

ADA Complaint Filed Against Under Armour & Friday Night Lights Flag Football Franchise

Discrimination Alleged Against Under Armour and Riverside Under the Lights Flag Football Franchise, Specific to a 6-Year Old Type 1 Diabetic Flag Football Player Girl – Gracie Sevilla; Department of Justice Complaint Filed



Riverside, Feb 18, 2020 (Issuewire.com) - Discrimination Alleged Against Under Armour and Riverside Under the Lights Flag Football Franchise, Specific to a 6-Year Old Type 1 Diabetic Flag Football Player Girl – Gracie Sevilla; Department of Justice Complaint Filed

A Federal complaint was filed against the multi-national sports apparel and equipment company – Under Armour, and the Under the Lights Flag Football Franchise, alleging that the local league – Riverside Under the Lights, headed by Cory Wells and the parent league; a Florida based company headed by ex-Arena Football League Quarterback, John Kaleo, willfully discriminated against a person with a qualifying disability – Gracie Sevilla, age 6.

The Complaint, a precursor to a Federal Civil Rights Lawsuit, alleges that willful and malicious discrimination against a person with a qualifying disability under the Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12131-12134, and Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, occurred and is currently under review by the Department of Justice.

In May 2019, Gracie Sevilla, a 6-year-old standout flag football player on her father, Tommy Sevilla's K-2 Under Armour Friday Night Lights – Riverside Steelers – 7 on 7 Flag Football Team, was blatantly refused “reasonable accommodation” to play in the Steelers playoff game(s) by League Commissioner, Cory Wells, after such was requested by her coach and father and her mother, Melodie Sevilla, in writing.

Gracie, as a Type 1 Diabetic, wears a Dexcom G6 continuous glucose monitoring device (“CGM”) affixed to her thigh, while playing sports and otherwise. The device has a small filament that penetrates the skin's fluid just below the epidermis and reads her blood glucose level every 5 seconds, rendering a

cumulative reading every 5 minutes, that if high or low, signals alarms. The alarms then allow the parent or caregiver ample time to treat the life-threatening high or low.

For a Type 1 Diabetic, a blood sugar level reading that is too high or low causes a multitude of ill symptoms and leads to a diabetic coma then death when not treated in a timely manner.

The receiving medical device must be within 10 yards of Gracie at all times or a signal loss will occur and no potentially life-saving reading will be given. Gracie's River Springs Charter School nurse, teacher and school campus proctor are others who have the app downloaded on their personal cell phones for monitoring, alerts, treatment and emergency care.

Type 1 Diabetes is an incurable autoimmune disorder of the Pancreas whereby the Pancreas stops producing life-saving Insulin necessary to survive and metabolize carbohydrates. Type 1 Diabetics like Gracie, must receive Insulin via needle injections into the skin; on average, Gracie receives 10-15 Insulin injections per day.

Commissioner and League Owner, Cory Wells, after barring Gracie's father from coaching in the Playoffs, due to a personal dispute with him over Wells' failure to address the misconduct of a rival coach that lead to a near-riot on the football field with parents and coaches, and ensure the safety of his players and others for the upcoming playoffs, Gracie's coach and Father, in an email, advised Wells that he was obligated under Federal law to have either Gracie's mother or trained medical personnel on the field with the receiving device (within 10 yards of Gracie) to allow Gracie to play, to which Wells' scoffed at the request.

Commissioner/Owner Wells, in an email, arrogantly refused the request by Gracie's parents; dismissed the ADA provision and mandate for "reasonable accommodation" and brashly welcomed threatened complaints and impending lawsuit(s).

In further retaliation toward Gracie and her parents an unprecedented league-wide email. Cory Wells stated that no unauthorized persons would be admitted on to the field and that the gate would be locked and security tight; a specific reference to Gracie coach and father, Tommy Sevilla, as well as her mother, who could have taken her coach and father's spot on the field with the receiving device and thus allowing her to play.

Cory Wells, the league commissioner, was well aware of Gracie being a Type 1 Diabetic. Gracie Sevilla was the youngest player in his league for the second season in a row, the only girl, and the only Type 1 Diabetic; one who had brought great positive publicity to his league, receiving local, regional, national and international media coverage associated with her being a unique young female athlete playing Football with Type 1 Diabetes.

Statement from Under Armour Friday Night Lights Coach, Tommy Sevilla, father to Luke and Gracie Sevilla:

"It is mind-boggling that a person in such a position that Corey Wells is in, purporting to operate a youth sports franchise for kids with a pure motive, acted in such a manner, proving clearly that it's all about money and he has no regard for the safety and welfare of the kids in his league both from a security and health standpoint.

As a father himself he should no better and to scoff at Gracie's condition and legitimate request for a reasonable accommodation, he must have a dark, arrogant soul.

Yet, how shameful is it of Under Armour and Under the Lights also, to have responded as they have!

John Kaleo is an arrogant, cocky jerk and Eric Ogbogu, totally turned his back on the issue after handing it over to Kaleo, showing that Under Armour simply passed the buck and has no regard for Gracie or other Type 1 Diabetics.

We, as a family, rock Under Armour gear and have supported the brand for years. It is unbelievable for John Kaleo to state that their (Under Armour) “team of lawyers” assured him that this was not discriminatory, nor a civil rights violation and much less an ADA issue. It is utterly shameful and insensitive; an example of corporate greed and human disconnect.

