

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION**

PREMISE HEALTH HOLDING CORP.,

*Plaintiff,*

v.

ERICA L. THOMAS,

*Defendant.*

Civil Action No. \_\_\_\_\_

**INJUNCTIVE RELIEF  
REQUESTED**

**COMPLAINT**

Plaintiff Premise Health Holding Corp. (“Premise Health”), states for its Complaint against Defendant Erica L. Thomas (“Thomas”), as follows:

**PARTIES**

1. Premise Health is a corporation organized and existing under the laws of the State of Delaware with its principal place of business in Tennessee.
2. Thomas is an individual residing at 820 Duff Drive, Winter Garden, Florida, 34787, and, upon information and belief, is a citizen of Florida.

**JURISDICTION AND VENUE**

3. This Court has subject matter jurisdiction over Premise Health’s Defend Trade Secrets Act claim pursuant to 28 U.S.C. § 1331 and 18 U.S.C. § 1836(c). Pursuant to 28 U.S.C. § 1367(a), this Court has supplemental jurisdiction over the remaining state law claims because the these claims are so related to the claims asserted within the Court’s original jurisdiction that they form

part of the same case or controversy under Article III of the United States Constitution.

4. This Court has personal jurisdiction over Thomas because Premise Health's causes of action arise from Thomas's tortious acts or omissions within this state, Thomas resides in this state, and jurisdiction over Thomas comports with fair play and substantial justice.

5. Venue is proper in this Court pursuant to 28 U.S.C. § 1391(b) because Thomas resides in this judicial district.

### FACTS

#### A. Premise Health's business, confidential information, and trade secrets.

6. Since 1964, Premise Health has provided companies with a wide range of onsite healthcare services, including primary care, preventive care, dental care, vision, physical therapy, occupational therapy, and wellness coaching.

7. The healthcare industry is highly competitive. This is especially true for healthcare access providers that primarily work with employers to provide onsite healthcare services.

8. To be successful, a healthcare access provider must develop strong relationships with its clients that enable the provider to learn and understand the clients' specific needs, requirements, and preferences and deliver high quality services to the clients' employees.

9. To meet its clients' expectations, Premise Health has developed and maintained, at great expense to it, close relationships and substantial goodwill with its clients, which are necessary to its reputation and success.

10. In order to establish and maintain client relationships, and further its business, Premise Health has developed and uses a variety of confidential, proprietary, and trade secret information.

11. Premise Health's trade secret information includes, without limitation, Premise Health's business and marketing plans; selling and pricing procedures and techniques; customer records, lists, requirements, and information; databases and software developed or used by Premise Health; Premise Health's pricing, margins, costs, and other financial information and projections; terms and conditions of contracts to which Premise Health is a party; techniques and strategies used by Premise Health and on which Premise Health trains its employees; Premise Health's employee compensation information; and other information not generally available to the public and/or for which Premise Health has assumed an obligation of confidentiality.

12. Premise Health's trade secrets derive independent economic value from not being generally known to, and not being readily ascertainable by proper means by other persons, including competitors, who can obtain economic value from their disclosure or use.

13. Premise Health's trade secrets have been compiled by Premise Health personnel over several years and at great expense and are subject of efforts that are reasonable under the circumstances to maintain their secrecy.

14. For example, Premise Health requires those employees with access to its trade secrets, as a condition of employment, to abide by Premise Health's Code of Conduct.

15. Premise Health requires all employees to read, understand, and follow Premise Health's Code of Conduct.

16. Adherence to Premise Health's Code of Conduct is mandatory and a condition of employment at Premise Health.

17. Indeed, Premise Health employees are required to undergo comprehensive training and education to ensure employees are aware of and agree to Premise Health's Code of Conduct.

18. In fact, in addition to mandatory training at the commencement of employment, every employee must undergo annual training and acknowledge his/her agreement to the Code of Conduct.

19. Premise Health's Code of Conduct requires, among other things, that its employees:

(a) Remain free of conflicts of interest in the performance of his/her responsibilities at Premise Health;

(b) Avoid any personal financial interest that might conflict with Premise Health's interest;

(c) Use Premise Health's trade secrets only to perform his/her job responsibilities;

(d) Not to share Premise Health's trade secrets with others unless the individuals and/or entities have a legitimate, documented need to know the information order to perform their specific job duties or carry out a contractual business relationship; and

(e) Never divulge Premise Health's trade secrets or use them for an employee's own benefit.

20. Premise Health's Code of Conduct also advises each employee that if the employee leaves Premise Health for any reason, that such employee remains obligated to keep all trade secret information confidential.

21. Significantly, Premise Health's Code of Conduct warns that sharing or using Premise Health's trade secrets in an improper way is a violation of the Code of Conduct and could lead to personal liability for the violating employee.

B. Thomas's employment with Premise Health.

22. From August 4, 2014 until October 29, 2021, Thomas was employed by Premise Health in various operational roles, culminating in her final position as the Senior Director of Client Operations.

23. For the entirety of her employment, Thomas was responsible for Premise Health's largest client, The Walt Disney Company.

24. As is the case for all of Premise Health's employees, Thomas completed the required employee training at the beginning of her employment and

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