

IN THE SUPERIOR COURT OF CLAYTON COUNTY
STATE OF GEORGIA

WENDI PRYOR,

Plaintiff,

CIVIL ACTION FILE

No. 2004-CV-435-7

v.

**VALUE CITY DEPARTMENT
STORES, INC. and KENNETH
UPTON, Jointly and Severally,**

Defendants.

COMPLAINT FOR DAMAGES

COMES NOW Wendi Pryor, Plaintiff above-named, and hereby files this her Complaint for Damages against all Defendants, jointly and severally, showing this Honorable Court the following:

Preamble

The Plaintiff, Wendi Pryor, an African American woman of good character, is a hard working, single parent and mother of six children who is college educated and who was breast feeding her youngest son at the time of the incident complained of herein. She is bringing this action against both defendants to prevent the outrageous actions of these defendants from being perpetrated upon another of her fellow citizens and to show her children that the truth does prevail in our nation's system of justice.

1.

Defendant Kenneth Upton, a white male, is a resident of Clayton County, Georgia, and may be served with summons and complaint at 117 North Avenue, Jonesboro, Georgia 30236-3279 and is subject to the jurisdiction and venue of this Honorable Court.

2.

Defendant Value City Department Stores, Inc., (hereinafter referred to as "Value City") is a for-profit company incorporated under the laws of the State of Ohio and is doing business in numerous locations throughout the State of Georgia. It may be served with summons and complaint through its registered agent, Corporation Service Company, at 40 Technology Parkway South, #330, Norcross, Gwinnett County, Georgia 30092. Defendant Value City Department Stores, Inc. is subject to the jurisdiction and venue of this Honorable Court.

3.

At all times pertinent hereto, Defendant Upton was working as a loss prevention officer, employed by Defendant Value City.

COUNT ONE
For and as a First Cause of Action
False Imprisonment

4.

Plaintiff hereby incorporates paragraphs 1 through 3 by reference as if restated fully herein.

5.

In the fall of 2003, Plaintiff Pryor was working as an employee of Defendant Value City. On or about October 19, 2003, Plaintiff was working her shift at Defendant Value City's store

located at 6525 Tara Boulevard, Jonesboro, Georgia 30236. She was stationed at the front customer service desk. Around 3:00 p.m. on that date, Plaintiff was summoned by Defendant Upton, a loss prevention officer employed by Defendant Value City, and by Beverly Akano, Defendant Value City's loss prevention manager for that store, and escorted to a room off the store floor.

6.

Once inside the room, Defendant Upton took Plaintiff's cellular telephone away from her. Ms. Akano began questioning Plaintiff about her children and about how she liked her job. Ms. Akano, while in the course and scope of her employment with Defendant Value City, then asked Plaintiff when was the first time she stole from an employer. Plaintiff denied ever stealing anything. Ms. Akano, while in the course and scope of her employment with Defendant Value City, then asked Plaintiff when was the first time she stole from Value City. Plaintiff denied ever stealing from Value City. At some point, Ms. Akano left the room and Plaintiff was alone with Defendant Upton.

7.

Over the course of the next three hours, Defendant Upton interrogated Plaintiff, telling her he had seen her on videotape doing a false return for a customer that did not exist, and then taking the merchandise credit receipt and placing it in her purse. Plaintiff repeatedly denied these allegations. Plaintiff asked Defendant Upton to see the tape, and he refused to show it to her. Defendant Upton refused to show any video to the Plaintiff as she requested because no such video tape existed. Plaintiff asked Defendant Upton to search her person and belongings, and he refused to do so.

8.

During the course of the interrogation, Defendant Upton admitted to Plaintiff that she was not the person that he really wanted to prosecute, that he had been investigating numerous other employees and wanted Plaintiff to give him incriminating information about them. Plaintiff stated to Defendant Upton that she was not able to provide any information about illegal activities involving other employees because she had only worked for Defendant Value City a short time and really did not know many of the other employees well or anything about their activities.

9.

Plaintiff told Defendant Upton that she did a transaction that had been called in to her by a cashier at the store, and then placed the receipt on the counter. She repeatedly told Defendant Upton she had no idea what happened to it after that.

10.

Defendant Upton became enraged at Plaintiff and demanded she confess to doing a fraudulent transaction and to taking the receipt for her own use, a claim Plaintiff repeatedly denied.

11.

