**IN THE UNITED STATES BANKRUPTCY COURT**
**FOR THE DISTRICT OF DELAWARE**

| | |
|---|---|
| In re: | Chapter 11 |
| AMERICAN SIGNATURE, INC., *et al.*,[1] | Case No. 25-12105 (JKS) |
| Debtors. | (Jointly Administered) |
| | **Docket Ref. No. 970** |

**Hearing Date: September 10, 2026 at 9:30 a.m.**

**DEBTORS' OBJECTION TO THE MOTION OF JAMYLA NOBLE FOR RELIEF FROM THE AUTOMATIC STAY IN THESE CASES**

The above-captioned debtors and debtors in possession (the "Debtors") hereby respond (the "Objection") to the *Pro Se Claimant Jamyla Noble's Motion for Relief from the Automatic Stay Pursuant to 11 U.S.C. §362(d)(1)* [Docket No. 970] (the "Motion") filed by Jamyla Noble (the "Movant"). In support of the Objection, the Debtors respectfully represent as follows:

**Preliminary Statement**

1. The Movant seeks relief from the automatic stay in order to prosecute their claims against the Debtors in the United States District Court for the Southern District of Indiana. The Debtors oppose the Movant's request for two reasons. First, unsecured claims in bankruptcy should be liquidated in this Bankruptcy Court and not piecemeal in courts throughout the country. Second, because the Debtors lack insurance to cover claims such as those asserted by the Movant and the defense of any action in other courts will be borne solely by the estates,

[1] The Debtors in these Chapter 11 Cases, along with the last four digits of each Debtor's federal tax identification number are: American Signature, Inc. (6162); American Signature Home Inc. (8573); American Signature USA Inc. (6162); ASI Pure Promise Insurance LLC (6162); ASI Elston LLC (7520); ASI – Laporte LLC (6162); ASI Polaris LLC (6162); ASI Thomasville LLC (6162); and American Signature Woodbridge LLC (6162). The Debtors' business address is 4300 E. 5th Avenue, Columbus, OH 43235.



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granting a relief from stay to permit a non-bankruptcy court action to proceed against the Debtors may expose the estates to significant liability. For these reasons, and the additional reasons set forth in detail below, the Movant's request for relief from stay should be denied.

**Background**

2. On November 22, 2025 (the "Petition Date"), each Debtor filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code. The Debtors are operating their business and managing their property as debtors in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code. On November 25, 2025, the Court entered an order [Docket No. 72] authorizing the procedural consolidation and joint administration of these chapter 11 cases pursuant to Bankruptcy Rule 1015(b) and Local Rule 1015-1. On December 4, 2025, the United States Trustee for the District of Delaware (the "U.S. Trustee") appointed an official committee of unsecured creditors [Docket No. 119] (the "Committee"). No request for the appointment of a trustee or examiner has been made in these chapter 11 cases (the "Chapter 11 Cases").

3. After the Petition Date, and without obtaining relief from the automatic stay, Movant filed an employment discrimination action against the Debtors in the United States District Court for the Southern District of Indiana (the "Indiana District Court") docketed as *Noble v. American Signature, Inc.*, Case No. 1:26-cv-000841-JPH-KMB (the "Indiana Action").

4. On April 18, 2026, Movant filed a proof of claim in the Debtors' cases (Claim No. 10844) (attached hereto as **Exhibit A**, the "Movant's Claim").

5. On June 9, 2026, the Indiana District Court entered an order staying the Indiana Action due to the automatic stay in the Debtors' Chapter 11 Cases.

6. On or about July 24, 2026, the Movant sent a copy of the Motion to the Bankruptcy Court. On July 28, 2026, the Bankruptcy Court docketed the Motion at Docket No. 970.

7. In the Motion, the Movant seeks relief from the automatic stay to permit the Indiana Action to proceed to liquidate the claims against the Debtors. Movant provides that they will not "enforce, execute upon, or collect any judgment against the Debtors or property of the bankruptcy estate" through liquidation of the Indiana Action, and treatment of judgment shall be subject to the further order of the Bankruptcy Court.

8. The Debtors have no insurance policies that would provide coverage for the claims asserted in the Motion and the Movant's Claim.[2] If the automatic stay is lifted and the Indiana Action is re-commenced, the Debtors will be responsible for obtaining counsel in Indiana and paying the costs of defending the Indiana Action. Alternatively, the Debtors may need to incur costs related to removing the Indiana Action to the Bankruptcy Court for liquidation.

