

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CIVIL CASE NO. _____

CAITLIN S. LEEDS, and
YESENIA E. MORALES
Plaintiffs

V.

DAMIEN GILLIAMS,
BONNIE FEY-GILLIAMS, and,
SHARKEY'S DRAFT HOUSE INCORPORATED
Defendants, et al

(JURY DEMAND)

VERIFIED COMPLAINT

This is a civil rights complaint brought by the plaintiffs, Caitlin S. Leeds (Hereinafter "Miss Leeds") and Yesenia E. Morales (Hereinafter "Miss Morales") against the defendants, Damien H. Williams (Hereinafter "Defendant Williams"), Bonnie Fey-Gilliams (Hereinafter "Defendant Fey-Gilliams") and Sharkey's Draft House Inc., each being sued in their individual and official capacities, claiming that the defendants, acting jointly and/or severally, through their actions and/or inactions, did employ a pattern of discriminatory business practices which were violative of;

- *The Americans With Disabilities Act of 1990 (42 U.S.C §12101)
- *Title VII of the Civil Rights Act of 1964

SECTION I. SUPPLEMENTAL JURISDICTION: The plaintiffs respectfully move the Court to exercise its discretionary authority to apply Florida statutory provisions to this case, specifically;

- *The Florida Civil Rights Act of 1992 (Codified in Chapter 760 of the Florida Statutes)

SECTION II. CAPACITY OF DEFENDANTS: All defendants herein are being sued in their individual and official capacities.

SECTION III. PARTIES:

FIRST PLAINTIFF is Caitlin S. Leeds and her address for service is;
13610 Old Dixie Highway
Sebastian, FL 32958

SECOND PLAINTIFF is Yesenia E. Morales and her address for service is;
761 Periwinkle Drive
Sebastian, FL 32958

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FIRST DEFENDANT is Damien H. Gilliams and his address for service is;
490 U.S. 1, Sebastian, FL 32958

SECOND DEFENDANT is Damien Lee Gilliams and his address for service is;
490 U.S. 1, Sebastian, FL 32958

THIRD DEFENDANT IS Bonnie Fey-Gilliams and her address for service is;
490 U.S. 1, Sebastian, FL 32958

FOURTH DEFENDANT is the business Sharkey's Draft House Inc., DBA "No Name Sports Bar",
which is located at; 490 U.S. 1, Sebastian, FL 32958

SECTION IV. STATEMENT OF FACTS:

1. In August of 2023 Miss Morales began working at the No Name Sports Bar (Hereinafter "No Name"), an establishment owned and operated by the defendants, as a bartender.
2. Miss Morales often walked to her job at No Name as she only lived about a mile away.
3. Miss Morales is hypoglycemic.
4. On or about January 09, 2024 while walking to work, Miss Morales had a low blood sugar induced medical emergency and was found unconscious on the side of US Highway 1 and transported by ambulance to Cleveland Clinic in Vero Beach, Florida and admitted.
5. Within one hour of regaining consciousness in the hospital Miss Morales called No Name to alert same to her medical issue.
6. Upon returning to her home from the hospital on or about January 10, 2024, Miss Morales was greeted with the news that she had been fired from her job at No Name due to her medical condition.
7. Approximately 3 days after being informed of her termination from No Name Miss Morales was summoned via text to a "meeting" with the First Defendant, at which time Miss Morales was informed by Damien H. Gilliams that "'we' are not comfortable with you working here if you're gonna be passing out on 1" and further stating "your medical condition makes you unreliable".
8. After firing Miss Morales for having a medical condition the defendants refused and continue to refuse to provide Miss Morales with her last paycheck.
9. Multiple attempts by Miss Morales to either return to work or, at the very least, be paid for her previous work at No Name, including but not limited to, telephone conversations with Damien H Gilliams and Damien Lee Gilliams, text and email messages to Damien H Gilliams and Damien Lee Gilliams, and in person conversations with each of the Gilliams defendants, have proved absolutely fruitless.
10. All attempts by Miss Morales to informally resolve with the defendants the issues raised in this Complaint have been in vain.
11. On April 19, 2024 Miss Leeds began working at No Name as a bartender.
12. Miss Leeds suffers from Multiple Sclerosis (Hereinafter "MS") a fact known to each defendant person.
13. On April 30, 2024, Miss Leeds had an MS episode while working her regular shift at No Name.
14. Due to her suffering severe pain and loss of muscle control she was unable to continue her work.
15. Despite suffering the symptoms of the above referenced MS episode, Miss Leeds remained at work at No Name until she was able to get a co-worker (Erin Maxwell) to cover the remainder of her shift, signed out and went home to take the medication she is prescribed for these types incidents and rest until the episode passed.
16. On or about May 01, 2024 Miss Leeds received a text message from the First Defendant telling Miss Leeds that she was suspended for a week because of the above described medical incident.
17. On or about May 02, 2024 Damien Lee Gilliams placed a telephone call to Miss Leeds in which the Second Defendant, in response to questions from Miss Leeds as to why she had been suspended, told Miss Leeds "nobody who works at No Name should leave work early, unless it's in an ambulance"
18. On Friday, May 03, 2024, the First Defendant texted Miss Leeds to tell her he would be available to talk to Miss Leeds after she (Miss Leeds) served her one week suspension.
18. The Friday following May 03, 2024 there was a "meeting" called by the First Defendant, summoning Miss Leeds to No Name to "discuss" the aforementioned suspension and claiming that Miss Leeds medical incident of 4/30/24 was grounds for the suspension and further stating that Miss Leeds should be happy she was not fired.
19. Following the above referenced suspension Miss Leeds was placed back on the work schedule, albeit for only 2 days where she had previously worked an average of 4 days.
20. Miss Leeds worked May 13th, 14th and 17th and thought that things had returned to normal.
21. On Sunday, May 19, 2024, Miss Leeds expected to receive a schedule for the upcoming week as schedules are normally posted on Sundays, but no schedule ever came to Miss Leeds electronic device.