After over three hours of interrogation, during which Plaintiff continually professed her innocence, Defendant Upton stated to the Plaintiff that if she would confess to committing a crime he would only terminate her job and would not have her arrested. Defendant Upton further said that Plaintiff should accept this offer and told her to “think about your children and do the right thing”. Plaintiff responded by saying, “I am thinking about my children, I didn’t do

anything wrong, I don't know what you want from me." Since Defendant Upton could not coerce a confession from the Plaintiff after more than three hours, he called the police. Sometime after 6:00 p.m. Plaintiff was placed under arrest and taken to jail solely upon the accusation of Defendant Upton on behalf of his employer, Defendant Value City. Plaintiff was handcuffed and escorted through the store in front of fellow employees and store customers with great humiliation and embarrassment to the Plaintiff.

12.

During the course of the three hour interrogation, Defendant Upton refused to allow Plaintiff to leave the room, refused to allow her to use the restroom, refused to allow her to have a drink of water, refused to allow her to call her children to tell them she would be late, and refused to allow her to call someone to look after her six children, the youngest of which was just an infant, still breast-feeding.

13.

Defendant Upton's detention of Plaintiff was unlawful and malicious because he knew she did not engage in any wrongdoing.

14.

Defendant Upton's detention of Plaintiff was malicious, groundless, baseless, severe, outrageous, unconscionable, and contrary to the decency of this society.

15.

Defendant Upton's detention of Plaintiff was unlawful and malicious because it was undertaken to harass and victimize the plaintiff.

16.

Defendant Upton's detention of Plaintiff was unlawful and malicious because it was undertaken without probable cause of any kind.

17.

Defendant Upton's detention of Plaintiff deprived her of her personal liberty, and caused her severe emotional and physical distress.

18.

At all times, Defendant Upton was acting within the course and scope of his employment with Defendant Value City.

19.

Defendant Value City is liable for the false imprisonment of Plaintiff under the doctrine of respondeat superior and/or negligent supervision and retention.

WHEREFORE, as to Count One, Plaintiff demands that she have and recover judgment in her favor against Defendant Kenneth Upton and Defendant Value City Stores, Inc., both jointly and severally, as follows:

- a. Compensatory damages in the amount of not less than \$4,000,000.00 against all defendants, both jointly and severally;
- b. Punitive damages against Defendant Kenneth Upton, to penalize, punish, and deter him from such willful, spiteful and malicious conduct in the future in an amount of not less than \$1,000,000.00 to be determined by the enlightened conscience of an impartial jury;

- c. Punitive damages against Defendant Value City Stores, Inc., to penalize, punish, and deter them from such willful, spiteful and malicious conduct and from such conscious indifference to the consequences of an employee's actions in the future in an amount of not less than \$5,000,000.00 to be determined by the enlightened conscience of an impartial jury;
- d. For attorneys fees in an amount to be proven at the trial of this matter;
- e. For all such other and further relief as this Court deems just and proper.

COUNT TWO
For and as a Second Cause of Action
False Arrest

20.

Plaintiff hereby incorporates paragraphs 1 through 19 by reference as if restated fully herein.

21.

After interrogating Plaintiff in a room for over three hours, attempting to coerce her into confessing to a crime she did not commit, Defendant Upton called the Clayton County Police. Officer Robert Moore responded to the call. Based upon what Defendant Upton told him, Officer Moore placed Plaintiff Pryor under arrest and transported her to the Clayton County Jail, where she remained for a week.

22.

Plaintiff Pryor's arrest was an arrest under the process of law.

23.

Plaintiff Pryor's arrest, which was solely based on the actions of Defendants, was instigated by Defendants with malice and without probable cause.

24.

During the course of the events of October 19, 2003, Defendant Upton acted maliciously towards Plaintiff. He interrogated her in a closed room for three hours despite knowing that Plaintiff was innocent. Upon information and belief, Defendant Upton, and/or other agents of Defendant Value City, forged Plaintiff's signature numerous times, primarily upon a document purporting to be a confession to stealing. Defendants instigated the false charges against Plaintiff and continued to press charges, subjecting Plaintiff to a trial on theft by deception charges. Plaintiff was found not guilty by a jury of her peers on January 8, 2004 in the State Court of Clayton County.

25.

The actions of the defendants which lead to the arrest of Plaintiff Wendi Pryor were perpetrated without probable cause. Defendant Upton knew that Plaintiff did not engage in any criminal activity, yet had her arrested anyway.

