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IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH

JORGE BELLO,

Plaintiff,

v.

SAUCEBOX, INC.; JOSEPH ROGERS;  
NICHOLAS PERDUE; MARY  
ULICKEY; and MARIA LANARAS,

Defendants.

Case No. \_\_\_\_\_

COMPLAINT

1. Race/Color Discrimination/Harassment/  
Hostile Work Environment ORS  
659A.030(1)(a-b)
2. Whistleblowing—Reporting Unlawful  
Conduct ORS 659A.199
3. Wage Inquiry Retaliation ORS 659A.355
4. Retaliation ORS 659A.030(1)(f)
5. Aiding, Abetting, or Inciting ORS  
659A.030(1)(g)

**NOT SUBJECT TO MANDATORY  
ARBITRATION**

**[Fee Authority: Ch. 595, Sec. 15(1)(c)]**

**[Prayer: \$450,000]**

Plaintiff Jorge Bello worked for Defendant Saucebox, Inc. (“SAUCEBOX”) from in or about February 2017 until he was constructively discharged by Defendant SAUCEBOX on May 3, 2019, and for his Complaint alleges as follows:

**JURISDICTION, VENUE AND PARTIES**

1.

Defendant SAUCEBOX is a domestic corporation created under the laws of the State of Oregon that is registered and licensed to conduct business in Oregon. SAUCEBOX has its principal place of business in Multnomah County and conducts substantial and sustained business activity

1 in Multnomah County.

2  
3 2.

4 Defendant Joseph Rogers (“ROGERS”) was at all material times the President and an owner of  
5 SAUCEBOX and had supervisory authority over Plaintiff. At all material times, Defendant  
6 ROGERS was acting within the scope of his agency relationship with SAUCEBOX, unless  
7 otherwise alleged herein in the alternative. Plaintiff is informed and believes that ROGERS is a  
8 resident of the State of Oregon.

9 3.

10 Defendant Nicholas Perdue (“PERDUE”) was the General Manager at SAUCEBOX and had  
11 supervisory authority over Plaintiff. Thereafter, Plaintiff is informed and believes he was  
12 promoted to Senior Administrative Manager or another managerial position with Bruce Carey  
13 Restaurants. Bruce Carey Restaurants is the parent company of SAUCEBOX and/or has  
14 overlapping management with SAUCEBOX. At all material times, Defendant PERDUE was  
15 acting within the scope of his agency relationship with SAUCEBOX, unless otherwise alleged  
16 herein in the alternative. Plaintiff is informed and believes that PERDUE is a resident of the  
17 State of Oregon.

18 4.

19 Defendant Mary Ulickey (“ULICKEY”) was at all material times the General Manager at  
20 SAUCEBOX and had supervisory authority over Plaintiff. At all material times, Defendant  
21 ULICKEY was acting within the scope of her agency relationship with SAUCEBOX, unless  
22 otherwise alleged herein in the alternative. Plaintiff is informed and believes that ULICKEY is a  
23 resident of the State of Oregon.

24 5.

25 Defendant Maria Lanaras (“LANARAS”) was at all material times a Bar Manager at  
26 SAUCEBOX and had supervisory authority over Plaintiff. At all material times, Defendant

1 LANARAS was acting within the scope of her agency relationship with SAUCEBOX, unless  
2 otherwise alleged herein in the alternative. Plaintiff is informed and believes that LANARAS is a  
3 resident of the State of Oregon.  
4

5 **STATEMENT OF FACTS**

6 6.

7 Plaintiff is a male of Cuban/Hispanic descent.

8 7.

9 In or about February 2017, Plaintiff began working for SAUCEBOX as a busser. Plaintiff was  
10 soon promoted to server within a couple of months.  
11

12 8.

13 Throughout Plaintiff's employment at SAUCEBOX he was subjected to race/color-based  
14 harassment, discrimination, and a racially hostile work environment. The following are some, but  
15 not all, examples of the racist and inappropriate behavior that Plaintiff was regularly forced to  
16 endure while working for SAUCEBOX:

- 17 • PERDUE stylized himself as one of the "Proud Boys" and often regurgitated racist and  
18 misogynistic philosophies in the workplace. PERDUE told Plaintiff and other employees  
19 at SAUCEBOX that white people had superior brains compared to other races, that white  
20 people had been proven genetically superior to all other races, that women were inferior  
21 to men both physically and mentally, and spewed out other vitriolic racist theories in the  
22 workplace. PERDUE even claimed to have read a study that confirmed his racist views  
23 were scientifically proven. Plaintiff and his coworkers were offended by PERDUE's  
24  
25  
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1 racist opinions and Plaintiff did not believe it was proper for such racist opinions to be  
2 discussed in the workplace.

