

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): ☐ FEPA ☒ EEOC	
_____ and EEOC <i>State or local Agency, if any</i>			
Name (indicate Mr. Ms. Mrs.) TERIKA DILWORTH		Home Phone (Incl. Area Code) (754) 244-5904	Date of Birth 06/12/1990
Street Address 2519 Dunbarton Drive, Glenn Heights, TX 75154		City, State and ZIP Code	
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 VAST Data, Inc.		No. Employees, Members 1500	Phone No. (Include Area Code) 1 844 464 8278
Street Address 240 W 37th Street, New York, NY 10018		City, State and ZIP Code	
DISCRIMINATION BASED ON (Check appropriate box(es).) ☒ RACE ☐ COLOR ☐ SEX ☐ RELIGION ☐ NATIONAL ORIGIN ☒ RETALIATION ☐ AGE ☐ DISABILITY ☐ OTHER (Specify below.)		DATE(S) DISCRIMINATION TOOK PLACE Earliest (ADEA/EPA) Latest (All) FEBRUARY 10, 2026 ☐ CONTINUING ACTION	
THE PARTICULARS ARE (If additional paper is needed, attached extra sheet(s)). <i>(Please find the attached narrative statement of facts).</i>			
☐ 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. Jul 7, 2026 <u>Terika Dilworth</u> <i>Terika Dilworth (Jul 7, 2026 11:07:38 CDT)</i> _____ Date 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. SIGNATURE OF COMPLAINANT SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)	

**EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
NEW YORK DISTRICT OFFICE**

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TERIKA DILWORTH,

Claimant,

**EEOC CHARGE
OF DISCRIMINATION:
NARRATIVE
STATEMENT**

-against-

VAST DATA, INC.,

Respondent.

----- X

Claimant Terika Dilworth (“Mrs. Dilworth” or the “Charging Party”), hereby alleges the following against Respondent, VAST Data, Inc. (“VAST” or the “Company” or the “Respondent”) in support of her claims of unlawful retaliation and unlawful race discrimination.

NARRATIVE STATEMENT OF MATERIAL FACTS

Preliminaries

1. At all times relevant hereto Terika Dilworth was and is a resident of the State of Texas.
2. At all times relevant hereto, VAST was and is an incorporated company organized under the laws of the State of Delaware and maintaining its principal place of business in the State of New York at 240 W 37th Street, New York, NY 10018.
3. Upon information and belief, Respondent employs approximately 1500 individuals on a full-time or full-time equivalent basis and thus is subject to all statutes upon which Charging Party is proceeding herein.
4. At all times relevant hereto, Charging Party was an employee of Respondent.
5. Upon information and belief, Respondent was an employer of the Charging Party.

MATERIAL FACTS

I. Mrs. Dilworth's Promising Career

6. Mrs. Dilworth holds a Bachelor of Arts degree in Economics from the prestigious Spelman College in Atlanta, Georgia. She has also earned a Change Management Certification from Cornell University and has been certified as an AWS Emotional Intelligence (EQ) Evangelist Facilitator and an Amazon Connections Trainer. She is a published food author and has served as a speaker on leadership development and career navigation.

7. Mrs. Dilworth's professional journey demonstrates consistent excellence and advancement. From 2018 to 2021, she served as Americas Sales Enablement Lead at Veritas Technologies in Orlando, Florida, where she reduced Account Manager onboarding ramp time by 40% through curriculum design aligned to sales objectives and enabled \$177 million in total book of business in FY19 through strategic enablement of Commercial Sales Engineers and Account Managers. She also built and administered certification programs to ensure consistent sales capability across the organization.

8. From 2021 to 2024, Mrs. Dilworth advanced to Amazon Web Services (AWS), the world's leading cloud computing platform. She began as a Worldwide Field Enablement Senior Program Manager, where she was a founding member of the AWS Sales & Leadership Academy, impacting over 35,000 sellers and sales managers globally. She developed and launched AWS's first global Sales Manager training program, which increased manager productivity by 20%, and partnered with 15+ stakeholders across 5 business units to standardize enablement frameworks and operating models.

