



**VENUE**

2. Venue is properly laid in the District of Columbia pursuant to 28 U.S.C. § 1391, as the Defendant operates a licensed business in the District of Columbia and the acts herein complained of occurred within the said jurisdiction.

**STATEMENT OF FACTS**

3. Plaintiff is a lawyer and member of ZPB.
4. ZPB is a tax-exempt organization which is a licensed business in the District of Columbia.
5. On July 2, 2008, Plaintiff was present during the proceedings of the 2008 Grand Boule, of Zeta Phi Beta Sorority, properly convened in Las Vegas, Nevada.
6. Zeta Phi Beta Sorority is a non profit corporation organized founded in 1920 under the laws of the District of Columbia with international headquarters located at: 1734 New Hampshire Avenue, N.W., Washington, D.C. 20009.
7. The constitution and bylaws of Zeta Phi Beta Sorority provide for the election of national officers during the Grand Boule (Article VI, Section 2A).
8. Officers elected during the Grand Boule are to be installed prior to the close of the Grand Boule session (Article III, Section 3).
9. The 2008 Grand Boule is scheduled to end today on July 3, 2008.
10. Plaintiff served as a member of the national election committee during the 2008 Grand Boule proceedings.
11. On July 2, 2008 the national elections committee presented the following elections results for the slate of candidates: Office of Undergraduate at large – Jackson 329 votes, Atkins 614 votes and Baker 655 votes. Office of International

- Grand Basileus – Hollingsworth 133 votes, Bowles 304 votes, Sawyer 578 votes and Underwood 605 votes.
12. During the presentation of the election results, the election committee failed to provide sufficient information to determine the winning candidate in each category.
  13. The Zeta Phi Beta Sorority Constitution and Bylaws is silent as to the margin required to select a winner when multiple candidates are seeking election to a contested position.
  14. The Constitution and Bylaws govern the proceedings of Zeta Phi Beta and is subject to Robert's Rules of Order, newly revised when the Constitution and Bylaws are silent on an issue. (Article II, Section 2)
  15. Robert's Rules of Order provides that a plurality vote that is not a majority never elects anyone to office except by special rule (Robert's Rules of Order, 10<sup>th</sup> edition pg. 391-392)
  16. Zeta Phi Beta has not **adopted** such a special rule
  17. Robert's Rules of Order provides that officers must elected by a majority vote (Robert's Rules of Order, 10<sup>th</sup> edition), page 427.
  18. Based upon the election results there is no candidate for either the position of International Grand Basileus or Undergraduate Member at Large that has achieved a majority vote.
  19. Robert's Rules of Order provides that in such a case a run off election should be held until an individual candidate receives a majority vote, (Robert's Rules of Order, 10<sup>th</sup> edition), page 427.

20. Zeta Phi Beta has refused to follow Constitution and Bylaws and Robert's Rules of Order for both the positions of International Grand Basileus or Undergraduate Member at Large.
21. There was a Point of Order properly on the floor that stated there is a runoff situation and there is a need to have the election completed. There was discussion on the Point of Order and the Chair, stated that she was not going to force a runoff. She then on her on motion, illegally adjourned the 2008 Grand Boule of Zeta Phi Beta Sorority. Under the Constitution and bylaws a Chair cannot make such a motion. Moreover, a motion to adjourn the 2008 Grand Boule of Zeta Phi Beta must be seconded and discussion and vote by the body to approve the motion to adjourn the 2008 Grand Boule must be taken.
22. Plaintiff is very concerned that the Defendant will illegally install both the positions of International Grand Basileus or Undergraduate Member at Large without approval of the body are required by the Constitution and Bylaws and Robert's Rules of Order.
23. This is the first time since the founding of Zeta Phi Beta Sorority that the Grand Boule has been illegally adjourned.
24. This is the first time since the founding of Zeta Phi Beta Sorority that the election results have not been approved by the body before the Grand Boule has been adjourned.

**Count I: Breach of Contract**

25. Plaintiff re-pleads and re-alleges paragraphs 1 through 24 as if set forth separately and at length herein.
26. ZPB failed to follow the policies and procedures outlined in the ZPB Constitution.
27. The ZPB Constitution and polices and procedures are contracts between ZPB and Plaintiff.
28. As such, ZPB breached its contract or contracts with Plaintiff by its failures to abide by the terms of such contract or contracts.
29. Plaintiffs suffered the loss of enjoyment of ZPB's goods, services, facilities, privileges, advantages, and accommodations, as well as severe mental anguish as a result of ZPB's actions.

