (hereinafter Medical Center or Defendant). This Defendant is Plaintiff's joint employer and/or it was an integrated enterprise with Columbia Hospital Corporation of Bay Area, individually and d/b/a Corpus Christi Medical Center, at all times made the basis of this lawsuit and is an employer as contemplated under Title

VII of the 1964 Civil Rights Act, as amended, 42 U.S.C. §2000e(b). This Defendant may be served by serving its registered agent: the Corporation Trust Company, Corporation Trust Center, 1209 Orange St., Wilmington, DE 19801. This Defendant may alternatively be served by waiver pursuant to the Federal Rules of Civil Procedure.

III. ADMINISTRATIVE PROCESS

8. On or about December 22, 2017, Plaintiff filed his initial written charge of discrimination on the basis of race, color national origin and retaliation with the U.S. Equal Employment Opportunity Commission (EEOC), which was amended on or about April 27, 2018.

9. Subsequently, the U.S. Equal Employment Opportunity Commission issued and sent a Dismissal and Notice of Rights, dated September 30, 2021, to Plaintiff, which he subsequently received.

10. Plaintiff has exhausted his administrative remedies with EEOC and has timely filed this action.

IV. FACTS

11. Plaintiff Lawrence Dike is a Black African who was born in Nigeria, a country in West Africa. Mr. Dike's ethnicity, cultural and linguistic characteristics are of the Black African people of Nigeria. Although fluent in English, Mr. Dike speaks Igbo and speaks with a Nigerian accent.

12. On or about June 27, 2016, Plaintiff, Lawrence Dike, was hired by the Corpus Christi Medical Center (hereinafter Medical Center or Defendant) to work as a Certified Nurse Assistant and paid \$13.52 an hour, along with benefits, including medical and dental coverage. When he was initially hired by the Medical Center, Plaintiff was assigned to the Bariatric Unit and Plaintiff's immediate supervisor was Christine Goodwine, who was a charge nurse for the Medical Center located at 7010 South Padre Island Drive, Corpus Christi, Texas 78412. Ms. Goodwine reported

to Ms. Merissa Zamora, Nursing Manager, whose immediate supervisor was Mr. Jason Sewell, Director of Nursing.

13. As a Certified Nurse Assistant for the Medical Center, Plaintiff's duties and responsibilities were to work closely and directly with medical patients in a number of different circumstances under the guidance and direction from medical staff responsible for the care of patients within the medical facility. Generally, Plaintiff was responsible for working with and helping patients with various activities, monitoring the vital signs of patients, and reporting the condition of patients, including their physical and emotional conditions, to name a few.

14. While Employed at the Medical Center, Plaintiff satisfactorily performed his duties as a Certified Nurse Assistant and met the performance standards established by the Medical Center. For Plaintiff's Initial 90 Day Appraisal, on October 7, 2016, Mike Conwill, Director, Human Resources for the Medical Center noted that Plaintiff satisfactorily completed the "initial competencies" and demonstrated satisfactory performance of duties per job description during 90-day evaluation period. What's more, Mr. Conwill commented in Plaintiff's Initial 90 Day Appraisal that Plaintiff was an "Exceptional CNA Asset to the Unit".

15. The following year, on or about July 5, 2017, Plaintiff was evaluated by his supervisor, Ms. Zamora who documented Plaintiff's annual evaluation wherein it noted "Satisfactory Completion of Employment Year", where his Summary of Strengths noted, "Team player, helpful, customer-service oriented and dependable", to name a few. This was backed up by numerous "Kudos 2 U" . . . "for making a difference in our patients' lives" issued by Ms. Zamora. Moreover, for his first-year anniversary, Ms. Zamora wrote a personal note to Plaintiff "Just want to say thank-you for all your hard work & to let you know I do appreciate you".

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.