22. In a text message dated 5/19/24, Damien Lee Gilliams told Miss Leeds that she needed to talk to Damien H. Gilliams about her job and further stating "Senior [AKA Damien H Gilliams] isn't comfortable with you working here with your medical condition".

23. On or about May 21, 2024 Miss Leeds was officially terminated from employment at No Name by the First, Second and Third Defendants in person when Miss Leeds, at the direction of Damien H. Gilliams, went to No Name to be generally berated by Damien Lee Gilliams and Damien H. Gilliams, while Bonnie Fey-Gilliams sat and watched.

24. During the 5/21/24 termination Miss Leeds was told in no uncertain terms that the justification for her termination was that Multiple Sclerosis made her (Miss Leeds) unreliable.

25. Following her termination Miss Leeds attempted to receive her last paycheck from the defendants, which was denied by same.

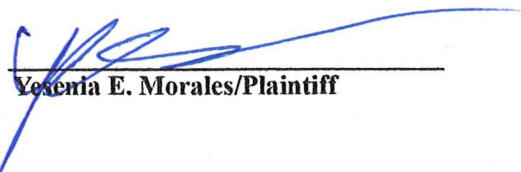
26. To date, all of Miss Leeds efforts to either return to work or, at the very least be paid for the shifts she did work, have yielded nothing from the defendants.

DECLARATION UNDER PENALTY OF PERJURY

The undersigned, **Caitlin S. Leeds and Yesenia E. Morales** do declare, this _____ day of May, 2024, under the penalty of perjury pursuant to U.S.C. §1746, that the allegations, statements and assertions made in the above Verified Complaint, are true and accurate to the best of their knowledge and belief.


Caitlin S. Leeds/Plaintiff


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Yesenia E. Morales/Plaintiff

PRAYER FOR RELIEF

WHEREAS, the plaintiffs herein seek Compensatory Damages in the amount of \$15,000.00, severally, and,
WHEREAS, the plaintiffs herein seek Punitive Damages in the amount of \$1,000,000.00, severally, and,
WHEREAS, the plaintiffs herein seek costs and fees, and,
WHEREAS, the plaintiffs herein seek injunctive relief, enjoining the defendants from employing the types of discriminatory policies and/or practices described in the instant Verified Complaint.

Respectfully Submitted: Plaintiffs


CAITLIN S. LEEDS
13610 OLD DIXIE HIGHWAY
SEBASTIAN, FL 32958

: 
YESENIA E. MORALES
761 PERIWINKLE DRIVE
SEBASTIAN, FL 32958