**Argument**

**Movant Has Not Provided Sufficient Grounds to Modify The Automatic Stay.**

9. The automatic stay is one of the most fundamental protections provided to a debtor under the Bankruptcy Code. See Midatlantic Nat. Bank v. New Jersey Dept. of Envtl.

[2] See Docket No. 13, *Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtor to (A) Maintain Insurance and Surety Coverage, and Letters of Credit Entered Into Prepetition, (B) Renew, Amend, Supplement, Extend, or Purchase Insurance Policies, Surety Bonds, and Letters of Credit, (C) Continue to Pay Broker Fees, and (D) Honor and Renew Their Premium Financing Agreements, and (II) Granting Related Relief*, at Exhibit C (listing Debtors' insurance policies).

Prot., 474 U.S. 494,503 (1986). As recognized by the Third Circuit, the purpose of the automatic stay is to:

> prevent certain creditors from gaining a preference for their claims against the debtor; to forestall the depletion of the debtors' assets due to legal costs in defending proceedings against it; and, in general, to avoid interference with the orderly liquidation or rehabilitation of the debtor.

Borman v. Raymark Indus., Inc., 946 F.2d 1031, 1036 (3d Cir. 1991).

10. Pursuant to section 362(d) of the Bankruptcy Code, a movant must demonstrate sufficient cause to justify lifting or modifying the automatic stay. Although the Bankruptcy Code does not define what constitutes cause, "courts generally consider the policies underlying the automatic stay [and] . . . the competing interests of the debtor and the movant." American Airlines, Inc. v. Continental Airlines, Inc. (In re Continental Airlines, Inc.), 152 B.R. 420, 424 (D. Del. 1993) (citation omitted). In particular, Delaware courts consider the following three factors in balancing the competing interests of the parties:

(a) whether any great prejudice to either the bankrupt estate or the debtors will result from continuation of the civil suit;

(b) whether the hardship to the non-bankrupt party by maintenance of the stay considerably outweighs the hardship to the debtor; and

(c) the probability of the creditor prevailing on the merits.

Continental, 152 B.R at 424; see also Save Power Ltd. v. Pursuit Athletic Footwear, Inc. (In the matter of Pursuit Athletic Footwear, Inc.), 193 B.R. 713, 718 (Bankr. D. Del. 1996) (citing Izzarelli v. Rexene Products Company (In the matter of Rexene Products Company), 141 B.R. 574, 576 (Bankr. D. Del. 1992)).

11. The Movant "bear[s] the heavy and possibly insurmountable burden of proving that the balance of hardships tips significantly in favor of granting relief as against the

hardships to the debtor in denying relief." In re Micro Design, Inc., 120 B.R. 363,369 (E.D. Pa. 1990); see also In re Metro Transp. Co., 82 B.R. 351, 352 (Bankr. E.D. Pa. 1988) (reviewing precedent establishing the "difficult task" of unsecured creditors in obtaining relief from the stay). The moving party has the initial burden in proving its prima facie case that cause exists to lift the stay. Pursuit Athletic, 193 B.R. at 718 (citation omitted). If the moving party proves its prima facie case, the burden shifts to the debtor to rebut the creditor's case and prove that the automatic stay should not be lifted. Id.; 11 U.S.C. § 362(g). If the moving party, however, fails to prove its prima facie case, the court should deny the motion for relief from the stay without any showing by the debtor that the stay should remain intact. See, e.g., Sonnax Industries, Inc. v. Tri Component Products Corp. (In re Sonnax Industries, Inc.), 907 F.2d 1280, 1285 (2d Cir. 1990).

12. The Movant has failed to satisfy the burden of proving that cause exists to modify the automatic stay at this time because (a) modification of the automatic stay would impose substantial prejudice on the Debtors, (b) the balance of hardships weighs heavily in favor of the Debtors, and (c) the Movant has not demonstrated any probability of success on the merits in the Indiana Action. Therefore, the Motion should be denied.