26.

Defendants' actions were wanton and done with a reckless disregard and conscious indifference to the rights of Plaintiff Pryor.

27.

Defendants' actions were unlawful and malicious because they were undertaken to harass and victimize the plaintiff.

28.

Defendants' actions were unlawful and malicious because they were undertaken without probable cause of any kind, in that Defendants had no grounds to accuse Plaintiff other than their desire to injure her.

29.

Defendants' actions intentionally and maliciously deprived Plaintiff of her personal liberty and freedom, and caused her severe emotional and physical distress.

30.

At all times, Defendant Upton was acting within the course and scope of his employment with Defendant Value City.

31.

Defendant Value City is liable for the false arrest of Plaintiff under the doctrine of respondeat superior and/or negligent supervision and retention.

WHEREFORE, as to Count Two, Plaintiff demands that she have and recover judgment in her favor against Defendant Kenneth Upton and Defendant Value City Stores, Inc., both jointly and severally, as follows:

- a. Compensatory damages in the amount of not less than \$4,000,000.00 against all defendants, both jointly and severally;
- b. Punitive damages against Defendant Kenneth Upton, to penalize, punish, and deter him from such willful, spiteful and malicious conduct in the future in an amount of not less than \$1,000,000.00 to be determined by the enlightened conscience of an impartial jury;

- c. Punitive damages against Defendant Value City Stores, Inc., to penalize, punish, and deter them from such willful, spiteful and malicious conduct and from such conscious indifference to the consequences of an employee's actions in the future in an amount of not less than \$5,000,000.00 to be determined by the enlightened conscience of an impartial jury;
- d. For attorneys fees in an amount to be proven at the trial of this matter;
- e. For all such other and further relief as this Court deems just and proper.

COUNT THREE
For and as a Third Cause of Action
Malicious Prosecution

32.

Plaintiff hereby incorporates paragraphs 1 through 31 by reference as if restated fully herein.

33.

When Officer Moore arrived at the scene, he did no independent investigation of his own. Rather, everything he knew about the events of October 19, 2003 came directly from Defendant Upton and Defendant Value City. Defendant Upton never showed the officer any videotape showing Plaintiff doing anything wrong and never showed him the typewritten confession prepared by Defendant Upton and which, upon information and belief, Defendant Upton and/or other employees of Defendant Value City, forged Plaintiff's signature numerous times. Defendant Upton, and therefore also Defendant Value City, were directly responsible for the

circumstances leading up to the arrest, the arrest itself, and subsequent pressing of charges against Plaintiff Pryor. Defendants were malicious in their prosecution of the Plaintiff by producing a fraudulent confession purported to be signed by the Plaintiff which was presented to the Magistrate Judge of Clayton County, Georgia to mislead the Magistrate to believe that there was probable cause to continue the prosecution of the Plaintiff.

34.

Plaintiff was acquitted by a jury of her peers of the charges of theft by deception on January 8, 2004, following a three day jury trial in the State Court of Clayton County. Those charges were brought against her at the instigation of, and solely because of, the fraudulent actions of Defendants.

35.

Defendants prosecuted Plaintiff for a criminal offense, instigated without probable cause, with extreme malice, said offense being prosecuted under a valid warrant, accusation and/or summons, (albeit obtained by the Defendants through fraudulent means) which has terminated favorably to the plaintiff in the form of an acquittal, which has caused severe damage to Plaintiff.

36.

Due to the actions of the defendants, Plaintiff was incarcerated for a week in the Clayton County Jail for a crime she did not commit, where she could not eat for a week because of the physical and emotional trauma she experienced. At the time of her incarceration, Plaintiff was still breast feeding her infant son, and had five other children at home whom she took care of and supported. Plaintiff was separated from her children and suffered severe emotional injury, and physical injuries stemming from not being able to breast feed her infant son. Plaintiff suffered

additional emotional and physical distress as well as extreme mental anguish, when upon being released from jail she learned that her breast fed infant son was himself, unable to eat at all for the entire week she was imprisoned.

37.

The actions of the defendants further caused Plaintiff severe emotional injury in that she had to live for nearly four months with the prospect of being convicted of a crime she did not commit and possibly having to spend a year in jail, pay a fine, have a criminal record, and be further separated emotionally and physically from her children.

38.