**Count II: Negligence**

30. Plaintiff re-pleads and re-alleges paragraphs 1 through 29 as if set forth separately and at length herein.
31. ZPB failed to follow the policies and procedures outlined in the ZPB Constitution.
32. ZPB had a duty to Plaintiff to abide by its Constitution and policies and procedures, which duty ZPB negligently breached, proximately causing Plaintiffs' injuries.
33. As such, ZPB was negligent with regard to Plaintiff.
34. Plaintiffs suffered damage to her repute and standing in her community, the loss of enjoyment of ZPBA's goods, services, facilities, privileges, advantages, and accommodations, as well as severe mental anguish as a result of ZPB's actions.

**RELIEF SOUGHT**

35. Plaintiff re-pleads and re-alleges paragraphs 1 through 34 with the same force and effect as if set forth separately and at length herein.
36. Plaintiff seek compensatory in the amount of \$76,000.
37. Plaintiff seeks a TRO, Preliminary and Permanent Injunction
38. Plaintiff seeks the costs of litigation, including reasonable attorney's fees and expert witness fees.
39. Plaintiff seeks such other relief as may be just.

**JURY DEMAND**

40. Plaintiff demand a trial by jury.

Respectfully submitted,

\_\_\_\_\_/s/\_\_\_\_\_  
Jimmy A. Bell, Esquire  
Bar #MD14639  
Law Office of Jimmy A. Bell, P.C.  
9610 Marlboro Pike  
Upper Marlboro, MD 20772  
(301) 599-7620 Office  
(301) 599-7623 Fax  
Counsel for Plaintiffs

**CIVIL COVER SHEET**

JS-44  
(Rev. 1/05 DC)

<p><b>I (a) PLAINTIFFS</b></p> <p>LORRIE SINCLAIR 25909 Rickmansworth Lane Southridge, VA 20152</p> <p style="text-align: right; font-size: 1.2em; font-weight: bold;">55886</p>	<p><b>DEFENDANTS</b></p> <p>ZETA PHI BETA SORORITY, INC. 1734 New Hampshire Avenue, N.W. Washington, DC 20009</p>
<p>(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF (EXCEPT IN U.S. PLAINTIFF CASES)</p>	<p>COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT (IN U.S. PLAINTIFF CASES ONLY)</p> <p>NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED</p>
<p>(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)</p> <p>Jimmy A. Bell, Esq. Law Office of Jimmy A. Bell, P.C. 9610 Marlboro Pike Upper Marlboro, MD 20772 (301) 599-7620 (301) 599-7623 (Fax)</p>	<p>Case: 1:08-cv-01167 Assigned To : Huvelle, Ellen S. Assign. Date : 7/3/2008 Description: TRO/PI</p> <div style="text-align: right; font-size: 2em; font-weight: bold; transform: rotate(-15deg); opacity: 0.5;">                 JURY ACTION             </div>

<p><b>II. BASIS OF JURISDICTION</b> (PLACE AN x IN ONE BOX ONLY)</p> <p><input type="radio"/> 1 U.S. Government Plaintiff</p> <p><input type="radio"/> 2 U.S. Government Defendant</p> <p><input type="radio"/> 3 Federal Question (U.S. Government Not a Party)</p> <p><input checked="" type="radio"/> 4 Diversity (Indicate Citizenship of Parties in item III)</p>	<p><b>III CITIZENSHIP OF PRINCIPAL PARTIES</b> (PLACE AN x IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT) <b>FOR DIVERSITY CASES ONLY!</b></p> <table style="width:100%; border: none;"> <tr> <td></td> <td style="text-align: center;">PTF</td> <td style="text-align: center;">DFT</td> <td></td> <td style="text-align: center;">PTF</td> <td style="text-align: center;">DFT</td> </tr> <tr> <td>Citizen of this State</td> <td style="text-align: center;"><input type="radio"/> 1</td> <td style="text-align: center;"><input type="radio"/> 1</td> <td>Incorporated or Principal Place of Business in This State</td> <td style="text-align: center;"><input type="radio"/> 6</td> <td style="text-align: center;"><input checked="" type="radio"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td style="text-align: center;"><input checked="" type="radio"/> 2</td> <td style="text-align: center;"><input type="radio"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td style="text-align: center;"><input type="radio"/> 5</td> <td style="text-align: center;"><input type="radio"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td style="text-align: center;"><input type="radio"/> 3</td> <td style="text-align: center;"><input type="radio"/> 3</td> <td>Foreign Nation</td> <td style="text-align: center;"><input type="radio"/> 6</td> <td style="text-align: center;"><input type="radio"/> 6</td> </tr> </table>		PTF	DFT		PTF	DFT	Citizen of this State	<input type="radio"/> 1	<input type="radio"/> 1	Incorporated or Principal Place of Business in This State	<input type="radio"/> 6	<input checked="" type="radio"/> 4	Citizen of Another State	<input checked="" type="radio"/> 2	<input type="radio"/> 2	Incorporated and Principal Place of Business in Another State	<input type="radio"/> 5	<input type="radio"/> 5	Citizen or Subject of a Foreign Country	<input type="radio"/> 3	<input type="radio"/> 3	Foreign Nation	<input type="radio"/> 6	<input type="radio"/> 6
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**IV. CASE ASSIGNMENT AND NATURE OF SUIT**