9. Mrs. Dilworth was then promoted to Chief of Staff for Field Enablement & Tools (FEAT) at AWS, from 2023 to 2024. In this elevated role, she served as Chief of Staff to AWS's global Field Enablement leadership, supporting executive decision-making for a 55+ person

organization. She owned the operating rhythm including planning cycles, leadership reviews, prioritization, and executive communications. She designed operational mechanisms that improved visibility and accountability, contributing to a 20% increase in operational efficiency, and acted as the central connector across executives and cross-functional partners to ensure alignment and momentum.

10. During her time at AWS, Mrs. Dilworth also served in leadership positions with employee resource groups, including as Black Employee Network Professional Development Chair, and during her employment at Veritas, she served as an Empowered Leader with Women at Veritas. Her record demonstrates not only technical excellence but also a commitment to fostering inclusive workplaces and supporting the development of underrepresented professionals.

II. Mrs. Dilworth Begins Working at VAST to Great Success

11. On March 25, 2024, Mrs. Dilworth was recruited to join VAST Data, Inc. as Sales Enablement Onboarding Manager working remotely from Texas, but based out of the Company's office in New York, located at 240 W 37th Street, New York, NY 10018, with an annual salary of \$180,000. She was brought on specifically to serve the partners and senior executive leadership, advising on strategy execution, operating cadence, and decision-making across global teams.

12. Less than a year after joining VAST, in December 2024, Mrs. Dilworth was promoted from Sales Enablement Onboarding Manager to Global Sales Enablement Lead.

13. Mrs. Dilworth quickly proved her value to the Company. She achieved 80% adoption of enablement programs, created six strategic sales plans to improve deal velocity, and designed two core operational frameworks – the Monthly Business Review cadence and team Standard Operating Procedures – during VAST's 2025 scaling period. She led cross-functional initiatives spanning Sales, Marketing, Operations, and Revenue to align teams around shared

outcomes, and functioned as a stabilizing force during organizational change, driving alignment and momentum through structured execution.

14. Mrs. Dilworth's performance from March through December 2025 was exemplary, and she received no negative feedback or criticism about her work product or professional conduct.

15. On August 28, 2025, it was formally announced that Kristin Thompson, who is white, would become the Global Director of Training & Enablement, which made her Mrs. Dilworth's manager moving forward.

16. On November 13, 2025, Mrs. Dilworth received a handwritten thank-you note from Ms. Thompson, thanking Mrs. Dilworth for "all [she] did to make the Tech Summit a great and impactful event! [Mrs. Dilworth's] expertise in making sure breakout came together was so helpful to the team, and it resonates that the team chose words to describe [Mrs. Dilworth] like 'effective' and 'resourceful,' as [Mrs. Dilworth was] both overseeing breakouts and also editing Jeff's talking points in the story deck!" Nothing in Mrs. Dilworth's interactions with Ms. Thompson during this period suggested that Ms. Thompson had any concerns about Mrs. Dilworth's performance, demeanor, or professionalism.

17. From July 31, 2025, through December 2025, Mrs. Dilworth and Ms. Thompson met one-on-one regularly on a bi-weekly basis, but Ms. Thompson did not raise a single concern during these meetings regarding Mrs. Dilworth's professional behavior.

III. Mrs. Dilworth is Placed on a Baseless and Discriminatory Performance Improvement Plan and Subjected to Blatant Disparate Treatment

22. Therefore, it was shocking to Mrs. Dilworth when, on December 12, 2025, she was abruptly issued a Performance Improvement Plan (PIP) by Ms. Thompson, copied to Karmit Shitrit (Head of HR) and Stacy Wynn, and especially shocking that the PIP focused entirely on subjective

allegations about her professional behavior, in ways that clearly evoked racial biases and microaggressions.

23. None of these allegations had ever been raised with Mrs. Dilworth before, either formally or informally, and before Ms. Thompson became her supervisor, Mrs. Dilworth had received no prior documented performance issues, no verbal warnings, and no progressive discipline of any kind.

