

# EXHIBIT

# A

**REGISTER OF ACTIONS**  
**CASE No. 2021DCV2611**

**Mirelle Devenney vs Empower Behavioral Health, LLC**

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Case Type: **Wrongful Termination**  
 Date Filed: **07/29/2021**  
 Location: **327th District Court**

**PARTY INFORMATION**

<b>Defendant</b>	<b>Empower Behavioral Health, LLC</b>	<b>Lead Attorneys</b>
<b>Plaintiff</b>	<b>Devenney, Mirelle</b>	<b>ENRIQUE CHAVEZ, Jr.</b> <i>Retained</i> 915-351-7772(W)

**EVENTS & ORDERS OF THE COURT**

<b>OTHER EVENTS AND HEARINGS</b>		
07/29/2021	<b>Original Petition (OCA)</b>	<b>Index # 1</b>
07/29/2021	<b>E-File Event Original Filing</b>	
07/29/2021	<b>Other Pleading</b>	<b>Index # 2</b>
08/02/2021	<b>Citation</b>	
	Empower Behavioral Health, LLC	
	Served	08/10/2021
	Response Due	09/06/2021
	Returned	08/20/2021
09/07/2021	<b>Answer</b>	<b>Index # 4</b>

MIRELLE DEVENNEY,  
Plaintiff,

v.

Cause No.

EMPOWER BEHAVIORAL HEALTH, LLC,  
Defendant.

PLAINTIFF'S ORIGINAL PETITION AND JURY DEMAND

TO THE HONORABLE JUDGE OF SAID COURT:

Plaintiff MIRELLE DEVENNEY ("Employee Devenney" or "Plaintiff") now files her Original Petition against Defendant EMPOWER BEHAVIORAL HEALTH, LLC ("Employer EBH" or "Defendant") and respectfully shows as follows:

I. DISCOVERY LEVEL

1. Discovery is intended to be conducted under level 2 of Rule 190 of the Texas Rules of Civil Procedure.

II. PARTIES

2. Plaintiff, Mirelle Devenney, is a natural person residing in El Paso County, Texas.
3. Defendant, Empower Behavioral Health, LLC, is a domestic limited liability company organized under the laws of the State of Texas, and may be served with process by serving its registered agent, Natesh Kumar, at 9510 Leopard Street, Corpus Christi, Texas 78410, or wherever Defendant may be found.

III. VENUE

4. Pursuant to Texas Civil Practice and Remedies Code Section 15.002, venue is proper in El Paso County, Texas because all or a substantial part of the events or omissions giving rise to Employee Autry's claims occurred in El Paso County, Texas.

#### IV. CHRONOLOGY OF FACTS

5. Employers must never treat employees differently just because of their race to protect employees, like us all, from emotional traumas and financial losses from illegal discrimination.
6. Employers must prevent racial discrimination and harassment in the workplace to protect employees, like us all, from emotional traumas and financial losses from illegal discrimination.
7. Employers must prevent job retaliation against employees who, in good faith, oppose and report illegal racial discrimination at work to protect employees, like us all, from emotional trauma and financial losses due to job terminations.
8. Defendant Empower Behavioral Health, LLC is an employer.
9. Employer EBH must never treat employees differently just because of their race to protect employees, like us all, from emotional traumas and financial losses from illegal discrimination.
10. Employer EBH must prevent racial discrimination and harassment in the workplace to protect employees, like us all, from emotional traumas and financial losses from illegal discrimination.
11. Employer EBH must prevent job retaliation against employees who, in good faith, oppose and report illegal racial discrimination at work to protect employees, like us all, from emotional trauma and financial losses due to job terminations.
12. On August 2020, Employer EBH hires an Employee as a Board Certified Behavior Analyst in Employer EBH's El Paso clinic.
13. The Employee is Hispanic/Mexican-American.

14. On or about October 2020, Employer EBH terminates its Clinical Director for Employer EBH's El Paso clinic, does not replace the Clinical Director, and the Employee begins performing the Clinical Director's duties.
15. Employer EBH has the Employee work directly with Employer EBH's students -- special needs children with autism -- and their families.
16. Employer EBH chooses to not provide the Employee with a company cell phone, requiring the Employee to use her personal cell phone to communicate with the families of Employer EBH's special needs autistic students.
17. Employer EBH is aware the Employee communicates with the families of Employer EBH's special needs autistic students daily through her personal cell phone.
18. On February 2021, due to the the Employee's good performance, Employer EBH raises the Employee's salary by \$10,000.00.
19. On March 2021, Employer EBH hires Bianca Sanchez, whom is Caucasian, as a Board Certified Behavior Analyst.
20. Beginning in March 2021, and continuing through July 2021, Employer EBH's Behavior Analyst Bianca Sanchez makes racist statements directed at Hispanics and Mexican-Americans, including:
  - a. "You guys [Employee and other employees] have really heavy accents."
  - b. Complaining that "all the menus in El Paso are in Spanish."
  - c. Complaining because the Employee and other employees sometimes play "Spanish" music.
  - d. Excoriating the Employee and others because they sometimes speak Spanish, including times when Employee and others speak Spanish to communicate with parents and special needs children whom only speak Spanish.
  - e. Telling the Employee -- in regards to a Hispanic/Mexican-American special needs autistic student -- "take the child out of the sun before he gets darker."

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