(Place a X in one category, A-N, that best represents your cause of action and one in a corresponding Nature of Suit)

<p><input type="radio"/> <b>A. Antitrust</b></p> <p><input type="checkbox"/> 410 Antitrust</p>	<p><input type="radio"/> <b>B. Personal Injury/Malpractice</b></p> <p><input type="checkbox"/> 310 Airplane</p> <p><input type="checkbox"/> 315 Airplane Product Liability</p> <p><input type="checkbox"/> 320 Assault, Libel &amp; Slander</p> <p><input type="checkbox"/> 330 Federal Employers Liability</p> <p><input type="checkbox"/> 340 Marine</p> <p><input type="checkbox"/> 345 Marine Product Liability</p> <p><input type="checkbox"/> 350 Motor Vehicle</p> <p><input type="checkbox"/> 355 Motor Vehicle Product Liability</p> <p><input type="checkbox"/> 360 Other Personal Injury</p> <p><input type="checkbox"/> 362 Medical Malpractice</p> <p><input type="checkbox"/> 365 Product Liability</p> <p><input type="checkbox"/> 368 Asbestos Product Liability</p>	<p><input type="radio"/> <b>C. Administrative Agency Review</b></p> <p><input type="checkbox"/> 151 Medicare Act</p> <p><b>Social Security:</b></p> <p><input type="checkbox"/> 861 HIA ((1395ff)</p> <p><input type="checkbox"/> 862 Black Lung (923)</p> <p><input type="checkbox"/> 863 DIWC/DIWW (405(g)</p> <p><input type="checkbox"/> 864 SSID Title XV1</p> <p><input type="checkbox"/> 865 RSI (405(g)</p> <p><b>Other Statutes</b></p> <p><input type="checkbox"/> 891 Agricultural Acts</p> <p><input type="checkbox"/> 892 Economic Stabilization Act</p> <p><input type="checkbox"/> 893 Environmental Matters</p> <p><input type="checkbox"/> 894 Energy Allocation Act</p> <p><input type="checkbox"/> 890 Other Statutory Actions (If Administrative Agency is Involved)</p>	<p><input checked="" type="radio"/> <b>D. Temporary Restraining Order/Preliminary Injunction</b></p> <p>Any nature of suit from any category may be selected for this category of case assignment.</p> <p>*(If Antitrust, then A governs)*</p>
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<p><input type="radio"/> <b>E. General Civil (Other)</b></p> <p><b>Real Property</b></p> <p><input type="checkbox"/> 210 Land Condemnation</p> <p><input type="checkbox"/> 220 Foreclosure</p> <p><input type="checkbox"/> 230 Rent, Lease &amp; Ejectment</p> <p><input type="checkbox"/> 240 Torts to Land</p> <p><input type="checkbox"/> 245 Tort Product Liability</p> <p><input type="checkbox"/> 290 All Other Real Property</p> <p><b>Personal Property</b></p> <p><input type="checkbox"/> 370 Other Fraud</p> <p><input type="checkbox"/> 371 Truth in Lending</p> <p><input type="checkbox"/> 380 Other Personal Property Damage</p> <p><input type="checkbox"/> 385 Property Damage Product Liability</p>	<p style="text-align: center;"><b>OR</b></p> <p><input type="radio"/> <b>F. Pro Se General Civil</b></p> <p><b>Bankruptcy</b></p> <p><input type="checkbox"/> 422 Appeal 28 USC 158</p> <p><input type="checkbox"/> 423 Withdrawal 28 USC 157</p> <p><b>Prisoner Petitions</b></p> <p><input type="checkbox"/> 535 Death Penalty</p> <p><input type="checkbox"/> 540 Mandamus &amp; Other</p> <p><input type="checkbox"/> 550 Civil Rights</p> <p><input type="checkbox"/> 555 Prison Condition</p> <p><b>Property Rights</b></p> <p><input type="checkbox"/> 820 Copyrights</p> <p><input type="checkbox"/> 830 Patent</p> <p><input type="checkbox"/> 840 Trademark</p> <p><b>Federal Tax Suits</b></p> <p><input type="checkbox"/> 870 Taxes (US plaintiff or defendant)</p> <p><input type="checkbox"/> 871 IRS-Third Party 26 USC 7609</p>	<p><b>Forfeiture/Penalty</b></p> <p><input type="checkbox"/> 610 Agriculture</p> <p><input type="checkbox"/> 620 Other Food &amp; Drug</p> <p><input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881</p> <p><input type="checkbox"/> 630 Liquor Laws</p> <p><input type="checkbox"/> 640 RR &amp; Truck</p> <p><input type="checkbox"/> 650 Airline Regs</p> <p><input type="checkbox"/> 660 Occupational Safety/Health</p> <p><input type="checkbox"/> 690 Other</p> <p><b>Other Statutes</b></p> <p><input type="checkbox"/> 400 State Reapportionment</p> <p><input type="checkbox"/> 430 Banks &amp; Banking</p> <p><input type="checkbox"/> 450 Commerce/ICC Rates/etc.</p> <p><input type="checkbox"/> 460 Deportation</p>	<p><input type="checkbox"/> 470 Racketeer Influenced &amp; Corrupt Organizations</p> <p><input type="checkbox"/> 480 Consumer Credit</p> <p><input type="checkbox"/> 490 Cable/Satellite TV</p> <p><input type="checkbox"/> 810 Selective Service</p> <p><input type="checkbox"/> 850 Securities/Commodities/Exchange</p> <p><input type="checkbox"/> 875 Customer Challenge 12 USC 3410</p> <p><input type="checkbox"/> 900 Appeal of fee determination under equal access to Justice</p> <p><input type="checkbox"/> 950 Constitutionality of State Statutes</p> <p><input type="checkbox"/> 890 Other Statutory Actions (if not administrative agency review or Privacy Act)</p>
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<input type="radio"/> <b>G. Habeas Corpus/ 2255</b>  <input type="checkbox"/> 530 Habeas Corpus-General <input type="checkbox"/> 510 Motion/Vacate Sentence	<input type="radio"/> <b>H. Employment Discrimination</b>  <input type="checkbox"/> 442 Civil Rights-Employment (criteria: race, gender/sex, national origin, discrimination, disability age, religion, retaliation)  *(If pro se, select this deck)*	<input type="radio"/> <b>I. FOIA/PRIVACY ACT</b>  <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 890 Other Statutory Actions (if Privacy Act)  *(If pro se, select this deck)*	<input type="radio"/> <b>J. Student Loan</b>  <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (excluding veterans)
<input type="radio"/> <b>K. Labor/ERISA (non-employment)</b>  <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Labor Railway Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="radio"/> <b>L. Other Civil Rights (non-employment)</b>  <input type="checkbox"/> 441 Voting (if not Voting Rights Act) <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 445 American w/Disabilities-Employment <input type="checkbox"/> 446 Americans w/Disabilities-Other	<input checked="" type="radio"/> <b>M. Contract</b>  <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholder's Suits <input checked="" type="checkbox"/> 190 Other Contracts <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<input type="radio"/> <b>N. Three-Judge Court</b>  <input type="checkbox"/> 441 Civil Rights-Voting (if Voting Rights Act)