3 • PERDUE also directed racist statements at Plaintiff on a regular basis by referring to  
4 Plaintiff with racist epithets, including, but not limited to, “nigga”, “nigger”, “illegal”,  
5 and other offensive epithets. Plaintiff was disgusted and very offended by being referred  
6 to with such racist epithets.

7  
8 • PERDUE enjoyed openly referencing “Pepe the Frog”, a cartoon character that was co-  
9 opted by racists to belittle Hispanics. PERDUE discussed “Pepe the Frog” with Plaintiff  
10 and sent him text messages that were racially hostile towards Hispanics containing “Pepe  
11 the Frog.”

12 • PERDUE regularly listened to podcasts containing racist and offensive content at work.  
13 When PERDUE tried to get Plaintiff to listen to such podcasts, he told PERDUE that he  
14 did not approve of the content.

15  
16 • When Plaintiff pushed back and opposed PERDUE’s blatantly racist comments in the  
17 workplace, PERDUE told Plaintiff that Plaintiff needed to be “red pillled,” a term utilized  
18 by white nationalists to represent when a person has seen "the truth" about relations  
19 between races. PERDUE often used this term when attempting to convince others that the  
20 racist theories he embraced were correct.

21  
22 • PERDUE regularly made racist statements about customers of color, including,  
23 referring to black customers as “niggers,” and claiming to Plaintiff and others that black  
24 customers did not tip because they were “niggers.” PERDUE also referred to customers  
25  
26

1 of color with other inappropriate racial epithets, such as referring to Hispanic customers  
2 as “illegals.”

3 • PERDUE often conversed about racially charged topics with his friend that frequented  
4 SAUCEBOX both during work hours and after the bar closed. PERDUE engaged in  
5 racist chanting with his friend at the bar after hours which greatly upset the employees  
6 that were still working while closing.

7  
8 • PERDUE’s friend also made so many sexist and inappropriate statements about women  
9 that some of the female employees at SAUCEBOX requested that PERDUE not allow  
10 him back in the bar. PERDUE refused the request.

11 • LANARAS often parroted PERDUE’s vitriolic racist statements in the workplace.  
12 LANARAS and PERDUE used the “okay” hand sign, a symbol co-opted by white  
13 nationalists to represent “white power,” to show their allegiance to white nationalism and  
14 to intimidate others in the workplace.

15  
16 • LANARAS referred to Plaintiff as “little caveman” which was meant as a racist slight  
17 towards Plaintiff because LANARAS and PERDUE believed he was inferior to whites  
18 because he is Hispanic. LANARAS even told Plaintiff that she felt sorry for him because  
19 he was “brown,” and therefore stupid and incompetent as a result. Plaintiff was highly  
20 offended by LANARAS’ racist statements and told her it was not appropriate to speak to  
21 him that way. LANARAS would just laugh at Plaintiff in response.

22  
23 9.

24 Plaintiff was highly offended by PERDUE and LANARAS’ racist and inappropriate behavior in  
25 the workplace. Plaintiff made his opposition to this conduct known to PERDUE and LANARAS  
26

1 on multiple occasions, but was told by PERDUE that ROGERS, the President of SAUCEBOX,  
2 shared PERDUE's white supremacist views and would "protect" PERDUE. As a result, Plaintiff  
3 feared retaliation if he complained to ROGERS. Plaintiff was forced to endure the racially  
4 hostile work environment as best he could without any support from management. Plaintiff tried  
5 his best to focus on his work and to not give PERDUE the satisfaction of seeing how much his  
6 behavior upset Plaintiff.

8 10.

9 On or about January 22, 2019, Plaintiff was the only server working on the restaurant floor  
10 because it had been slow early in the evening. When business picked up, Plaintiff went to the  
11 office where PERDUE was and asked for his help. PERDUE angrily yelled at Plaintiff in  
12 response by asking if Plaintiff was "fucking retarded." PERDUE refused to provide any  
13 assistance to Plaintiff.