**A. The Debtors will be prejudiced if the Movant obtains relief from the automatic stay.**

13. The liquidation and adjudication of claims against a bankruptcy estate is a matter of "core" bankruptcy jurisdiction. See, e.g., In Re Wood, 825 F.2d 90, 97 (5th Cir. 1987) ("[A] claim filed against the estate is a core proceeding because it could only arise in the context

of bankruptcy … .”). The Bankruptcy Court’s core jurisdictional grant to adjudicate and liquidate claims is supported by the automatic stay established by Bankruptcy Code § 362(a)(3). Specifically, Section 362(a)(3) operates as a stay, “applicable to all entities,” of “any act to obtain possession of property of the estate or of property from the estate or to exercise control over property of the estate.” 11 U.S.C. § 362(a)(3). The automatic stay provides the debtor with immediate relief from the pressure and harassment of creditors seeking to collect their claims. Collier on Bankruptcy at ¶ 362.03(15th Ed.). The court in A.H. Robins Co. v. Piccinin, 788 F.2d 994, 998 (4th Cir. 1986), cert. denied, 479 U.S. 876, 107 S.Ct. 251 (1986) (“Robins”) emphasized the sweeping power of the stay:

> The purpose of this section by its various subsections is to protect the debtor from an uncontrollable scramble for its assets in a number of uncoordinated proceedings in different courts, to preclude one creditor from pursuing a remedy to the disadvantage of other creditors, and to provide the debtor and its executives with a reasonable respite from protracted litigation, during which they may have an opportunity to formulate a plan of reorganization ... .

Robins, 788 F.2d at 998 (citations omitted); accord Midlantic Nat’l Bank v. N.J. Dept. of Envt’l Protection, 474 U.S. 494, 106 S.Ct. 755, 761, reh’g denied, 475 U.S. 1091 (1986) (quoting H.R. Rep. No. 595, 95th Cong., 1st Sess. 340 (1977); S. Rep. No. 989, 95th Cong., 2d Sess. 54-55) (The automatic stay is “one of the most fundamental debtor protections provided by the bankruptcy laws.”).

14. Courts have repeatedly emphasized that an unsecured creditor is rarely entitled to relief from the automatic stay to liquidate its claim in a non-bankruptcy forum. See , e.g., In re Quad Systems Corporation, 2001 WL 1843379 (E.D. Pa.) (2001) (“Usually, an unsecured creditor. . . will not be granted relief from the automatic stay to litigate its claim in a

non-bankruptcy forum") (citing In re Stranahan Gear Co., Inc., 67 B.R. 834, 838 (Bankr. E.D. Pa. 1986)); In re Ronald Perlstein Enters., Inc., 70 B.R. 1005 (Bankr. E.D. Pa. 1987) ("Perlstein"). The Perlstein court noted that unsecured creditors could obtain such relief only by establishing that the balance of hardships tips in their favor, concluding that such a significant burden could rarely, if ever, be sustained. Id. at 1006. Furthermore, the court cautioned:

> There are significant counter-considerations to weigh in determining whether any unsecured creditor is ever entitled to proceed with a legal action against a Chapter 11 debtor in any forum other than the bankruptcy court in any circumstances, including a recognition of the need of such a debtor to devote its likely-limited financial resources and energies to the formulation of a Plan to treat all of its similarly-classified creditors equitably in bankruptcy court, as opposed to being required to expend its resources and energies in defending cases brought by certain of its creditors.

Id. at 1009.

15. The Debtors submit that the Motion should be denied under the foregoing authority. The Debtors have sold substantially all of their assets and are currently working toward an orderly wind down of their estates. As part of the wind down, the Debtors are conducting a thorough analysis of approximately 15,000 claims filed against their estates. These efforts should not be disrupted by the prosecution of the Indiana Action at this time. Such diversion and interference with the administration of the Debtors' estates should preclude lifting the stay to allow the Movant to proceed with the Indiana Action. See, e.g., Anderson v. Hoechst Celanese Corp. (In re United States Brass Corp.), 173 B.R. 1000, 1006 (Bankr. E.D. Tex. 1994) ("[E]ven slight interference with the administration [of the estate] may be enough to preclude relief [from the automatic stay].").

16. Further, granting relief from the stay at this juncture in the Debtors' bankruptcy cases would set a dangerous precedent and would be prejudicial to the interests of both the Debtors and their creditors. If the Movant is permitted to pursue their claims outside the bankruptcy cases and the bankruptcy claims resolution process, other creditors may request similar relief -- potentially on a global basis -- and the Debtors' estates would be forced to expend additional time and resources defending such motions and possibly defending actions in other jurisdictions.