The actions of the defendants were malicious, extreme and outrageous, humiliating to the plaintiff, willful, wanton, and contrary to the decency of this society.

39.

At all times, Defendant Upton was acting within the course and scope of his employment with Defendant Value City.

40.

Defendant Value City is also directly liable for the malicious prosecution of Plaintiff, as well as jointly liable for the actions of its employee Defendant Upton under the doctrine of respondeat superior and/or negligent supervision and retention.

WHEREFORE, as to Count Three, Plaintiff demands that she have and recover judgment in her favor against Defendant Kenneth Upton and Defendant Value City Stores, Inc., both jointly and severally, as follows:

- a. Compensatory damages in the amount of not less than \$10,000,000.00

against all defendants, both jointly and severally;

- b. Punitive damages against Defendant Kenneth Upton, to penalize, punish, and deter him from such willful, spiteful and malicious conduct in the future in an amount of not less than \$1,000,000.00 to be determined by the enlightened conscience of an impartial jury;
- c. Punitive damages against Defendant Value City Stores, Inc., to penalize, punish, and deter them from such willful, spiteful and malicious conduct and from such conscious indifference to the consequences of an employee's actions in the future in an amount of not less than \$10,000,000.00 to be determined by the enlightened conscience of an impartial jury;
- d. For attorneys fees in an amount to be proven at the trial of this matter;
- e. For all such other and further relief as this Court deems just and proper.

COUNT FOUR
For and as a Fourth Cause of Action
Intentional Infliction of Emotional Distress

41.

Plaintiff hereby incorporates paragraphs 1 through 40 by reference as if restated fully herein.

42.

In addition to the above-mentioned actions taken by defendants in this case and their corresponding consequences to Plaintiff, following her arrest, Plaintiff was led in handcuffs

through the Value City store, where she was seen by customers and her fellow employees, people who she knew and with whom she worked. Upon her release from jail, Plaintiff had to explain to her children that she had gotten arrested. Plaintiff now has an arrest record for a crime she did not commit. Plaintiff had to explain the situation to her mother and other family members and friends. Plaintiff could not find another job, because once she told them she had been arrested and was awaiting trial for theft, she was either let go or not hired.

43.

The wrongful conduct of the defendants was extreme and outrageous, intentional and reckless.

44.

The wrongful conduct of the defendants was the sole cause of Plaintiff's emotional distress.

45.

The wrongful conduct of the defendants caused Plaintiff severe emotional distress and injury, humiliation, embarrassment, mental anguish and physical and pecuniary injury.

46.

Defendants' extreme, outrageous, intentional and malicious conduct in reckless disregard of Plaintiff's emotional and mental well being, caused severe emotional and mental distress warranting imposition of punitive damages.

47.

The wrongful conduct of the defendants, which include the forging of Plaintiff's signature to a confession to theft and the subsequent incarceration and prosecution of Plaintiff, was so

outrageous in character, and so extreme in degree, as to go beyond all possible bounds of decency and are atrocious and utterly intolerable in a civilized society. Defendant Value City is also directly liable for the intentional infliction of emotional distress committed upon the Plaintiff, as well as jointly liable for the actions of its employee Defendant Upton under the doctrine of respondeat superior and/or negligent supervision and retention.

WHEREFORE, as to Count Four, Plaintiff demands that she have and recover judgment in her favor against Defendant Kenneth Upton and Defendant Value City Stores, Inc., both jointly and severally, as follows:

- a. Compensatory damages in the amount of not less than \$4,000,000.00 against all defendants, both jointly and severally;
- b. Punitive damages against Defendant Kenneth Upton, to penalize, punish, and deter him from such willful, spiteful and malicious conduct in the future in an amount of not less than \$1,000,000.00 to be determined by the enlightened conscience of an impartial jury;
- c. Punitive damages against Defendant Value City Stores, Inc., to penalize, punish, and deter them from such willful, spiteful and malicious conduct and from such conscious indifference to the consequences of an employee's actions in the future in an amount of not less than \$5,000,000.00 to be determined by the enlightened conscience of an impartial jury;
- d. For attorneys fees in an amount to be proven at the trial of this matter;
- e. For all such other and further relief as this Court deems just and proper.

COUNT FIVE
For and as a Fifth Cause of Action
False Light Privacy

48.

Plaintiff hereby incorporates paragraphs 1 through 47 by reference as if restated fully herein.