15 11.

16 Plaintiff did the best he could to handle the floor of the restaurant by himself and eventually  
17 found time to take his legally required break. While Plaintiff was on break, PERDUE sent him a  
18 text message asking what he was doing.

20 12.

21 In response, Plaintiff cut his break short and went to speak with PERDUE in his office. When  
22 PERDUE saw Plaintiff climbing the stairs to his office, PERDUE began yelling and screaming at  
23 Plaintiff. PERDUE angrily asked Plaintiff "what the fuck" he was doing, what was "wrong" with  
24 Plaintiff, and whether Plaintiff was "retarded." PERDUE then told Plaintiff that he was  
25 suspended for a week.

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13.

Plaintiff asked PERDUE why he was being suspended when all he did was ask PERDUE for help on the floor. PERDUE snidely responded that he would not “expect a nigger like [Plaintiff] to understand” and that Plaintiff was not “worth an explanation.”

14.

The poor treatment and racial slight really offended Plaintiff. Plaintiff became upset and hit a door with his hand. PERDUE then angrily told Plaintiff that he was “fired” and told him to “get the fuck out!”

15.

Plaintiff told PERDUE that he needed to close out his tables before he could leave. PERDUE did not care and told Plaintiff that he needed to leave the premises “right now!” PERDUE then called the police on Plaintiff.

16.

When the police arrived at SAUCEBOX, Plaintiff was escorted out of the restaurant like a criminal in front of his coworkers while PERDUE and LANARAS watched on with satisfied smirks on their faces. Plaintiff was thoroughly humiliated by the experience.

17.

When Plaintiff was outside of SAUCEBOX, he called ROGERS to complain about PERDUE’s racism and the circumstances of his termination. Plaintiff left ROGERS a voicemail to call him back.

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18.

Meanwhile, although PERDUE had just terminated Plaintiff and called the police to escort Plaintiff out of the restaurant, PERDUE falsely claimed in SAUCEBOX’s records that Plaintiff had quit employment with SAUCEBOX.

19.

That evening, ROGERS sent Plaintiff a text message that reassured Plaintiff that he would investigate his complaint the next day. In response, Plaintiff complained to ROGERS that PERDUE was “overtly racist” and that he had referred to Plaintiff as a “subhuman nigger.” Plaintiff agreed to discuss the situation with ROGERS the next day.

20.

On or about January 23, 2019, Plaintiff met with ROGERS in person. Plaintiff could no longer take the nearly constant racial harassment and hostile work environment at SAUCEBOX fostered by PERDUE and LANARAS. Plaintiff complained to ROGERS about PERDUE and LANARAS’ racist statements, racist arguments, and other inappropriate behavior he was subjected to at SAUCEBOX.

21.

In response, ROGERS asked Plaintiff why he had not complained to him about PERDUE and LANARAS’ racist behavior before now. Plaintiff told ROGERS that PERDUE had bragged that ROGERS shared PERDUE’s white supremacist views and that ROGERS would protect PERDUE if Plaintiff complained about him to ROGERS.

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22.

ROGERS denied being a racist and tried to prove it to Plaintiff by claiming that he hired undocumented people to work for Bruce Carey Restaurants “all the time” and even paid them \$20/hr. ROGERS also told Plaintiff that he could not terminate LANARAS because the examples of her racist statements provided by Plaintiff were not enough to fire her over. ROGERS then thanked Plaintiff and told Plaintiff he would investigate the situation.

23.

That evening, ROGERS went to SAUCEBOX and interviewed Plaintiff’s coworkers about PERDUE’s racist statements and inappropriate behavior in the workplace. A number of Plaintiff’s coworkers confirmed to ROGERS that PERDUE had made racist statements and treated Plaintiff poorly.

24.

Plaintiff is informed and believes that ROGERS had a number of Plaintiff’s coworkers sign paperwork confirming that PERDUE had made racist statements in the workplace.

25.

While ROGERS was investigating Plaintiff’s complaints about PERDUE’s racial discrimination and harassment in the workplace, PERDUE was busy accusing Plaintiff of using his “typical ‘I’m Cuban so everyone hates me’” defense to his coworkers.

26.

