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

**MENGISTU HIKA**, an individual

Plaintiff.

v.

**VIBRA SPECIALTY HOSPITAL OF  
PORTLAND**, a foreign business entity;  
**CHRIS JONES**, an individual;

Defendants.

Case No.

**COMPLAINT**

**ORS 659A—Racial Discrimination,  
retaliation, Aiding and Abetting**

*Prayer amount: \$300,000.00*

*ORS 21.160 Filing Fee: \$594.00*

**NOT SUBJECT TO MANDATORY  
ARBITRATION**

Plaintiff Mengistu Hika alleges:

**PARTIES AND JURISDICTION**

1.

Plaintiff Mengistu Hika is an individual who resides in Oregon. He was an employee of Defendant Vibra. Plaintiff is a person of color.

2.

Defendant Vibra Specialty Hospital of Portland (“Defendant Vibra”) is a business entity formed in Pennsylvania. Defendant Vibra conducts business in the State of Oregon.

3.

Defendant Chris Jones (“Defendant Jones”) is an individual residing in Oregon. She is an employee of Defendant Vibra.

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1 4.

2 Defendant Vibra runs a facility in Multnomah County, Oregon, and the relevant events  
3 occurred in Multnomah County, Oregon, Therefore, venue and jurisdiction are proper in the  
4 Circuit Court of Oregon, Multnomah County.

5 **FACTS**

6 5.

7 Defendant Vibra, through its former CEO, hired Plaintiff as the Director of Health  
8 Information Management, in February 2020.

9 6.

10 The former CEO was a person of color. He left shortly after Plaintiff began working.  
11 Following the departure, Plaintiff was the only person of color on Defendant Vibra's  
12 management team.

13 7.

14 Plaintiff performed well in his position with Defendant Vibra. Defendant Vibra regularly  
15 asked Plaintiff to perform duties beyond what he was hired for, and Plaintiff obliged. Defendant  
16 Vibra sent Plaintiff to California so that Plaintiff could learn systems to help implement in  
17 Oregon.

18 8.

19 Around May 2020, Defendant Vibra hired Kathleen Skipper, as Chief Nursing Officer.  
20 Ms. Skipper was cold to Plaintiff, and constantly questioned his contributions, while  
21 downplaying them.

22 9.

23 Another employee in management for Defendant Vibra, Defendant Chris Jones, told  
24 Plaintiff in a one-on-one meeting that she liked "people like [Plaintiff]" in a way that Plaintiff  
25 perceived as disingenuous, and related to his race.

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10.

In June 2020, Defendant Jones asked Plaintiff to work on some code in a specific manner. However, Plaintiff knew this manner of coding was outside of American Health Information Management Association guidelines. Plaintiff, in good faith, believed that coding against those guidelines would be a violation of laws, such as privacy. Plaintiff informed Defendant Jones of this concern, and did not code the way she requested.

11.

Ms. Skipper directed Plaintiff to generate a new report that was outside his department. Plaintiff did his due diligence, and determined that Defendant Vibra’s system did not currently have the information to generate this report. Plaintiff offered to work with other departments to get this information so that he could generate the report. Ms. Skipper brushed aside his suggestion, and claimed she would ask around at other hospitals. Ms. Skipper never said anything else to Plaintiff regarding this report.

12.

Ms. Skipper’s cold demeanor and attitude toward Plaintiff continued to worsen. Eventually, Ms. Skipper ignored him in weekly meetings, and the rest of the management team followed suite.

13.

In June 2020, Defendant Jones contacted Defendant Vibra’s regional director to get a list of the job duties for Plaintiff’s position.

14.

Following that, on July 4, 2020, Defendant Jones emailed Plaintiff asking him to detail what he did at Defendant Vibra. Plaintiff responded two days later with the list of duties he had, which included many outside his original position.

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1 15.

2 On July 9th, 2020, Defendant Vibra called Plaintiff into its human resources office and  
3 terminated him. Defendant Jones was present. Defendant Jones stated that Plaintiff's position  
4 was no longer necessary and could be done remotely at a regional level for multiple facilities.  
5 Plaintiff asked for clarification, and Defendant Jones stated that Plaintiff was only hired because  
6 he was friends with the former CEO and that he should never have been hired.

7 16.

8 Plaintiff's first, and only, interaction with the former CEO prior to working for Defendant  
9 Vibra was the phone interview.

10 17.

11 Plaintiff has degrees in Health Information Management, Pharmacology, and Nursing.  
12 Plaintiff was more than qualified for his position.

13 18.

14 Defendant Vibra did not offer Plaintiff any position, or attempt to find a way for him to  
15 continue working.

16 19.

17 Defendant Vibra terminated Plaintiff in violation of law against retaliation and racial  
18 discrimination.

19 20.

20 On February 23, 2021, Plaintiff filed a BOLI complaint regarding the incidents that  
21 occurred.

22 21.

23 The BOLI investigation concluded on November 10, 2021.

24 //

25 //

26 //

1 **FIRST CLAIM FOR RELIEF**  
2 **Racial Discrimination—ORS659A.030**  
3 **(Against Defendant Vibra)**

4 22.

5 Plaintiff realleges paragraphs 1 through 21 as though set forth fully herein.

6 23.

7 Defendant Vibra is an employer as defined in ORS chapter 659A.

8 24.

9 Plaintiff is an employee as defined in ORS chapter 659A.

10 25.

11 Plaintiff is of African-American descent.

12 26.

13 Defendant Vibra terminated Plaintiff because of his race.

14 27.

15 As a result of Defendant Vibra's discrimination, Plaintiff suffered economic damages in  
16 the form of, loss of benefits, any negative tax consequences, damage to his reputation, and lost  
17 potential earnings. The amount of damages will be determined at trial and refined through  
18 discovery, but Plaintiff estimates his economic losses to be approximately \$70,000.00.

19 28.

20 As a result of Defendant's discrimination, Plaintiff suffered non-economic damages in  
21 the form of emotional distress and mental anxiety. The amount of damages will be determined at  
22 trial and refined through discovery, but Plaintiff estimates his non-economic losses to be not less  
23 than \$230,000.00.

24 29.

25 Pursuant to ORS 659A.885, Plaintiff is entitled to his costs, disbursements, and  
26 reasonable attorney fees.

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