24. The pretextual nature of the PIP issued to Mrs. Dilworth becomes clear when one examines Ms. Thompson's treatment of other employees, specifically white employees.

25. Throughout 2025, Mrs. Dilworth and other team members had repeatedly raised concerns about the work quality and performance of a colleague, Elizabeth "Betsy" Sentamu, who is white and who Ms. Thompson personally recruited to VAST.

26. The concerns regarding Ms. Sentamu were well-documented and acknowledged by leadership, including Ms. Thompson herself. On May 27, 2025, the team Program Manager, Marlene Smith, informed Mrs. Dilworth and another team member, Dandre Jackson, that Ms. Thompson already knew Ms. Sentamu lacked attention to detail and delivered draft-level work, including formatting issues, grammar mistakes, and incomplete video edits, and that this was not a surprise to Ms. Thompson. However, Ms. Smith noted that Ms. Thompson viewed Ms. Sentamu's issues as "manageable" through process improvements such as content standards, guidelines, and checklists, but no formal performance action was taken against Ms. Sentamu.

27. On June 23, 2025, in a discussion relayed to Mrs. Dilworth by Ms. Smith, it was mentioned that only a small number of team members, typically Mrs. Dilworth and occasionally another colleague, Carmela, were submitting work to Sentamu, making it difficult to assess Ms. Sentamu's true capacity if the full team used her. Ms. Smith shared that Ms. Thompson even stated

that she does not regularly use Ms. Sentamu because she cannot wait in the queue and needs work completed quickly, indicating Ms. Thompson's awareness of Ms. Sentamu's slower work habits. Despite this acknowledged execution limitation, no formal performance management or discipline was ever initiated for Ms. Sentamu, who is white.

28. On September 29, 2025, after Ms. Thompson became her manager, Mrs. Dilworth vocalized and directly raised concerns to Ms. Thompson about Ms. Sentamu's work quality and performance, consistent with issues leadership already knew. These concerns did not lead to a performance improvement plan or other formal performance action for Ms. Sentamu.

29. On October 7, 2025, Dre Jackson, Director of Technical Enablement, called Mrs. Dilworth expressing his frustration with Ms. Sentamu's poor performance and stated that he had expressed to Ms. Thompson that neither he nor his direct employee would continue to use Ms. Sentamu for projects. Even though multiple VAST employees had now identified inadequacies in her work that directed impacted them, there was yet again no PIP issued to Ms. Sentamu.

30. The disparate treatment is stark: Ms. Sentamu, a white employee, was afforded repeated opportunities to improve, with her performance deficiencies dismissed as "manageable" and never subjected to formal discipline. Meanwhile, Mrs. Dilworth, a Black woman with an exemplary record and no documented performance issues, was suddenly placed on an onerous PIP based on vague, subjective complaints about her demeanor.

31. The PIP itself also reveals the discriminatory animus behind it. Rather than citing concrete, objective performance deficiencies related to Mrs. Dilworth's work product or deliverables, the PIP focused on nebulous allegations such as "exhibiting negative engagement," "rude" conduct in team settings, failure to be "timely and prepared" for check-ins, and an "unwillingness to engage" with management.

32. The PIP, which was scheduled from December 12, 2025 to January 12, 2026, required Mrs. Dilworth to attend mandatory 15-minute one-on-one check-in meetings with Ms. Thompson every business day at 9:00 AM EST, submit comprehensive written status reports detailing the day's tasks by 5:00 PM EST every business day, and record every internal meeting she attended for the duration of the PIP using Zoom, with recordings to be made available to Ms. Thompson immediately upon request.

33. The PIP further required Mrs. Dilworth to prepare and submit supporting resources (such as SME lists by Sales Play) requested by Ms. Thompson within 48 hours of the request. The PIP imposed a "zero-tolerance policy," stating that "[a]ny substantiated complaint regarding professional conduct will result in immediate failure of the PIP."

34. These requirements were punitive, micromanaging, and designed to set Mrs. Dilworth up for failure. The daily reporting and recording requirements far exceeded those imposed on any other employee and were clearly intended to surveil and harass Mrs. Dilworth rather than to support genuine performance improvement.