On or about January 24, 2019, Plaintiff spoke with ROGERS. ROGERS told Plaintiff that PERDUE had been terminated. Plaintiff asked if he still had a job. ROGERS told Plaintiff that

1 PERDUE claimed that Plaintiff had quit. Plaintiff told ROGERS that he had not quit. ROGERS  
2 then reinstated Plaintiff and told him to contact the interim manager for his schedule.

3  
4 27.

5 Plaintiff was encouraged that SAUCEBOX had apparently terminated PERDUE. Although  
6 Plaintiff was concerned about continuing to have to work with LANARAS, he was now  
7 optimistic about his future at SAUCEBOX.

8  
9 28.

10 However, Plaintiff's optimism about his new working environment was dashed when ULICKEY  
11 became the manager of SAUCEBOX. ULICKEY cut Plaintiff's shifts from an average of four a  
12 week to two a week. ULICKEY also scheduled two newer white female servers for more and  
13 better shifts than him. ULICKEY claimed that change in scheduling was based on "performance"  
14 but she had not been there long enough to assess anyone's performance when the scheduling  
15 change was made.

16  
17 29.

18 Meanwhile, LANARAS began to retaliate against Plaintiff by claiming he was not complying  
19 with the unwritten "dress code." LANARAS suggested that Plaintiff be required to purchase a  
20 SAUCEBOX T-shirt as a penalty.

21  
22 30.

23 ULICKEY not only cut the frequency of Plaintiff's shifts, she also consistently sent him home  
24 early first when business was slow on the few nights he was scheduled. In addition, ULICKEY  
25 hyper-scrutinized Plaintiff's performance. Plaintiff alleges that he was being retaliated against by  
26 SAUCEBOX for having complained about race discrimination and harassment in the workplace.

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31.

On or about February 16, 2019, LANARAS recommended that SAUCEBOX “86 George” (i.e. terminate him) because he forgot to leave money in the tip pool which he later made up for. It was not uncommon for servers at SAUCEBOX to forget to leave money in the tip pool and have to make it up later. Plaintiff does not believe that any other server was disciplined, much less terminated, for this reason.

32.

On or about February 21, 2019, although ULICKEY had only been working as Plaintiff’s manager for about a month, she issued him two write-ups at the same time. One write-up was for having a high line void average and the second was for the tip pool issue. ULICKEY even claimed that she suspected Plaintiff may have been stealing from the tip pool.

33.

Plaintiff was stunned that he was being given two write-ups on the same day for issues that other servers had not been disciplined for at all. Plaintiff felt that he was being retaliated against by SAUCEBOX for his prior complaints about racial discrimination and harassment in the workplace.

34.

ULICKEY also engaged in negative racial stereotyping with respect to Plaintiff by repeatedly blaming Plaintiff when something went missing at SAUCEBOX. For example, on or about March 16, 2019, ULICKEY blamed Plaintiff for a key that had gone missing even though many other employees had access to the same key.

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35.

On or about March 20, 2019, ULICKEY issued Plaintiff another write-up for forgetting to pay for \$5 worth of food, which he paid for as soon as he was notified of the mistake. Again, Plaintiff believes that other servers were not disciplined for simply forgetting to pay a food tab that was later paid, and that the write-up was further retaliation against him.

36.

On or about March 22, 2019, ULICKEY issued Plaintiff another write-up for being late to work one time by 30 minutes because he had vehicle problems. This time ULICKEY immediately suspended Plaintiff from work for two weeks as a result. In contrast, other servers were repeatedly late for their shifts, but were not disciplined by ULICKEY. Plaintiff began to suspect that SAUCEBOX was attempting to force him to resign by cutting his shifts and now suspending him so he could not make sufficient money to support himself.

37.

On or about April 6, 2019, Plaintiff was contacted by a fellow server and was offered her shift at SAUCEBOX. Although Plaintiff's two-week suspension had ended the previous day, ULICKEY refused to allow Plaintiff to cover the shift, further depriving him of the ability to generate income to support himself. Plaintiff complained to ULICKEY that her refusal to schedule him for work was depriving him of his livelihood, that he did not deserve such treatment, and that he would like to work.

38.

In response, ULICKEY refused to schedule Plaintiff for any shifts for an additional week without explanation.

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39.

When Plaintiff was finally scheduled to return to work, ULICKEY had initially scheduled him for only one unfavorable morning shift in three weeks. After Plaintiff begged ULICKEY for additional shifts, she reluctantly scheduled him for another morning shift during the same time period. Plaintiff was upset because he was being scheduled for fewer shifts than servers that had been recently hired at SAUCEBOX.