17. Finally, if the Motion is granted, the Debtors' estates will be required to incur the defense costs related to the Indiana Action, costs which the Debtors and their estates have no ability to pay. Thus, in order to defend the Indiana Action, the Debtors potentially could incur a significant additional administrative expense regardless of whether such defense results in any unsecured claim due to settlement or judgment. Further, any judgment or settlement will be borne only by the estates because no insurance proceeds will be available to pay the plaintiff's alleged damages. For this reason, relief from stay should be denied. See Borman v. Raymark Industries, Inc., 946 F.2d 1031, 1036 (3d Cir. 1991) (finding that automatic stay was designed, among other reasons, to prevent the depletion of assets due to legal costs in defending lawsuits) (citation omitted).

**B. The hardship to the Movant in maintaining the automatic stay does not outweigh the hardship to the Debtors.**

18. The Movant will not suffer any harm if the Motion is denied. Movant has filed the Movant's Claim in these Chapter 11 Cases, and must liquidate its claims before this Court during the claims allowance process, in the same manner as every other unsecured

creditor. Accordingly, the Movant will not be harmed because their claims will ultimately be liquidated and then presented to this Court as unsecured claims. The Movant has not articulated any substantial harm or prejudice from a delay in the evaluation of their claim.

**C. The Motion should be denied because the Movant has provided no evidence that they are likely to prevail on the underlying merits of the Indiana Action.**

19. The Movant has not established that they are likely to prevail on the underlying merits of the Indiana Action. In the Motion, the Movants makes only vague, conclusory, self-serving statements to support their probability of success. A mere assertion of a cause of action does not demonstrate a likelihood of success on the merits. See In re Daly & Sinnott Law Ctr. PLLC, 292 B.R. 796, 801-802 (Bankr. D. Vt. 2003) (sufficient evidence, as opposed to allegations, required to show likelihood of success on the merits). The Movant has provided no evidence to support its conclusion as to the Debtors' liability.

## CONCLUSION

20. For the reasons set forth above, this Court should deny the relief requested in the Motion.

WHEREFORE, the Debtors respectfully request that this Court enter an order denying the Motion and for such other and further relief as is just and proper under the circumstances.

Dated: August 20, 2026

**PACHULSKI STANG ZIEHL & JONES LLP**

*/s/ Laura Davis Jones*

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David M. Bertenthal (CA Bar No. 167624)
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*Counsel for the Debtors and Debtors in Possession*

# EXHIBIT A

**Movant's Claim**

Claim #10844 Date Filed: 4/18/2026

**Fill in this information to identify the case:**

Debtor American Signature, Inc.

United States Bankruptcy Court for the: _____ District of Delaware (State)

Case number 25-12105

Modified Official Form 410

# Proof of Claim

04/25

**Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.**

**Filers must leave out or redact** information that is entitled to privacy on this form or on any attached documents. Attach redacted copies or any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. **Do not send original documents;** they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to $500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

**Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy** (Form 309) **that you received.**

## Part 1: Identify the Claim

1. **Who is the current creditor?**

Jamyla Noble

Name of the current creditor (the person or entity to be paid for this claim)

Other names the creditor used with the debtor _____

2. **Has this claim been acquired from someone else?**

☑ No

☐ Yes. From whom? _____

3. **Where should notices and payments to the creditor be sent?**

Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)

| **Where should notices to the creditor be sent?** | **Where should payments to the creditor be sent?** (if different) |
|---|---|
| Jamyla Noble<br>5709 Ivy Knoll Ct<br>Apt C<br>Indianapolis, IN 46250 | |
| Contact phone 3173456488 | Contact phone _____ |
| Contact email jamylanoble@gmail.com | Contact email _____ |

Uniform claim identifier (if you use one):

_____

4. **Does this claim amend one already filed?**

☑ No

☐ Yes. Claim number on court claims registry (if known) _____ Filed on _____ MM / DD / YYYY

5. **Do you know if anyone else has filed a proof of claim for this claim?**

☑ No

☐ Yes. Who made the earlier filing? _____



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**Part 2: Give Information About the Claim as of the Date the Case Was Filed**

6. **Do you have any number you use to identify the debtor?**

☑ No

☐ Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: ___ ___ ___ ___

7. **How much is the claim?** $ 50000 . **Does this amount include interest or other charges?**

☑ No

☐ Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).

8. **What is the basis of the claim?**

Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card.

Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c).

Limit disclosing information that is entitled to privacy, such as health care information.

Sex discrimination Title VII, contingent, unliquidated, disputed; EEOC, RTS

9. **Is all or part of the claim secured?**

☑ No

☐ Yes. The claim is secured by a lien on property.