35. The PIP also stated that even if Mrs. Dilworth successfully completed the 30-day PIP, she would still be subject to immediate termination, without any additional warnings.

36. In an unprecedented move, the PIP presented Mrs. Dilworth with two formal options and required her to decide between them in a matter of hours, giving her virtually no time for meaningful consideration or consultation..

37. Ms. Thompson forced Mrs. Dilworth to decide by 12:00 PM EST on December 12, 2025, the very same day the PIP was issued, whether to accept the PIP with all its onerous requirements or to voluntarily separate from VAST Data effective December 12, 2025, in

exchange for salary continuation through February 26, 2026 and insurance coverage through the end of the same month.

38. This forced choice was clearly designed to coerce Mrs. Dilworth into resigning and to waive any and all claims she may have against VAST rather than objecting to this discriminatory treatment. Mrs. Dilworth did not agree to resign or to waive any claims.

IV. Mrs. Dilworth Engages in Protected Activity After Which She Faces Immediate and Unmistakable Retaliation

39. On December 15, 2025, Mrs. Dilworth filed a formal complaint with HR regarding the discriminatory treatment she was experiencing. Later that same day, Mrs. Dilworth had a meeting with Karmit Shitrit from HR. During this meeting, Ms. Shitrit acknowledged that she observed “cultural differences” in the communication styles of Ms. Thompson and Mrs. Dilworth.

40. Ms. Shitrit even admitted that certain cultures can be perceived as “rude” by someone who is unfamiliar with that culture. Ms. Shitrit said that in Israel, where she is from, the culture is that “sometimes we can be rude” and that she does not “try to be politically correct.”

41. Mrs. Dilworth began tearing up during this call and explained that while Ms. Shitrit was praised for being “direct” and wanted people to be “direct,” Mrs. Dilworth was being punished for similar behavior. Mrs. Dilworth explained to Ms. Shitrit that this was especially concerning to her since no one had ever directly discussed this issue with her before issuing formal discipline.

42. In response, Ms. Shitrit offered to speak to Ms. Thompson about delaying the PIP because she admitted it was not fair. However, Ms. Shitrit also reiterated the two options previously imposed on Mrs. Dilworth: either accept the onerous PIP or resign.

43. This meeting left Mrs. Dilworth crestfallen as she was being told that even though the PIP was unfair, HR was unwilling to investigate her discrimination complaint.

44. Mrs. Dilworth's meetings with HR and with Ms. Thompson also further exposed the pretextual nature of the PIP and the Company's discriminatory conduct. In the December 15, 2025, meeting with HR, Ms. Shitrit claimed that Ms. Thompson felt "a lot of...negativity from [Mrs. Dilworth], like sarcasm or disrespectful." Ms. Shitrit mentioned alleged behaviors such as "rolling your eyes." In response, Mrs. Dilworth expressed shock and stated that she had never received any such feedback, written or verbal, about any of these alleged issues.

45. On December 17, 2025, a meeting was set on Mrs. Dilworth's calendar with Ms. Shitrit with no context, which caused Mrs. Dilworth significant emotional distress.

46. During this meeting, Ms. Shitrit once again pressured Mrs. Dilworth to resign by telling her that Ms. Thompson was refusing to change the PIP.

47. Also on December 17, 2025, an invite was sent from Ms. Thompson to Mrs. Dilworth asking to connect, again with no additional context, which caused further emotional distress.

48. On December 18, 2025, after Ms. Thompson rescheduled this meeting twice, still with no context, a meeting finally occurred with HR and Ms. Thompson in which a revised PIP was discussed. Ms. Shitrit now claimed that Mrs. Dilworth's discrimination complaint was being investigated but stated that the Legal Department viewed the discrimination complaint and the PIP as "separate issues." Ms. Shitrit asked Mrs. Dilworth to send further detail regarding her discrimination complaint, which Mrs. Dilworth did on December 19, 2025.