Gracie was supposed to just play without medical supervision, signal loss from her medical device whereby we have no idea what her blood glucose level was?!

How hard was it to allow Melodie, Gracie’s mom on the field, in my place, with the receiver, to monitor her blood sugar level and treat her accordingly?!

The actions of Under the Lights, Under Armour and Cory Wells, has been arrogant, proud and an absolute affront to children with disabilities; a complete and utter contradiction to what they claim their brands’ stand for and they owe, at minimum, a contrite and sincere apology to Gracie, and to all like her who without proper medical supervision and treatment, can die suddenly.

Unbelievable how it has come to this, how they have robbed this little girl and her loyal brother, who refused to play without his sister, Dad and coach on the field, of a playoff and National Championship Tournament experience, all on account of Cory Wells’ deliberate indifference, sickening arrogance and blatant disregard for a young girl with a life-threatening illness.

Pathetic.”

The Federal Complaint against Cory Wells, alleges that Wells retaliated against Gracie and her parents with a foresight of malice because he was angry with her father (the team’s Head Coach for the second year in a row) for him having complained about Wells’ unfair treatment to Under Armour seeking their intervention.

When Under Armour was contacted about the situation, Eric Ogbogu, a former Dallas Cowboy, passed the issue along to John Kaleo, the Friday Night Lights Franchise Founder and Owner, who mocked and dismissed Gracie’s situation and its relevance to the American with Disabilities Act, both showing a deliberate indifference toward accommodating a person with a qualifying disability; Gracie Sevilla, a 6-year old Type 1 Diabetic girl football player.

In attempt to appease Gracie’s father and coach, John Kaleo, extended an invitation to Tommy Sevilla, the Steelers coach, for them to compete in Under Armour’s National Championship Tournament, since Gracie, nor her brother, Luke Sevilla, the teams star quarterback and player, couldn’t compete in the league’s playoffs to qualify fairly for the tournament; the Steelers would fail to advance without Luke, Gracie and Coach Tommy on the field and barely have enough players to field a team. However, this was an insincere invitation as it would be impossible for Sevilla to field a team due to the negative fallout

surrounding the original near-riot incident and Commissioner Wells' steadfast refusal to share the leagues other coaches' contact information, so as to allow Coach Sevilla to invite the league's other players to join his National Championship team, thus making the invitation to compete of no value.

Kaleo refused to intervene in Wells' retaliation and assist Sevilla in adding players to his team, and it was learned that Wells, in fact, helped the opposing coach (the one who committed the original misconduct) form a team by adding the league's best players from other teams to his team; the very thing requested by Sevilla.

Previous to this ADA violation, the previous Fall Season of the Riverside Under Armour League, Wells, and the Hillcrest High School Football Coach and Athletic Director, scoffed at and refused to remedy a situation whereby, spectators to the Under Games were forced to park in the lower student parking lot and walk up a steep grade, several hundred yards to steep steps that lead to the football field. This unreasonable trek prevented elderly persons and persons with physical disabilities from accessing the field. Wells failed to address the issue of the gate, which lead to the upper parking lot and access ramps/stairs, being locked, which forced all spectators, including the disabled, to make the long, challenging trek up the steep grade.

The Hillcrest High School Football Coach and Athletic Director, believing he had called Wells to complain about the "woman" who complained about the situation, actually called her, and began the phone call by disparaging the complaining party.

A long email thread substantiating the allegations against Under the Lights and Under Armour exists and upon exhaustion of administrative remedy, a Federal Civil Rights Lawsuit will be filed against Under Armour, the Under the Lights Football Franchise (John Kaleo) and Cory Wells' corporation that is associated the league, as well as specific persons in their individual capacities, for a deliberate indifference toward Gracie Sevilla, a person/athlete with a Federally recognized physical disability.

Gracie Sevilla has continued to play sports without such retaliation and discrimination since the incident, excelling as an infielder and pitcher with Jurupa Valley Little League, thriving as a Quarterback with the Corona Friday Night Lights Flag Football League with her father Tommy as Head Coach, and most recently in Gymnastics.

Brother Luke Sevilla, would subsequently, lead his Ohio State Buckeyes Team to the Corona Friday Night Lights – Sophomore Silver Division League Championship, with his father as Coach.

Gracie will be joining the 3G Wrestling Team out of La Verne, California, a team her brother, Luke, currently competes with, and will also begin her training as a Boxer with the Jurupa Valley Boxing Club, where her father sits on the Board of Directors.

It is believed that she would become the only and youngest female wrestler and boxer with USA Boxing and USA Wrestling.

Gracie has been featured as a Type 1 Diabetic Athlete in International, National and Local news sources, both in print and on television.

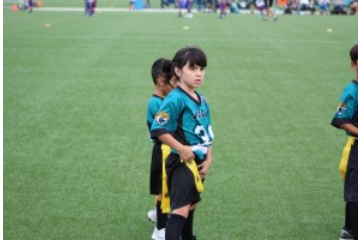
Gracie has a website and YouTube channel in development; website currently points to her GoFundMe page created for Type 1 Diabetes Awareness and fundraising for a specially trained Diabetic Alert Dog: <http://GraceForTheCure.org> and <http://GracieSevilla.com>

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