**Nature or property:**

☐ Real estate: If the claim is secured by the debtor's principle residence, file a *Mortgage Proof of Claim Attachment* (Official Form 410-A) with this *Proof of Claim*.

☐ Motor vehicle

☐ Other. Describe: _____

**Basis for perfection:** _____

Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)

**Value of property:** $_____

**Amount of the claim that is secured:** $_____

**Amount of the claim that is unsecured:** $_____ (The sum of the secured and unsecured amount should match the amount in line 7.)

**Amount necessary to cure any default as of the date of the petition:** $_____

**Annual Interest Rate** (when case was filed)_____%

☐ Fixed

☐ Variable

10. **Is this claim based on a lease?**

☑ No

☐ Yes. **Amount necessary to cure any default as of the date of the petition.** $_____

11. **Is this claim subject to a right of setoff?**

☑ No

☐ Yes. Identify the property: _____



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12. **Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?**

A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.

| | Amount entitled to priority |
|---|---|
| ☑ No | |
| ☐ Yes. *Check all that apply:* | |
| ☐ Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B). | $_____ |
| ☐ Up to $3,800* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7). | $_____ |
| ☐ Wages, salaries, or commissions (up to $17,150*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4). | $_____ |
| ☐ Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8). | $_____ |
| ☐ Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5). | $_____ |
| ☐ Other. Specify subsection of 11 U.S.C. § 507(a)(__) that applies. | $_____ |

* Amounts are subject to adjustment on 4/01/28 and every 3 years after that for cases begun on or after the date of adjustment.

13. **Is all or part of the claim entitled to administrative priority pursuant to 11 U.S.C. § 503(b)(9)?**

☑ No

☐ Yes. Indicate the amount of your claim arising from the value of any goods received by the debtor within 20 days before the date of commencement of the above case, in which the goods have been sold to the Debtor in the ordinary course of such Debtor's business. Attach documentation supporting such claim.

$_____

## Part 3: Sign Below

**The person completing this proof of claim must sign and date it. FRBP 9011(b).**

If you file this claim electronically, FRBP 5005(a)(3) authorizes courts to establish local rules specifying what a signature is.

**A person who files a fraudulent claim could be fined up to $500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.**

*Check the appropriate box:*

☑ I am the creditor.

☐ I am the creditor's attorney or authorized agent.

☐ I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.

☐ I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgement that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date 04/18/2026
MM / DD / YYYY

/s/Jamyla Noble
Signature

**Print the name of the person who is completing and signing this claim:**

Name: Jamyla Noble
First name Middle name Last name

Title: _____

Company: _____
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address: _____

Contact phone _____ Email _____



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# Verita (KCC) ePOC Electronic Claim Filing Summary

For phone assistance: Domestic (877) 726-6511 | International (424) 236-7251

**Debtor:**
25-12105 - American Signature, Inc.
**District:**
District of Delaware

**Creditor:**
Jamyla Noble
5709 Ivy Knoll Ct
Apt C
Indianapolis, IN, 46250
**Phone:**
3173456488
**Phone 2:**
**Fax:**
**Email:**
jamylanoble@gmail.com

**Has Supporting Documentation:**
Yes, supporting documentation successfully uploaded
**Related Document Statement:**

**Has Related Claim:**
No
**Related Claim Filed By:**

**Filing Party:**
Creditor

**Other Names Used with Debtor:**

**Amends Claim:**
No
**Acquired Claim:**
No

**Basis of Claim:**
Sex discrimination Title VII, contingent, unliquidated, disputed; EEOC, RTS

**Last 4 Digits:**
No

**Uniform Claim Identifier:**

**Total Amount of Claim:**
50000

**Includes Interest or Charges:**
No

**Has Priority Claim:**
No

**Priority Under:**

**Has Secured Claim:**
No
**Amount of 503(b)(9):**
No
**Based on Lease:**
No
**Subject to Right of Setoff:**
No

**Nature of Secured Amount:**
**Value of Property:**
**Annual Interest Rate:**
**Arrearage Amount:**
**Basis for Perfection:**
**Amount Unsecured:**

**Submitted By:**
Jamyla Noble on 18-Apr-2026 6:30:14 a.m. Pacific Time
**Title:**
**Company:**

EEOC Form 5 (11/09)

# CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

| Charge Presented To: | Agency(ies) Charge No(s): |
|---|---|
| EEOC | **470-2024-05020** |
| FEPA | |

