

State of South Carolina ) IN THE COURT OF COMMON PLEAS  
County of Anderson ) Case No.:

\_\_\_\_\_  
Skylar Blume, Virgil Dowis, Rhi Greer,  
Jonathan Hudson, Natalie Mann, Mya  
Ourada, Braden Terrill, & Aneil Tripathi,  
Plaintiffs,  
v.  
Starbucks Corporation & Melissa Morris,  
Defendants.  
\_\_\_\_\_

SUMMONS

**TO MELISSA MORRIS:**

You are hereby summoned and required to answer the claims in this action, a copy of which is attached hereto and herewith served upon you, and to serve a copy of your answer to same upon the subscribed at 100 Williams Street, Greenville, SC 29601 within thirty (30) days after the service of same, exclusive of the day of such service. If you fail to answer same within the thirty (30) day period, Plaintiff will apply to the Court for the relief demanded therein and judgment will be taken against you by default.

GROVE OZMENT LLC  
  
**s/ Matthew R. Ozment**  
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100 Williams Street  
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October 17, 2022

State of South Carolina ) IN THE COURT OF COMMON PLEAS  
County of Anderson ) Case No.:

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Skylar Blume, Virgil Dowis, Rhi Greer,  
Jonathan Hudson, Natalie Mann, Mya  
Ourada, Braden Terrill, & Aneil Tripathi,  
Plaintiffs,  
v.  
Starbucks Corporation & Melissa Morris,  
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\_\_\_\_\_

SUMMONS

**TO STARBUCKS CORPORATION:**

You are hereby summoned and required to answer the claims in this action, a copy of which is attached hereto and herewith served upon you, and to serve a copy of your answer to same upon the subscribed at 100 Williams Street, Greenville, SC 29601 within thirty (30) days after the service of same, exclusive of the day of such service. If you fail to answer same within the thirty (30) day period, Plaintiff will apply to the Court for the relief demanded therein and judgment will be taken against you by default.

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Skylar Blume, Virgil Dowis, Rhi Greer,	)	
Jonathan Hudson, Natalie Mann, Mya	)	
Ourada, Braden Terrill, & Aneil Tripathi,	)	
	)	Complaint
Plaintiffs,	)	
v.	)	
	)	
Starbucks Corporation & Melissa Morris,	)	
	)	
Defendants.	)	
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1. Plaintiffs file this case in response to the decision of Starbucks Corporation to improperly weaponize the legal process against them, its own employees, by falsely accusing them of crimes and seeking to have them arrested.

2. On August 3, 2022, a Starbucks store manager—in apparent coordination with Starbucks upper management and its counsel—falsely reported to the police that the plaintiff workers had assaulted and kidnapped the manager two days earlier.

3. Starbucks then orchestrated the dissemination of this false report by issuing a nationwide statement insinuating that the plaintiffs had engaged in criminal activity. It further used the false report to suspend the workers and ban them from entering any Starbucks store, anywhere in the country, even as a customer. Starbucks took these actions without bothering to interview the plaintiffs. Indeed, it recklessly ignored a publicly available video that discredited the store manager’s account of events.

4. As Starbucks had to know and expect, the police took the store manager's false report seriously. It interviewed many of the workers in the workplace and in their homes over a period of weeks, causing the plaintiffs significant distress.

5. Nearly a month and a half later, the Anderson Sheriff's Office publicly confirmed what the workers already knew: the criminal accusation was a lie. The Sherriff's Office told a reporter:

After talking with all the employees and seeing the TikTok video that an employee posted from the event, **none of the allegations were true...** The employees did not stop her from leaving and did not put their hands on her, which is what the boss reported had happened. **She is the one who initiated any kind of contact** when she pushed past one of the employees as she was walking out of the door.

6. Yet, neither Starbucks nor the store manager has retracted their false statements.

7. Defendants defamed the workers and abused legal process. Plaintiffs bring this suit to seek redress for the Defendants' unlawful conduct.

#### **PARTIES**

8. Plaintiff Skylar Blume is a resident of Anderson, South Carolina.

9. Plaintiff Virgil Dowis is a resident of Anderson, South Carolina.

10. Plaintiff Rhi Greer is a resident of Anderson, South Carolina.

11. Plaintiff Jon Hudson is a resident of Pendleton, South Carolina.

12. Plaintiff Natalie Mann is a resident of Central, South Carolina.

13. Plaintiff Mya Ourada is a resident of Fairplay, South Carolina.

14. Plaintiff Braden Terrill is a resident of Pendleton, South Carolina.

15. Plaintiff Aneil Tripathi is a resident of Clemson, South Carolina.

16. Defendant Starbucks Corporation ("Starbucks") is a Washington corporation with headquarters in Seattle, Washington. It is engaged in the retail operation of restaurants throughout

the United States, including the restaurant at 3556 Clemson Blvd, Anderson, SC 29621 (“Anderson Starbucks”).

17. Defendant Melissa Morris is a resident of South Carolina.

### **JURISDICTION & VENUE**

18. This Court has personal jurisdiction over Defendant Starbucks because Starbucks regularly transacts business within Anderson County, South Carolina, and the events giving rise to this Complaint substantially occurred within Anderson County, South Carolina.

19. This Court has personal jurisdiction over Defendant Morris because Morris was employed at the Anderson Starbucks during the relevant time period, which is located within Anderson County, South Carolina, and the events giving rise to this Complaint substantially occurred within Anderson County, South Carolina.

### **FACTUAL ALLEGATIONS**

20. On Monday August 1, 2022, at approximately 11 a.m., Anderson Starbucks employees, including plaintiffs, peacefully approached the Store Manager, Defendant Melissa Morris, and presented Morris with a letter in which they asked for a wage increase, among other requests relating to their terms and conditions of employment.