40.

Thereafter, ULICKEY continued to send Plaintiff home early if business was slow on the few days she actually scheduled him to work.

41.

Plaintiff suspected that his poor treatment at SAUCEBOX was in retaliation for his prior complaints about the racially hostile work environment created by PERDUE and LANARAS. Plaintiff's suspicions were confirmed when he discovered that ROGERS had lied to him about terminating PERDUE. In fact, PERDUE had been *promoted* to Senior Administrative Manager for Bruce Carey Restaurants, the parent company of SAUCEBOX, after Plaintiff's complaints about PERDUE's inappropriate behavior.

42.

Plaintiff was sick to his stomach when he discovered that ROGERS' "investigation" of his complaints regarding racial harassment and discrimination by PERDUE had been a total sham and in fact ROGERS had been lying to him about the situation. Plaintiff was now convinced that SAUCEBOX wanted him gone and would simply continue to harass him and cut his hours to the point that he would be forced to starve or resign.

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43.

On May 3, 2019, Plaintiff decided that he could no longer take the harassment and retaliation at SAUCEBOX, so he immediately resigned. Plaintiff sent an email to ROGERS explaining that he was very disappointed that ROGERS had lied to him about terminating PERDUE. Plaintiff's email also stated: "Many people in the company, especially women, people of color, and marginalized groups have felt unsafe working with, or around [PERDUE]. You as the BCR are sending a message to the community that you condone his actions, and that you don't value our safety or dignity in the workplace. And then you made this situation even more hurtful by giving Nick [PERDUE] a promotion."

44.

Plaintiff further added that he was forced to resign from SAUCEBOX and look for another job because his shifts had been cut to the point where he could not support himself in retaliation for his complaints about PERDUE's racism. Plaintiff concluded by stating "If the goal was to force me to leave then you succeeded. Please consider this my immediate resignation."

45.

In response, ROGERS claimed that Plaintiff had been "misinformed," although he did not affirmatively deny that PERDUE was still working for Bruce Carey Restaurants.

46.

Plaintiff was constructively discharged from SAUCEBOX because of its continued failure to address to racial discrimination and his retaliatory work environment.

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47.

Defendants intentionally created and/or maintained working conditions so intolerable that a reasonable person in Plaintiff’s position would have left employment because of those conditions.

48.

Defendants desired that Plaintiff leave employment and/or knew that Plaintiff was certain, or substantially certain, to leave employment because of those working conditions. Plaintiff in fact left employment because of those working conditions, resulting in his constructive discharge.

49.

The racially hostile and retaliatory work environment Plaintiff was regularly subjected to while working at SAUCEBOX constituted a continuing violation of his right to be free from racial discrimination, retaliation, and harassment in the workplace.

50.

Plaintiff is informed and believes that SAUCEBOX, and its parent company Bruce Carey Restaurants, has engaged in a reprehensible pattern and practice of discrimination and harassment against people of color, women, and other minorities in its restaurants.

51.

Plaintiff timely filed a claim with the Oregon Bureau of Labor & Industries (BOLI) and this Complaint is being filed within 90 days of the issuance BOLI’s Right-to-Sue letter.

**DAMAGES**

52.

As a direct and proximate result of Defendants’ actions, Plaintiff has suffered noneconomic

1 damages, including, but not limited to, general “garden variety” emotional distress such that a  
2 reasonable person under the circumstances would suffer, humiliation, worry, and anxiety, and  
3 requests an award of compensatory damages in an amount to be determined by a jury at the time  
4 of trial, and not to exceed \$400,000.  
5

6 53.

7 As a direct and proximate result of Defendants’ actions, Plaintiff has suffered and continues to  
8 suffer economic damages, including, but not limited to, loss of earnings, loss of benefits, loss of  
9 job opportunities and other employment benefits which likely continue to accrue in an amount to  
10 be determined at the time of trial and not to exceed \$50,000, together with interest and the  
11 amount necessary to offset the income tax consequences of the award pursuant to ORS  
12 659A.885(1) and/or as special damages under common law.  
13

14 54.

15 Plaintiff also seeks equitable relief including reinstatement to Plaintiff’s former position, if  
16 feasible, and a permanent injunction enjoining Defendants from engaging in any employment  
17 practice which discriminates on the basis as alleged in this Complaint.  
18

19 55.