**Indiana Civil Rights Commission** and EEOC

*State or local Agency, if any*

| I Name *(indicate Mr., Ms., Mrs., Miss, Mx., Dr., Hon., Rev.)* | Home Phone | Year of Birth |
|---|---|---|
| Jamyla Noble | 317-345-6488 | 1986 |

Street Address

5709 Ivy Knoll Ct Apt C

INDIANAPOLIS, IN 46250

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (*If more than two, list under PARTICULARS below.*)

| Name | No. Employees, Members | Phone No. |
|---|---|---|
| American Signature Inc | 101 - 200 Employees | (317) 585-3000 |

Street Address

5450 E. 82nd Street

Castleton, IN 46250

| Name | No. Employees, Members | Phone No. |
|---|---|---|
| | | |

Street Address City, State and ZIP Code

DISCRIMINATION BASED ON

Sex

DATE(S) DISCRIMINATION TOOK PLACE

| Earliest | Latest |
|---|---|
| 10/13/2023 | 07/28/2024 |

Continuing Action

THE PARTICULARS ARE *(If additional paper is needed, attach extra sheet(s)):*

My sex is female. My current position is Home Furnishing Consultant.

On October 13, 2023 (Friday), I was informed that a sex video of me and a fellow co-worker Aaron Lesure had been distributed to several employees at Respondent. I was not aware that Aaron provided the video to my co-workers until I was approached by Wendi Roddy stating, "that she had seen video of me, and I know what you like and the type of men I deal with." I was shocked at her statement and knowledge of the video. Wendy's statement was voiced in front of several employees (Stephen, and Lucy) and customers (names unknown). I attempted to respond but Wendi began to become belligerent. I was taken aback by her approach and hostile delivery. It was the end of my shift, so I promptly gather my items and clocked out. That evening, I received a phone call from Wendi disclosing how she had gained knowledge of the video and its contents. At this moment I was informed that another co-worker William Bridgeforth had described in detail the contends of video to Wendi. The following Monday, October 16, 2023, when I arrived at work, I was approached by Eric Kerr, Sales Manager asking what the commotion was from the previous Friday and HR

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

**Digitally Signed By: Jamyla Noble**

**08/01/2024**

*Charging Party Signature*

NOTARY – *When necessary for State and Local Agency Requirements*

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (*month, day, year*)

EEOC Form 5 (11/09)

| CHARGE OF DISCRIMINATION | Charge Presented To: | Agency(ies) Charge No(s): |
|---|---|---|
| This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form. | EEOC | **470-2024-05020** |
| | FEPA | |

**Indiana Civil Rights Commission** and EEOC

*State or local Agency, if any*

was aware. A few weeks later I had a meeting with HR and provided my detail statement. I was informed an investigation be conducted. To date Wendi continues to bring up the video incident. I have complained to management about her behavior and actions as they are creating a toxic, hostile work environment for me and other co-workers. Additionally, I am continuously being subjected to conversations of a sexual nature. Most recently I Wendi made a comment talking to employees about prostitution stating that "someone has had to sell their body for money at some point." Wendi made the comment "You know we can't have these conversations when I am around you know what happened we were put on notice." I also witnessed Lucy Bruns watching a video of her and boyfriend topless kissing on her. I texted Jason, General Manager later that day. I believe Wendi's and other employee's actions continue to violate Respondent's Anti-Harassment policy.

I believe I am being subjected to a hostile work environment because of my sex, female, in violation of Title VII of the Civil Rights Act of 1964, as amended.

| | |
|---|---|
| I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures. | NOTARY – *When necessary for State and Local Agency Requirements* |
| I declare under penalty of perjury that the above is true and correct.<br><br>**Digitally Signed By: Jamyla Noble**<br>**08/01/2024**<br><br>*Charging Party Signature* | I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.<br>SIGNATURE OF COMPLAINANT<br><br>SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (*month, day, year*) |

CP Enclosure with EEOC Form 5 (11/09)

**PRIVACY ACT STATEMENT:** Under the Privacy Act of 1974, Pub. Law 93-579, authority to request personal data and its uses are:

1. **FORM NUMBER/TITLE/DATE.** EEOC Form 5, Charge of Discrimination (11/09).

2. **AUTHORITY.** 42 U.S.C. 2000e-5(b), 29 U.S.C. 211, 29 U.S.C. 626, 42 U.S.C. 12117, 42 U.S.C. 2000ff-6.