49.

Defendants publicly humiliated Plaintiff by intentionally and maliciously accusing her of being something and someone she is not, in that defendants accused Plaintiff of committing a crime punishable by law knowing such charge to be false in its entirety and publishing said comments to at least one third party.

50.

By making the aforesaid remarks about Plaintiff, Defendants violated Plaintiff's right to privacy, a right recognized in Georgia as a right unto itself, distinct and not merely incidental to any other right.

51.

The false light in which Plaintiff was intentionally and maliciously placed by Defendants, in that they painted her as a criminal, would be highly offensive to a reasonable person.

52.

Plaintiff did in fact find the false light in which she was intentionally and maliciously

placed by Defendants to be highly offensive and humiliating.

53.

Defendants' extreme, outrageous, intentional and malicious conduct in reckless disregard of Plaintiff's emotional and mental well being, caused severe emotional and mental distress warranting imposition of punitive damages. Defendant Value City is also directly liable for the false light privacy violation against the Plaintiff, as well as jointly liable for the actions of its employee Defendant Upton under the doctrine of respondeat superior and/or negligent supervision and retention.

WHEREFORE, as to Count Five, Plaintiff demands that she have and recover judgment in her favor against Defendant Kenneth Upton and Defendant Value City Stores, Inc., both jointly and severally, as follows:

- a. Compensatory damages in the amount of not less than \$4,000,000.00 against all defendants, both jointly and severally;
- b. Punitive damages against Defendant Kenneth Upton, to penalize, punish, and deter him from such willful, spiteful and malicious conduct in the future in an amount of not less than \$1,000,000.00 to be determined by the enlightened conscience of an impartial jury;
- c. Punitive damages against Defendant Value City Stores, Inc., to penalize, punish, and deter them from such willful, spiteful and malicious conduct and from such conscious indifference to the consequences of an employee's actions in the future in an amount of not less than \$5,000,000.00 to be determined by the enlightened conscience of an

impartial jury;

- d. For attorneys fees in an amount to be proven at the trial of this matter;
- e. For all such other and further relief as this Court deems just and proper.

COUNT SIX
For and as a Sixth Cause of Action
Slander

54.

_____ Plaintiff hereby incorporates paragraphs 1 through 53 by reference as if restated fully herein.

55.

Defendant Kenneth Upton intentionally made disparaging and slanderous remarks against Plaintiff Wendi Pryor to wit: he intentionally accused her of a crime punishable by law, knowing such charge to be false in its entirety.

56.

The slander perpetrated by Defendant Upton is slander per se, in that he imputed to Plaintiff Wendi Pryor, a crime punishable by law despite his knowledge that such imputations were and are false in their entirety, in violation of the laws of the State of Georgia.

57.

The slander perpetrated by Defendant Upton fulfilled the requirement of publication in that he published his comments to at least one other individual who is not the plaintiff in this case.

58.

Plaintiff is within the statute of limitations to sue on said slander, said slander having taken place less than one year prior to the filing of this Complaint.

59.

The slander perpetrated by Defendant Upton caused Plaintiff Wendy Pryor severe emotional and mental distress.

60.

The slander perpetrated by Defendant Upton caused irreparable harm and damage to Plaintiff's reputation and good name.

61.

Defendant maliciously and wantonly slandered Plaintiff Wendi Pryor, doing so with reckless disregard as to the truth of his statements.

62..

Because the slander perpetrated by Defendant Upton is slander per se, damage to Plaintiff Wendi Pryor is inferred by law.

63.

Plaintiff is entitled to damages to recover from the slander per se perpetrated upon her by Defendant Upton.

WHEREFORE, as to Count Six, Plaintiff demands that she have and recover judgment in her favor against Defendant Kenneth Upton as follows:

- a. Damages to compensate her for the slander per se perpetrated upon her by Defendant Upton in an amount of not less than \$1,000,000.00 to be determined by an enlightened jury;
- b. For all costs including attorney's fees in an amount to be determined prior to judgment;
- c. For all such other and further relief that this Honorable Court deems just and proper.

COUNT SEVEN
For and As a Seventh Cause of Action
Negligent Supervision & Retention

64.

Plaintiff hereby incorporates paragraphs 1 through 63 by reference as if restated fully herein.

65.