20 Plaintiff places Defendants on notice of Plaintiff’s intent to move the Court to amend this  
21 Complaint to seek punitive damages and to seek discovery of all relevant financial documents  
22 from Defendants.  
23

24 56.

25 Plaintiff also seeks reasonable attorney’s fees and costs in an amount to be proven at trial  
26 pursuant to ORS 659A.885(1) and/or ORS 20.107 and/or other applicable statute.



1 **FIRST CLAIM FOR RELIEF**

2 Race and Color Discrimination/Harassment/Hostile Work Environment– ORS 659A.030 *et seq.*  
3 (Against Defendant SAUCEBOX)

4 57.

5 Plaintiff restates and incorporates by reference paragraphs 1-51, inclusive.

6 58.

7 Defendant SAUCEBOX, acting through its agents/employees, subjected Plaintiff to race and  
8 color-based discrimination, disparate treatment, a hostile work environment, and harassment, and  
9 SAUCEBOX failed to take reasonable steps necessary to prevent this discrimination and  
10 harassment from occurring.

11 59.

12 Defendant discriminated against Plaintiff on the basis of his race and/or color in that Plaintiff  
13 was treated less favorably than co-workers who were not Hispanic in the terms and conditions of  
14 his employment, was denied employment opportunities to which he was otherwise qualified, had  
15 his hours substantially cut, was given less favorable shifts, was subjected to unwarranted  
16 discipline, was suspended, was discharged, and as otherwise alleged in detail above.

17 60.

18 In perpetrating the actions described in the above paragraphs, Defendant violated Oregon  
19 Revised Statute 659A.030 *et seq.*, by subjecting Plaintiff to discrimination, disparate treatment,  
20 and a hostile, intimidating, and/or offensive work environment on the basis of his race and/or  
21 color, causing Plaintiff to suffer damages.

22 61.

23 Plaintiff requests an award of damages, equitable relief, costs, and attorney’s fees as alleged in  
24  
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1 paragraphs 52-56, inclusive, supra.

2 **SECOND CLAIM FOR RELIEF**

3 Retaliation for Reporting Unlawful Conduct (Whistleblowing) – ORS 659A.199  
4 (Against Defendant SAUCEBOX)

5 62.

6 Plaintiff restates and incorporates by reference paragraphs 1-51, inclusive.

7 63.

8 In perpetrating the actions described in the above paragraphs, Defendant SAUCEBOX, acting  
9 through its agents and/or employees, subjected Plaintiff to retaliation for reporting in good faith  
10 information Plaintiff believed to be evidence of violations of state laws, rules, and regulations,  
11 including, but not limited to, violations of ORS 659A.030 *et seq.* (anti-discrimination,  
12 harassment, and retaliation in the employment statutes); ORS 166.065 (criminalizing  
13 harassment); ORS 659A.403 (discrimination in place of public accommodation prohibited); and  
14 OAR 839-021-0050 (meal and rest break requirements).

15 64.

16 Defendant retaliated against Plaintiff for reporting this unlawful activity by subjecting Plaintiff to  
17 disparate treatment, denying Plaintiff employment opportunities to which he was otherwise  
18 qualified, falsely disciplining Plaintiff, cutting Plaintiff’s hours, suspending Plaintiff, and  
19 discharging Plaintiff in violation of ORS 659A.199, causing Plaintiff to suffer damages.

20 65.

21 Plaintiff requests an award of damages, equitable relief, costs, and attorney’s fees as alleged in  
22 paragraphs 52-56, inclusive, supra.

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1 **THIRD CLAIM FOR RELIEF**  
2 Wage Inquiry Retaliation ORS 659A.355  
3 (Against Defendant SAUCEBOX)

4 66.

5 Plaintiff restates and incorporates by reference paragraphs 1-51, inclusive.

6 67.

7 Defendant SAUCEBOX, acting through its agents and/or employees, discriminated and  
8 retaliated against Plaintiff by subjecting Plaintiff to disparate treatment, false discipline,  
9 reduction in hours, unwarranted suspension, and discharge because Plaintiff inquired about,  
10 discussed, and/or disclosed in any manner his own wages and/or wages of another employee.

11 68.