3. **PRINCIPAL PURPOSES.** The purposes of a charge, taken on this form or otherwise reduced to writing (whether later recorded on this form or not) are, as applicable under the EEOC anti-discrimination statutes (EEOC statutes), to preserve private suit rights under the EEOC statutes, to invoke the EEOC's jurisdiction and, where dual-filing or referral arrangements exist, to begin state or local proceedings.

4. **ROUTINE USES.** This form is used to provide facts that may establish the existence of matters covered by the EEOC statutes (and as applicable, other federal, state or local laws). Information given will be used by staff to guide its mediation and investigation efforts and, as applicable, to determine, conciliate and litigate claims of unlawful discrimination. This form may be presented to or disclosed to other federal, state or local agencies as appropriate or necessary in carrying out EEOC's functions. A copy of this charge will ordinarily be sent to the respondent organization against which the charge is made.

5. **WHETHER DISCLOSURE IS MANDATORY; EFFECT OF NOT GIVING INFORMATION.** Charges must be reduced to writing and should identify the charging and responding parties and the actions or policies complained of. Without a written charge, EEOC will ordinarily not act on the complaint. Charges under Title VII, the ADA or GINA must be sworn to or affirmed (either by using this form or by presenting a notarized statement or unsworn declaration under penalty of perjury); charges under the ADEA should ordinarily be signed. Charges may be clarified or amplified later by amendment. It is not mandatory that this form be used to make a charge.

**NOTICE OF RIGHT TO REQUEST SUBSTANTIAL WEIGHT REVIEW**

Charges filed at a state or local Fair Employment Practices Agency (FEPA) that dual-files charges with EEOC will ordinarily be handled first by the FEPA. Some charges filed at EEOC may also be first handled by a FEPA under worksharing agreements. You will be told which agency will handle your charge. When the FEPA is the first to handle the charge, it will notify you of its final resolution of the matter. Then, if you wish EEOC to give Substantial Weight Review to the FEPA's final findings, you must ask us in writing to do so within 15 days of your receipt of its findings. Otherwise, we will ordinarily adopt the FEPA's finding and close our file on the charge.

**NOTICE OF NON-RETALIATION REQUIREMENTS**

Please **notify** EEOC or the state or local agency where you filed your charge **if retaliation is taken against you or others** who oppose discrimination or cooperate in any investigation or lawsuit concerning this charge. Under Section 704(a) of Title VII, Section 4(d) of the ADEA, Section 503(a) of the ADA and Section 207(f) of GINA, it is unlawful for an *employer* to discriminate against present or former employees or job applicants, for an *employment agency* to discriminate against anyone, or for a *union* to discriminate against its members or membership applicants, because they have opposed any practice made unlawful by the statutes, or because they have made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under the laws. The Equal Pay Act has similar provisions and Section 503(b) of the ADA prohibits coercion, intimidation, threats or interference with anyone for exercising or enjoying, or aiding or encouraging others in their exercise or enjoyment of, rights under the Act.

**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**

**Indianapolis District Office**
115 W. Washington St., South Tower Suite 600
Indianapolis, IN 46204
(463) 999-1240
Website: www.eeoc.gov

# DETERMINATION AND NOTICE OF RIGHTS

(This Notice replaces EEOC FORMS 161, 161-A & 161-B)

Issued On: 02/25/2026

**To:** Jamyla Noble
5709 Ivy Knoll Ct Apt C
INDIANAPOLIS, IN 46250
Charge No: 470-2024-05020

EEOC Representative and email: LINDSAY WILLIAMS
INVESTIGATOR
LINDSAY.WILLIAMS@EEOC.GOV

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## DETERMINATION AND NOTICE OF RIGHTS

The EEOC issues the following determination: The EEOC will not proceed further with its investigation and makes no determination about whether further investigation would establish violations of the statute. This does not mean the claims have no merit. This determination does not certify that the respondent is in compliance with the statutes. The EEOC makes no finding as to the merits of any other issues that might be construed as having been raised by this charge.

## NOTICE OF YOUR RIGHT TO SUE

This is official notice that the EEOC has dismissed your charge and has issued you notice of your right to sue the respondent(s) on this charge. If you choose to file a lawsuit against the respondent(s) on this charge under federal law in federal or state court, **your lawsuit must be filed WITHIN 90 DAYS of your receipt of EEOC's official notice of dismissal.** You should keep a record of the date you received the EEOC's official notice of dismissal. Your right to sue based on this charge will be lost if you do not file a lawsuit in court within 90 days. (The time limit for filing a lawsuit based on a claim under state law may be different.)