49. In addition, on December 18, 2025, following Mrs. Dilworth's discrimination complaint and multiple meetings with HR, VAST issued a revised PIP to Mrs. Dilworth with modified terms. The revised PIP extended the end date by two weeks to January 26, 2026, rather than the January 12, 2026, date in the original PIP. The revised PIP also changed the check-in

requirements from daily 15-minute meetings at 9:00 AM EST to 30-minute meetings every other business day at 2:00 PM EST. Significantly, while the revised PIP removed the requirement for daily written status reports that had been mandated in the original PIP, the revised PIP added new requirements, including that Mrs. Dilworth must read and “review the book ‘Winning the Game of Work’¹ and discuss [with Ms. Thompson] how to improve [her] conduct for greater success for the business, the team, and [he]rself,” an incredibly demeaning exercise that no other employees were required to partake in.

50. The revised PIP also required stakeholder approval from multiple senior leaders, including Phil Manez, Stacy Wynn, Rick Scurfield, Jeff Denworth, Aaron Chaisson, Robert Benoit, and John Cedillo, effectively giving seven people veto power over Mrs. Dilworth's PIP completion. The revised PIP extended the voluntary separation option under Option 2, offering salary continuation through March 6, 2026, rather than the February 26, 2026 date in the original PIP.

51. The revised PIP, like the original, included language stating that even if Mrs. Dilworth successfully completed the 30-day period, she would still be subject to immediate termination for at least a year. These requirements remained punitive and micromanaging, designed to set Mrs. Dilworth up for failure.

V. Mrs. Dilworth is Issued Another Written Directive Which Evidences the Company’s Discriminatory Animus

52. On January 7, 2026, Ms. Thompson sent Mrs. Dilworth an email, attaching a document titled "Start-Stop-Continue List." In the email, Ms. Thompson stated that "This document was created because you have requested more specificity in what is expected of you during this time." This email was copied to Karmit Shitrit, in HR, and Stacy Wynn. The email

¹ Written by Terry Boyle McDougall

referenced a meeting on January 5, 2026, where the Start-Stop-Continue methodology was first raised.

53. Under the "start" category, Ms. Thompson stated that Mrs. Dilworth needed to "conduct [herself] in a way that shows [she's] fully engaged and grateful to be here," a comment that is not only gravely paternalistic, but also clearly racially charged, suggesting that Mrs. Dilworth should exhibit deference and gratitude to her white supervisors simply for being employed.

54. Ms. Thompson also instructed Mrs. Dilworth to stop "negative engagement," which Ms. Thompson defined as "ceasing instances of rudeness and dismissiveness or non-constructive communication," and specified examples including "not saying negative things to members of the team, whether it's rather or not you trust your manager, whether you see project briefs as necessary, whether you think an event will go poorly, whether you think the choice of learning management system will turn out well." Ms. Thompson stated, "at this point for the good and the impact of the team, we need to stop bringing those things up." In other words, Mrs. Dilworth was being told to suppress her professional judgment and critical thinking, skills that had previously made her successful throughout her career, and to simply be silent and compliant.

55. Ms. Thompson also instructed Mrs. Dilworth not to "turn off your camera in meetings and maintain a positive expression while others are speaking," a requirement that effectively demanded Mrs. Dilworth perform a facade of cheerfulness and submission, regardless of the substance of the discussions.

56. These directives are not only beyond controlling, as if Mrs. Dilworth were Ms. Thompson property, but they clearly evoke the "angry Black woman" stereotype and reflect an

expectation that Mrs. Dilworth, a Black woman, conform to racialized norms of comportment that are not imposed on white employees.

57. Notably, Ms. Thompson had never raised any of these issues with Mrs. Dilworth prior to the December 12, 2025 PIP. In fact, the only feedback Mrs. Dilworth received at VAST prior to December 12, 2025 was positive feedback about her work performance. This sudden pivot from positive engagement to a punitive PIP is consistent with discriminatory pretext, not genuine performance management.