Defendant Value City owed Plaintiff, as its employee, a duty of care, in that they owed her a work environment whereby she could not be falsely accused of committing a crime by other employees. Defendant Value City has breached that duty owed to Plaintiff, said breach causing Plaintiff severe damage.

66.

Defendant Value City, as the employer, knew or should have known about Defendant Upton's habit and proclivity for bringing false charges against employees and customers of Value City. It was foreseeable to Defendant Value City that, left unchecked, Defendant Upton would

continue to engage in a pattern of harassment and engage in false accusations and document forgery. Upon information and belief, Defendant Upton participated in more than 40 incidents of arrest involving other customers and employees of Defendant Value City. Despite this, Defendant Value City kept Defendant Upton in its employ.

67.

Defendant Value City knew or should have known about Defendant Upton's habit and proclivity for bringing false charges against employees and customers of Value City, especially since Beverly Akano, a manager at the Tara Boulevard Value City store, signed her name to the document which, upon information and belief, was forged by Defendant Upton and/or other employees or agents of Defendant Value City.

68.

The actions of Defendant Value City were malicious, wilful and wanton, and directly and proximately caused Plaintiff severe pecuniary and emotional injury.

69.

The actions of Defendant Value City represented an entire absence of care amounting to a conscious indifference to the consequences of an employee's actions which inevitably lead to the false imprisonment, false arrest and malicious prosecution of Plaintiff.

WHEREFORE, as to Count Seven, Plaintiff demands that she have and recover judgment in her favor against Defendant Value City Stores, Inc. as follows:

- a. Compensatory damages in the amount of not less than \$5,000,000.00 against the defendants;

- b. Punitive damages against Defendant Value City Stores, Inc., to penalize, punish, and deter them from such willful, spiteful and malicious conduct and from such conscious indifference to the consequences of an employee's actions in the future in an amount of not less than \$5,000,000.00 to be determined by the enlightened conscience of an impartial jury;
- c. For attorneys fees in an amount to be proven at the trial of this matter;
- d. For all such other and further relief as this Court deems just and proper.

COUNT EIGHT
For and As an Eighth Cause of Action
Lost Wages

70.

Plaintiff hereby incorporates paragraphs 1 through 69 by reference as if restated fully herein.

71.

While in the employ of Defendant Value City, Plaintiff earned \$7.50 per hour and worked an average of forty hours per week.

72.

Due to the malicious, wilful and wanton actions on the part of the defendants, Plaintiff was wrongfully terminated from her job at Value City.

73.

Plaintiff spent seven days in jail from October 19, 2003 until late on October 25, 2003,

and thus was unable to work during that time.

74.

As such, Plaintiff is entitled to compensation for her lost wages at the rate of \$7.50 per hour for forty hours for that week, totaling \$300.00. Plaintiff was unemployed for an additional week before she was able to find gainful employment for which she is entitled to an additional amount of lost wages in the amount of \$300.00.

75.

Upon release from jail, Plaintiff attempted to secure another job and was offered a job conditioned on a background check. While the background check was being run, Plaintiff started the job at a rate of \$15.00 per hour and worked a forty hour week, sometimes more. Because the malicious, wilful and wanton actions on the part of the defendants lead to the false arrest of Plaintiff, the background check showed this arrest and Plaintiff was terminated on this basis alone.

76.

But for the arrest on Plaintiff's record, which was caused solely and exclusively by the malicious, wilful and wanton actions on the part of the defendants, Plaintiff would still be working in that job and would have worked in that job from the beginning of November until the present day.

77.

As such, Plaintiff is entitled to lost wages in the amount of \$ 8,400.00, or \$15.00 per hour, forty hours per week for fourteen weeks.

78.

Due to the malicious, wilful and wanton actions on the part of the defendants, Plaintiff is entitled to future lost wages in an amount to be proven at trial.

WHEREFORE, as to Count Eight, Plaintiff demands that she have and recover judgment in her favor against Defendants Kenneth Upton and Value City Stores, Inc., both jointly and severally, as follows:

- a. Past lost wages in amount of not less than \$ 9,000.00;
- b. Future lost wages in an amount to be determined at the trial of this matter;
- c. For attorneys fees and costs of court in an amount to be proven at the trial of this matter;
- d. For all such other and further relief as this Court deems just and proper.

PLAINTIFF HEREBY DEMANDS A TRIAL BY JURY.

Respectfully submitted,

FARNHAM & ROTHENBERG, LLC

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