If you file a lawsuit based on this charge, please sign-in to the EEOC Public Portal and upload the court complaint to charge 470-2024-05020.

On behalf of the Commission,

Digitally Signed By:Richard Burgamy
02/25/2026

Richard Burgamy
Acting District Director

**Cc:**
Melita Garrett Abbey
American Signature, Inc.
4300 E 5TH AVE
Columbus, OH 43219

Jacklyn Ford
Vorys, Sater, Seymour & Pease, LLP
52 E GAY ST
Columbus, OH 43215

Please retain this Notice for your records.

# INFORMATION RELATED TO FILING SUIT UNDER THE LAWS ENFORCED BY THE EEOC

*(This information relates to filing suit in Federal or State court **under Federal law**. If you also plan to sue claiming violations of State law, please be aware that time limits may be shorter and other provisions of State law may be different than those described below.)*

## IMPORTANT TIME LIMITS – 90 DAYS TO FILE A LAWSUIT

If you choose to file a lawsuit against the respondent(s) named in the charge of discrimination, you must file a complaint in court **within 90 days of the date you *receive* EEOC's official notice of dismissal**. You should **keep a record of the date you received EEOC's official notice of dismissal**. Once this 90-day period has passed, your right to sue based on the charge referred to in this Notice will be lost. If you intend to consult an attorney, you should do so promptly. Give your attorney a copy of this Notice, and the record of your receiving EEOC's official notice of dismissal (email or envelope).

If your lawsuit includes a claim under the Equal Pay Act (EPA), you must file your complaint in court within 2 years (3 years for willful violations) of the date you did not receive equal pay. This time limit for filing an EPA lawsuit is separate from the 90-day filing period under Title VII, the ADA, GINA, the ADEA, or the PWFA referred to above. Therefore, if you also plan to sue under Title VII, the ADA, GINA, the ADEA, or the PWFA, in addition to suing on the EPA claim, your lawsuit must be filed within 90 days of your receipt of EEOC's official notice of dismissal and within the 2- or 3-year EPA period.

Your lawsuit may be filed in U.S. District Court or a State court of competent jurisdiction. Whether you file in Federal or State court is a matter for you to decide after talking to your attorney. You must file a "complaint" that contains a short statement of the facts of your case which shows that you are entitled to relief. Filing this Notice is not enough. For more information about filing a lawsuit, go to https://www.eeoc.gov/employees/lawsuit.cfm.

## ATTORNEY REPRESENTATION

For information about locating an attorney to represent you, go to: https://www.eeoc.gov/employees/lawsuit.cfm.

In very limited circumstances, a U.S. District Court may appoint an attorney to represent individuals who demonstrate that they are financially unable to afford an attorney.

## HOW TO REQUEST YOUR CHARGE FILE AND 90-DAY TIME LIMIT FOR REQUESTS

There are two ways to request a charge file: 1) a Freedom of Information Act (FOIA) request or 2) a "Section 83" request. You may request your charge file under either or both procedures. EEOC can generally respond to Section 83 requests more promptly than FOIA requests.

Since a lawsuit must be filed within 90 days of EEOC's official notice of dismissal, please submit your FOIA and/or Section 83 request for the charge file promptly to allow sufficient time for EEOC to respond and for your review.

**To make a FOIA request for your charge file**, submit your request online at https://eeoc.arkcase.com/foia/portal/login (this is the preferred method). You may also submit a

FOIA request for your charge file by U.S. Mail by submitting a signed, written request identifying your request as a "FOIA Request" for Charge Number 470-2024-05020 to the District Director at Richard Burgamy, 115 W. Washington St. South Tower Suite 600, Indianapolis, IN 46204.

**To make a Section 83 request for your charge file**, submit a signed written request stating it is a "Section 83 Request" for Charge Number 470-2024-05020 to the District Director at Richard Burgamy, 115 W. Washington St. South Tower Suite 600, Indianapolis, IN 46204.

You may request the charge file up to 90 days after receiving EEOC's official notice of dismissal. After the 90 days have passed, you may request the charge file only if you have filed a lawsuit in court and provide a copy of the court complaint to EEOC.

For more information on submitting FOIA requests, go to https://www.eeoc.gov/eeoc/foia/index.cfm.

For more information on submitted Section 83 requests, go to https://www.eeoc.gov/foia/section-83-disclosure-information-charge-files.