**V. ORIGIN**

1 Original Proceeding  
  2 Removed from State Court  
  3 Remanded from Appellate Court  
  4 Reinstated or Reopened  
  5 Transferred from another district (specify)  
  6 Multi district Litigation  
  7 Appeal to District Judge from Mag. Judge

**VI. CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE).**  
 to 28 U.S.C. § 1332. breach of contracts

**VII. REQUESTED IN COMPLAINT**      CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23       DEMAND \$ 76,000      Check YES only if demanded in complaint  
**JURY DEMAND:**      YES       NO

**VIII. RELATED CASE(S) IF ANY**      (See instruction)      YES       NO       If yes, please complete related case form.

DATE 7-3-08      SIGNATURE OF ATTORNEY OF RECORD [Signature]

**INSTRUCTIONS FOR COMPLETING CIVIL COVER SHEET JS-44**  
 Authority for Civil Cover Sheet

The JS-44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. Listed below are tips for completing the civil cover sheet. These tips coincide with the Roman Numerals on the Cover Sheet.

- I. COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF/DEFENDANT (b) County of residence: Use 11001 to indicate plaintiff is resident of Washington, D.C.; 88888 if plaintiff is resident of the United States but not of Washington, D.C., and 99999 if plaintiff is outside the United States.
- III. CITIZENSHIP OF PRINCIPAL PARTIES: This section is completed only if diversity of citizenship was selected as the Basis of Jurisdiction under Section II.
- IV. CASE ASSIGNMENT AND NATURE OF SUIT: The assignment of a judge to your case will depend on the category you select that best represents the primary cause of action found in your complaint. You may select only one category. You must also select one corresponding nature of suit found under the category of case.
- VI. CAUSE OF ACTION: Cite the US Civil Statute under which you are filing and write a brief statement of the primary cause.
- VIII. RELATED CASES, IF ANY: If you indicated that there is a related case, you must complete a related case form, which may be obtained from the Clerk's Office.

Because of the need for accurate and complete information, you should ensure the accuracy of the information provided prior to signing the form.