

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

C. R. PERKINS,

Plaintiff,

v.

STARBUCKS, INC. IND. and DBA

STARBUCKS COFFEE COMPANY,

STARBUCKS CORPORATION,

and STARBUCKS COFFEE

COMPANY,

Defendants.

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Case No.: 4:21-cv-4189

TRIAL BY JURY DEMANDED

PLAINTIFF'S FIRST AMENDED COMPLAINT

TO THE HONORABLE UNITED STATES DISTRICT COURT JUDGE:

COMES NOW, Plaintiff, C. R. PERKINS, through his undersigned attorneys, and complains of Defendants STARBUCKS, INC. IND. and dba STARBUCKS COFFEE COMPANY, STARBUCKS CORPORATION, and STARBUCKS COFFEE COMPANY and files this Amended Complaint showing the Court as follows:

INTRODUCTION

1. Plaintiff demands a jury trial in this case as to any and all issues triable to a jury.
2. Plaintiff files this Complaint and complains of discrimination on the basis of race under Title VII of the Civil Rights Act 42 U.S.C. § 2000e and under 42 U.S.C. § 1981; on the basis of religion under Title VII of the Civil Rights Act

42 U.S.C. § 2000e; and on the basis of disability under Americans with Disabilities Act As Amended (“ADAAA”) 42 U.S.C. § 12101 et seq. and in retaliation for his complaints of discrimination on the basis of race under Title VII of the Civil Rights Act 42 U.S.C. § 2000e and under 42 U.S.C. § 1981; on the basis of religion under Title VII of the Civil Rights Act 42 U.S.C. § 2000e; on the basis of disability under Americans with Disabilities Act As Amended (“ADAAA”) 42 U.S.C. § 12101 et seq. and for hostile work environments under Title VII of the Civil Rights Act 42 U.S.C. § 2000e, 42 U.S.C. § 1981, and the ADAAA 42 U.S.C. § 12101.

3. This action seeks compensatory and punitive damages, lost wages (past, present, and future), attorneys’ fees, taxable court costs, pre-judgment and post-judgment interest.

PARTIES

4. Plaintiff, C. R. Perkins, is a resident of Houston, Texas.
5. Defendant, Starbucks, Inc. Ind. and dba Starbucks Coffee Company, is an international for-profit corporation formed in the State of Washington and registered to do business in Texas. Defendant may be served with process by mail or in person on its registered agent, Corporation Service Company DBA CSC – Lawyers Inc., at 211 E. 7th Street, Suite 620, Austin, TX 78701, in accordance with Fed. R. Civ. P. 4.
6. Defendant, Starbucks Corporation, is an international for-profit corporation formed in the State of Washington and registered to do business in Texas.

Defendant may be served with process by mail or in person on its registered agent, Corporation Service Company DBA CSC – Lawyers Inc., at 211 E. 7th Street, Suite 620, Austin, TX 78701, in accordance with Fed. R. Civ. P. 4.

7. Defendant, Starbucks Coffee Company, is an international for-profit corporation formed in the State of Washington and registered to do business in Texas. Defendant may be served with process by mail or in person on its registered agent, Corporation Service Company DBA CSC – Lawyers Inc., at 211 E. 7th Street, Suite 620, Austin, TX 78701, in accordance with Fed. R. Civ. P. 4.

VENUE

8. Venue is appropriate in the United States District Court for the Southern District of Texas, Houston Division, because Plaintiff lives and worked in Houston, Texas, a substantial part of the events or omissions that gave rise to the claims in this Complaint happened in Houston, Texas, and the Defendants conducted business in Texas, as required under 28 U.S.C. §1391.

JURISDICTION

9. This Court has original jurisdiction of this action, *inter alia*, pursuant to 28 U.S.C. §1331 (federal question jurisdiction), under 42 U.S.C. §2000e, *et seq.* and other statutes named herein.
10. The unlawful employment practices were committed within the jurisdiction of this Court.

PROCEDURAL PREREQUISITES

11. All conditions precedent to the filing of this action have been met by Plaintiff.

Plaintiff began his employment for Defendants in 2008, was fired on October 15, 2020, immediately appealed, and was officially told that his appeal of the termination would not be granted by Defendants on February 18, 2021.
12. Defendants have well over 15 employees and had well over 15 employees throughout the entirety of Plaintiff's employment with Defendants.
13. Plaintiff filed a detailed intake questionnaire with the Houston Equal Employment Opportunity Commission ("EEOC") office on May 12, 2021 and scheduled an interview with an EEOC Officer at the earliest possible appointment slot, July 23, 2021. Plaintiff was told that the backlog was due to COVID-related delays.
14. Plaintiff's EEOC intake questionnaire included detailed information on the discrimination he faced, his name and contact information, that of the employer, confirmation that the employer had over fifteen employees, and Plaintiff checked the box that indicated that he wanted to file a charge of discrimination.
15. At the July 23 interview with the EEOC officer, Officer Banda informed Plaintiff that there was no urgency to file the EEOC Charge because the date of submission would relate back to his May 12 questionnaire, so he was inside the 300-day limit.

16. At the July 23 interview, Plaintiff discussed with the EEOC officer the various instances of discrimination and disparate action he faced, including the appeal denial.
17. The EEOC Office notified Plaintiff that his EEOC Charge was ready to be filed on or around September 7, 2021.
18. Plaintiff filed a verified charge with the Houston EEOC office on September 28, 2021.
19. The EEOC office in Houston issued a Notice of Right to Sue letter on September 30, 2021, entitling Plaintiff to file suit based on race, religion, and disability discrimination and retaliation against Plaintiff for complaining about race, religion, and disability discrimination, without ever conducting an investigation.
20. This lawsuit has been filed within ninety (90) days of Plaintiff's receipt of the Notice of Right to Sue letter from the EEOC.

FACTS

21. Plaintiff C.R. Perkins ("Plaintiff") began working for Defendants Starbucks, Inc. Ind. and dba Starbucks Coffee Company, Starbucks Corporation, and Starbucks Coffee Company (collectively "Defendants") in 2008, and aside from a break in employment between 2011 and 2012, Plaintiff worked for Defendants from 2008 until termination in October 2020.
22. Plaintiff identifies as a Black American.



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