

EXHIBIT 1

IN THE CIRCUIT COURT FOR OBION COUNTY, TENNESSEE
AT UNION CITY

JAMES SADLER,

Plaintiff,

v.

CASE NO. CC-22-CV-12

JURY DEMANDED

TYSON FOODS, INC.

Defendant.

OBION COUNTY
CIRCUIT COURT CLERK
FILED A.M.
10:30
FEB 18 2022

HARRY JOHNSON

01 D.C.

COMPLAINT AND REQUEST FOR INJUNCTIVE RELIEF

COMES NOW the Plaintiff, JAMES SADLER, (hereinafter, "Plaintiff"), and states unto this Honorable Court as follows for his Complaint and Request for Injunctive Relief against the Defendant, TYSON FOODS, INC. (hereinafter, "Defendant").

I. INTRODUCTION

1. Plaintiff has sued the Defendant for violations of Tennessee's new Covid-19 Law which was enacted and became effective on November 12, 2021 and may be found at Tennessee Code Annotated §14-1-101 *et seq.* Plaintiff has also sued the Defendant for relief to address the unlawful violation under common law for retaliatory discharge for exercising his right to request workers' compensation benefits. Defendant suspended and then terminated Plaintiff's employment all in violation of these laws. Plaintiff further asks for injunctive relief under Tennessee's new Covid law.

II. PARTIES, JURISDICTION, AND VENUE

2. Plaintiff is an adult citizen and resident of Weakley County, Tennessee whose principal place of residence is 1591 Cypress Creek Road, Martin, Tennessee 38237.
3. Defendant is a for-profit corporation authorized to conduct business in the State of Tennessee, with its principal office located at 2210 Oaklawn Drive, Springdale, Arkansas 72762. Defendant operates a plant located at 2800 Tyson Drive, Union City, Tennessee 38261, at which place it employed Plaintiff. Defendant has no registered agent for service of process in Tennessee. Service may be had on Defendant's Complex Manager, Keith Riley, at the Union City location.
4. Jurisdiction and venue are proper in this Honorable Court. All, or substantially all, of the incidents of misconduct alleged herein occurred in Obion County, Tennessee.

III. FACTS

5. Plaintiff was hired by Defendant on October 20, 2008 to work at Defendant's chicken processing factory in Union City, Tennessee.
6. Plaintiff's primary duty during his entire employment with Defendant was in the maintenance department.
7. Plaintiff has had no write-ups or disciplinary actions in his file for the fourteen years he worked for Defendant.
8. As soon as Plaintiff was eligible to receive a Covid-19 vaccination, he took advantage of this opportunity and began the process on April 6, 2021, at which time he received the Moderna SARS-CoV-2 Vaccination, Lot #020B21A. He received this vaccination at the Lentz Immunization Clinic in Nashville, which is Associated with Vanderbilt Hospital.
9. Plaintiff received his second Moderna SARS-CoV-2 Vaccination on May 4, 2021 at the same location.

10. In the fall of 2021, Defendant announced that it would terminate anyone who refused to be vaccinated for Covid-19.
11. Plaintiff had lost his vaccination card, so he began to contact officials with the State, Vanderbilt Hospital, and his local clinic to obtain his vaccination records.
12. On November 29, 2021, Defendant called Plaintiff into the office and informed him that he was being terminated for not taking the vaccine.
13. Plaintiff had obtained numerous records verifying his vaccination status and also received a replacement card from the State of Tennessee. These records included a printout provided by the Tennessee Department of Health, a signed document from West Tennessee Healthcare, a signed document from West Tennessee Medical Group in Martin, Tennessee, and verification from Metro Nashville Davidson County Health Department.
14. Plaintiff immediately presented each of these verifications of his vaccine status to Defendant and offered that Defendant could contact any of these entities to verify his vaccination status for itself.
15. After being presented with Plaintiff's proof of vaccination, Defendant retracted the termination but kept Plaintiff on unpaid suspension for several weeks.
16. Finally, on January 14, 2022, Defendant contacted Plaintiff and told him that he was officially terminated for not taking the Covid vaccination.
17. Also on January 14, 2022, Plaintiff again explained that he had certifiable proof of his vaccine, but Defendant terminated his employment anyway.
18. Defendant's *stated* reason for termination was written on Plaintiff's Separation Notice and was as follows: "Terminated for Gross Misconduct on January 14, 2022."

19. Plaintiff worked three twelve-hour shifts on the weekend prior to November 29, 2021, which was the date that Defendant originally called Plaintiff into the office to fire him.
20. During Plaintiff's working hours on the weekend prior to November 29, 2021, Plaintiff experienced and reported a work injury to his supervisor and Plaintiff explained that his arm and hand had become very painful due to the work injury.
21. Plaintiff has learned that Defendant refused to complete workers compensation paperwork for Plaintiff's work injury.
22. The *real* reasons for the termination were Plaintiff's reporting of a workers' compensation injury and Defendant's perception that Plaintiff had not been vaccinated. Both of these reasons violate Tennessee law.

IV. CAUSES OF ACTION

VIOLATION OF TENNESSEE COVID LAW

23. Plaintiff hereby incorporates each paragraph above by reference as if fully stated herein.
24. Tennessee Code Annotated §14-1-101 *et seq.* makes it illegal for an employer, like Defendant, to terminate, or otherwise discriminate, against an employee for not taking the Covid 19 vaccination.
25. Tennessee Code Annotated § 14-2-102 specifically states in Section (a) that "A private business, governmental entity, school, or local education agency shall not compel or otherwise taken an adverse action against a person to compel the person to provide proof of vaccination if the person objects to receiving a COVID-19 vaccine for any reason."
26. Tennessee Code Annotated § 14-6-103 explicitly provides: "A person injured as a result of a violation of Chapter 2 of this title or §14-4-103 is entitled to maintain a private right

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