

# EXHIBIT 1

Approved, SCAO

Original - Court  
1st Copy- Defendant

2nd Copy - Plaintiff  
3rd Copy -Return

21-21 G.S.  
@ 3:45 p

<p align="center"><b>STATE OF MICHIGAN THIRD JUDICIAL CIRCUIT WAYNE COUNTY</b></p>	<p align="center"><b>SUMMONS</b></p>	<p align="center"><b>CASE NO. 21-012408-CD Hon. John A. Murphy</b></p>
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Court address : 2 Woodward Ave., Detroit MI 48226

Court telephone no.: 313-224-0142

<p><b>Plaintiff's name(s), address(es), and telephone no(s)</b> Jones, Kathleen</p>
<p><b>Plaintiff's attorney, bar no., address, and telephone no</b>  Scott P. Batey 54711 30200 Telegraph Rd Ste 400 Bingham Farms, MI 48025-4506</p>

v

<p><b>Defendant's name(s), address(es), and telephone no(s).</b> Thermo-Fisher Scientific Inc.</p>
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**Instructions:** Check the items below that apply to you and provide any required information. Submit this form to the court clerk along with your complaint and, if necessary, a case inventory addendum (form MC 21). The summons section will be completed by the court clerk.

**Domestic Relations Case**

- There are no pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.
- There is one or more pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint. I have separately filed a completed confidential case inventory (form MC 21) listing those cases.
- It is unknown if there are pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.

**Civil Case**

- This is a business case in which all or part of the action includes a business or commercial dispute under MCL 600.8035
- MDHHS and a contracted health plan may have a right to recover expenses in this case. I certify that notice and a copy of the complaint will be provided to MDHHS and (if applicable) the contracted health plan in accordance with MCL 400.106(4).
- There is no other pending or resolved civil action arising out of the same transaction or occurrence as alleged in the complaint.
- A civil action between these parties or other parties arising out of the transaction or occurrence alleged in the complaint has

been previously filed in  this court,  \_\_\_\_\_ Court,

where it was given case number \_\_\_\_\_ and assigned to Judge \_\_\_\_\_.

The action  remains  is no longer pending.

Summons section completed by court clerk.

**SUMMONS**

**NOTICE TO THE DEFENDANT:** In the name of the people of the State of Michigan you are notified:

1. You are being sued.
2. **YOU HAVE 21 DAYS** after receiving this summons and a copy of the complaint to **file a written answer with the court** and serve a copy on the other party **or take other lawful action with the court** (28 days if you were served by mail or you were served outside this state).
3. If you do not answer or take other action within the time allowed, judgment may be entered against you for the relief demanded in the complaint.
4. If you require special accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

<p>Issue date 9/21/2021</p>	<p>Expiration date* 12/21/2021</p>	<p>Court clerk Angila Mayfield</p>
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Cathy M. Garrett- Wayne County Clerk.

\*This summons is invalid unless served on or before its expiration date. This document must be sealed by the seal of the court.

MC 01 (9/19)

**SUMMONS**

MCR 1.109(D), MCR 2.102(B), MCR 2.103, MCR 2.104, MCR 2.105



**SUMMONS**  
Case No. : **21-012408-CD**

**PROOF OF SERVICE**

TO PROCESS SERVER: You are to serve the summons and complaint not later than 91 days from the date of filing or the date of expiration on the order for second summons. You must make and file your return with the court clerk. If you are unable to complete service you must return this original and all copies to the court clerk.

**CERTIFICATE / AFFIDAVIT OF SERVICE / NONSERVICE**

<input type="checkbox"/> <b>OFFICER CERTIFICATE</b>  I certify that I am a sheriff, deputy sheriff, bailiff, appointed court officer, or attorney for a party (MCR 2.104[A][2]), and that: (notarization not required)	<b>OR</b>	<input type="checkbox"/> <b>AFFIDAVIT OF PROCESS SERVER</b>  Being first duly sworn, I state that I am a legally competent adult, and I am not a party or an officer of a corporate party (MCR 2.103[A]), and that: (notarization required)
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- I served personally a copy of the summons and complaint.
- I served by registered or certified mail (copy of return receipt attached) a copy of the summons and complaint, together with \_\_\_\_\_  
List all documents served with the Summons and Complaint

\_\_\_\_\_ on the defendant(s):

Defendant's name	Complete address(es) of service	Day, date, time

- I have personally attempted to serve the summons and complaint, together with any attachments, on the following defendant(s) and have been unable to complete service.

Defendant's name	Complete address(es) of service	Day, date, time

I declare under the penalties of perjury that this proof of service has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Service fee \$	Miles traveled \$	Fee \$	
Incorrect address fee \$	Miles traveled \$	Fee \$	<b>Total fee</b> \$

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name (type or print)

\_\_\_\_\_  
Title

Subscribed and sworn to before me on \_\_\_\_\_, \_\_\_\_\_ County, Michigan.

My commission expires: \_\_\_\_\_ Date      Signature: \_\_\_\_\_ Deputy court clerk/Notary public

Notary public, State of Michigan, County of \_\_\_\_\_

**ACKNOWLEDGMENT OF SERVICE**

I acknowledge that I have received service of the summons and complaint, together with \_\_\_\_\_ Attachments

\_\_\_\_\_ on \_\_\_\_\_  
Day, date, time

\_\_\_\_\_ on behalf of \_\_\_\_\_  
Signature

408-CD FILED IN MY OFFICE Cathy M. Garrett WAYNE COUNTY CLERK 9/21/2021 12:34 PM Angila Mayfield

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF WAYNE

KATHLEEN JONES,

Plaintiff,

Case No: 21- -CD

v.

Hon.

THERMO-FISHER SCIENTIFIC INC.,

Defendant.

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Batey Law Firm, PLLC  
 SCOTT P. BATEY (P54711)  
 Attorney for Plaintiff  
 30200 Telegraph Road, Suite 400  
 Bingham Farms, MI 48025  
 (248) 540-6800-telephone  
 (248) 540-6814-fax  
[sbatey@bateylaw.com](mailto:sbatey@bateylaw.com)

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There is no other civil action between these parties arising out of the same transaction or occurrence as alleged in this Complaint pending in this Court nor has any such action previously been filed and dismissed or transferred after having been assigned to a Judge.

**PLAINTIFF'S COMPLAINT**

NOW COMES, Plaintiff, Kathleen Jones, by and through her attorneys Scott P. Batey and the Batey Law Firm, PLLC, and for her Complaint against Defendant state as follows:

1. Plaintiff, Kathleen Jones, is a resident of the City of Livonia, County of Wayne and State of Michigan.

2. Defendant, Thermo-Fisher Scientific Inc., (hereinafter “Thermo-Fisher”) is a foreign profit corporation, authorized to do business in the State of Michigan whose resident agent is Capitol Corporate Services, Inc., and whose registered mailing address is 186 N. Main Street, 2<sup>nd</sup> Floor, Suite 1, Plymouth, MI 48170.

3. The events producing the original injury occurred in the County of Wayne and State of Michigan.

4. The amount in controversy exceeds \$25,000.00, exclusive of interest and costs, and jurisdiction and venue is otherwise proper in the County of Wayne.

5. Plaintiffs bring this action for damages arising out of the acts and/or omissions of Defendants constituting unlawful racial discrimination/harassment and retaliation in violation of the Michigan Elliott-Larsen Civil Rights Act, MCLA §37.2101, *et seq.* which resulted in emotional and economic damages to Plaintiff.

### **GENERAL ALLEGATIONS**

6. Plaintiff incorporate by reference paragraphs 1 through 5 of the Complaint as though fully set forth herein.

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