12 Defendant's discrimination and retaliation against Plaintiff constitutes an unlawful employment  
13 practice in violation of ORS 659A.355. Defendant's discrimination and retaliation against  
14 Plaintiff caused Plaintiff to suffer damages, as discussed in detail above.

15 69.

16 Plaintiff requests an award of damages, equitable relief, costs, and attorney's fees as alleged in  
17 paragraphs 52-56, supra.

18 **FOURTH CLAIM FOR RELIEF**  
19 Retaliation for Opposing Unlawful Practices (ORS 659A.030(1)(f))  
20 (Against All Defendants)

21 70.

22 Plaintiff restates and incorporates by reference paragraphs 1-51, inclusive.

23 71.

24 Plaintiff engaged in protected activity when Plaintiff complained about and opposed Defendants'  
25 unlawful practices, as described in detail above.  
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72.

Defendants retaliated against Plaintiff by discriminating against Plaintiff in substantial part because of Plaintiff's complaints and opposition to Defendants' unlawful practices. Defendants took adverse employment actions against Plaintiff, including, but not limited to, subjecting Plaintiff to disparate treatment, causing Plaintiff to have his hours substantially reduced, falsely disciplining Plaintiff, causing Plaintiff to be suspended, causing Plaintiff to be discharged, and as otherwise alleged in detail above.

73.

In perpetrating the actions described in the above paragraphs, Defendants violated ORS 659A.030(1)(f) by retaliating against Plaintiff for opposing discrimination and retaliation against Plaintiff, causing Plaintiff to suffer damages.

74.

Plaintiff requests an award of damages, equitable relief, costs, and attorney's fees as alleged in paragraphs 52-56, inclusive, supra.

**FIFTH CLAIM FOR RELIEF**

Aiding, Abetting or Inciting Unlawful Employment Practices (ORS 659A.030(1)(g))  
(Against Defendants ROGERS; PERDUE; ULICKEY; and LANARAS)

75.

Plaintiff restates and incorporates by reference paragraphs 1-51, inclusive.

76.

As set forth in detail above, Defendants ROGERS, PERDUE, ULICKEY, and LANARAS aided, abetted and/or incited unlawful employment practices against Plaintiff by each other and Defendant SAUCEBOX.

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77.

Specifically, Defendants ROGERS, PERDUE, ULICKEY, and LANARAS incited the harassment of Plaintiff, discrimination against Plaintiff, promotion of a racially hostile work environment, unwarranted discipline, suspension, and his unlawful discharge from Defendant SAUCEBOX. Defendants ROGERS, PERDUE, ULICKEY, and LANARAS, did so while knowing that their conduct was unlawful, intending to cause Plaintiff’s harm.

78.

Defendants ROGERS, PERDUE, ULICKEY, and LANARAS also aided and/or abetted the harassment of Plaintiff, discrimination against Plaintiff, Plaintiff’s suspension, Plaintiff having his hours substantially cut, and Plaintiff being subjected to false discipline, by Defendant SAUCEBOX. They did so while knowing that their conduct was unlawful, intending to cause Plaintiff’s harm.

79.

Defendants ROGERS, PERDUE, ULICKEY, and LANARAS violated Oregon Revised Statute 659A.030(1)(g) by aiding, abetting and/or inciting unlawful employment practices, causing Plaintiff damages.

80.

Plaintiff requests an award of damages, equitable relief, costs, and attorney’s fees as alleged in paragraphs 52-56, inclusive, supra.

**JURY TRIAL DEMAND**

Plaintiff demands a jury trial on all claims and issues to the extent allowed under the law.

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**PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiff requests the following judgments and relief according to proof:

1. Economic damages, as alleged;
2. Non-economic damages, as alleged;
3. Reasonable costs and attorney’s fees per statute, as alleged;
4. Reinstatement, if feasible, and a permanent injunction enjoining Defendants from engaging in any employment practice which discriminates on the basis as alleged herein;
5. For prejudgment and post-judgment interest as appropriate and allowed by law;
6. On all claims, amounts necessary to offset the income tax consequences of receiving a lump sum payment, rather than receiving payment of wages over the time;
7. Upon motion, punitive damages, as alleged; and
8. All such other relief as this Court may deem proper.

Dated: April 29, 2020.

**Unlawful Termination Lawyers, LLC**

*/s/Daniel K. Le Roux* \_\_\_\_\_

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