VI. Mrs. Dilworth is Abruptly Terminated In a Final Act of Discrimination and Retaliation

58. On January 30, 2026, just four days after the end of the PIP, VAST Data summarily terminated Mrs. Dilworth based on the claim that Mrs. Dilworth allegedly "engage[d] in outside employment with another company without obtaining the required prior written approval from VAST Data." This is wholly pretextual and serves as yet another manufactured justification for unlawful discrimination and retaliation. The timing of this termination, just weeks after Mrs. Dilworth filed a formal discrimination complaint with HR, establishes a clear pattern of unlawful retaliation. Unsurprisingly, given this unlawful conduct, VAST once again tried to pressure Mrs. Dilworth into waiving her claims against them.

59. It cannot go unnoticed that Mrs. Dilworth was not afforded the progressive discipline that is standard practice, nor was she given the opportunity that Ms. Sentamu – a white employee with well-documented performance issues – received to improve any alleged deficiencies through informal coaching and process adjustments. Instead, Mrs. Dilworth was subjected to an unprecedented level of scrutiny and surveillance through the onerous PIP requirements, and was ultimately terminated for failing to meet subjective, racialized standards of comportment that were never applied to her white colleagues.

60. The disparate treatment between Mrs. Dilworth and Ms. Sentamu is dispositive of discriminatory intent. While Ms. Sentamu's concrete, objective performance failures – the poor work quality, slow execution, incomplete deliverables – were excused and managed informally, Mrs. Dilworth's alleged subjective behavioral issues, issues she was never informed of and which she disputes, were made the basis for a punitive PIP and ultimate termination. The only salient difference between these two employees is race. This is the very definition of disparate treatment.

61. The timing of Mrs. Dilworth's separation also establishes a clear pattern of unlawful retaliation. The Company's refusal to withdraw the PIP after Mrs. Dilworth complained of discrimination on December 15, 2025, the issuance of a revised PIP on December 18, 2025, and the ultimate decision to terminate Mrs. Dilworth's employment on January 30, 2026, just six weeks after she filed a discrimination complaint, all constitute retaliation against Mrs. Dilworth after she engaged in protected activity. The pretextual nature of the "outside employment" justification, never raised during the entire PIP process, further demonstrates that the true reason for her termination was her race and her protected activity, not any legitimate performance or policy concern.

62. When Mrs. Dilworth did not immediately sign the proposed separation agreement, Ms. Shitrit pressured her again in early February 2026, demanding signature by February 7, 2026. Then on February 9, 2026, Ms. Shitrit sent Mrs. Dilworth another email stating, "I noticed that you have not yet signed your separation letter." Mrs. Dilworth responded the next day that she did not intend to sign the separation agreement. Yet Ms. Shitrit once again sent a revised separation letter, directing Mrs. Dilworth to sign it. Mrs. Dilworth needed to respond, yet again, that "I cannot sign this revised document because I am not agreeing to waive my claims against the Company."

63. Based on the foregoing recitation of facts, it is clear that the Respondent has engaged in a pattern and practice of unlawful discrimination and retaliation against Charging Party by treating her adversely with harassment, discrimination, and retaliation on the basis of her race in violation of Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (“Title VII”), Section 1981 of the Civil Rights Act of 1866, 42 U.S.C. § 1981 (“§ 1981”); the New York State Human Rights Law, New York State Executive Law, §§ 296 et seq. (“NYSHRL”); and the New York City Human Rights Law, Administrative Code §§ 8-107, et seq. (“NYCHRL”).

64. As a result of the foregoing, the Charging Party has been unlawfully discriminated and retaliated against, humiliated, and degraded, and thus has suffered the violation of her rights, emotional distress, as well as loss of income and earnings.

65. Specifically, as a result of the acts and conduct complained of herein, Charging Party has suffered and will continue to suffer the loss of income, the loss of a salary, bonuses, benefits and other compensation which such employment entails, as well as future pecuniary losses, emotional pain, loss of enjoyment of life, and other non-pecuniary losses. Mrs. Dilworth further experienced severe emotional and physical distress.

66. Because its conduct has been malicious, willful, outrageous, and done with full knowledge of the legion of law to the contrary, the Charging Party will also demand punitive damages against the Respondent.

Dilworth_EEOC Charge_Final

Final Audit Report

2026-07-07

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