21. After receiving the letter from the employees, Morris called someone on a cell phone. From Morris’s statements, Morris had apparently called a Starbucks District Manager, a higher-level manager within Starbucks.

22. Morris then got up from the chair where she had been sitting and began to walk out of the restaurant. As shown by video of the event, the employees remained stationary and made no attempt to block Morris’s exit. As Morris was walking out, Morris made physical contact with

employee Jon Hudson, who was stationary at the time. Morris then walked toward the exit of the store.

23. The employees followed Morris toward the exit in a peaceful and non-violent manner. They made no attempt to block the exit, and no employee physically touched her. Rather, they verbally repeated their request for a wage increase.

24. Morris choose to remain inside the store and on a cell phone as the employees repeated their request.

25. Morris then falsely stated over the phone to the District Manager that the employees were refusing to let Morris exit the store. At this point, the closest employee was at least five feet away from Morris, and no one was preventing Morris from leaving the building.

26. Morris thereafter asked the employees if Morris could leave. The employees stated “Yes.”

#### **The false report to the police**

27. On approximately August 3, 2022, Morris called the police to report that the workers had engaged in violent and illegal activity.

28. According to an August 3 police report, Morris told police that the employees including the Plaintiffs “would not let her leave until they got a raise. She stated that one employee also assaulted her.”

29. The report lists offenses of “Assault / Assault & Battery 3rd degree” and “Kidnapping.”

30. Morris’s statement to police was false—no employee blocked the exit, and no employee assaulted Morris.

### The Starbucks response

31. On August 1, the same day as the incident, and two days prior to Morris's police report, an attorney for Starbucks Corporation, Kevin Kraham, sent an email about the incident to another attorney, Michael Schoenfeld. Schoenfeld is an attorney representing Workers United, a labor union certified to represent workers at the Anderson Starbucks location.

32. In the email, the Starbucks attorney falsely asserted that Plaintiff Aneil Tripathi had engaged in "abusive, belligerent, and menacing conduct."

33. The Starbucks attorney further claimed, falsely, that Tripathi "would not permit the Store Manager to move about the store" and "blocked her from leaving" the store with his body.

34. Two days after the attorney's false allegations, Morris filed the police report as set forth above.

35. Two days after the police report, August 6, a Starbucks representative called each of the Plaintiffs and told them that they would be placed on leave from their job at Starbucks as a result of the August 1 incident. The representative also told them that they were banned from all Starbucks locations, including as customers.

36. On August 8, Starbucks published a statement that read, in relevant part, as follows: "On Monday, August 1, our store manager at I-85 & Clemson Blvd. felt threatened and unsafe as a result of conduct by 11 store partners.... Consistent with our longstanding policy, we opened an investigation and suspended with pay the partners involved in the incident. Following the incident, the store manager filed a report with law enforcement, who has directed Starbucks to refrain from engaging with the 11 partners until their investigation is complete... [N]o one . . . is exempt from

the standards we have always held—that everyone in our stores can expect to be treated with dignity and respect and work in a warm, welcoming, inclusive environment.”

37. The August 8 statement falsely stated that the Plaintiffs engaged in conduct that threatened Defendant Morris and falsely insinuated that Plaintiffs had engaged in criminal misconduct.

38. Given the coordinated response to the incident and involvement of its corporate attorneys, it is apparent that Morris and Starbucks upper management worked hand in hand to submit the false police and make other false statements about plaintiffs.

#### **Police investigation and warrant request**

39. Following Morris’s false report, the police investigated the incident.

40. On August 4, two officers came to the store and interviewed several individuals, including plaintiffs Blume, Terrill, Tripathi, and Mann.

41. Over the following weeks, the police continued to interview plaintiffs, including at their homes. For example, as late as September 8, 2022 (over a month since the initial false criminal complaint), plaintiff Virgil Dowis and his co-worker Charles Thrasher were each visited by a detective investigating the assault and kidnapping complaint. They were asked to identify individuals seen in the TikTok video of the incident.

42. The police informed many of the plaintiffs that they were being investigated for assault and kidnapping based on Morris’s report.

43. At the request of the store manager, the police sought a warrant for the arrest of one or more of the Plaintiffs. The magistrate judge denied the warrant based on insufficient evidence.



44. On September 15, 2022, in response to inquiries from a reporter, the Anderson Sherriff's Office confirmed that Morris's report was false.

45. Specifically, it told the reporter:

After talking with all the employees and seeing the TikTok video that an employee posted from the event, none of the allegations were true... The employees did not stop her from leaving and did not put their hands on her, which is what the boss reported had happened. She is the one who initiated any kind of contact when she pushed past one of the employees as she was walking out of the door.

### **Effect on the Plaintiffs**

46. Defendants' unlawful conduct harmed the reputation of plaintiffs by falsely stating or insinuating that they had engaged in criminal assault and kidnapping and engaged in threatening conduct.

47. Defendants' unlawful conduct caused Plaintiffs to suffer from emotional distress and mental suffering.

48. Defendants' unlawful conduct caused injury to Plaintiffs' reputations.

### **Count 1: Defamation**

49. Plaintiffs incorporate each of the factual allegations from the above paragraphs.

50. Defendant Morris falsely told other individuals that Plaintiffs committed assault and kidnapping.

51. In apparent consultation with Starbucks upper management and attorneys, Morris then falsely informed law enforcement that Plaintiffs committed assault and kidnapping.

52. Starbucks published a statement on August 8 falsely insinuating that Plaintiffs had engaged in criminal conduct and falsely stating Plaintiffs had engaged in threatening conduct towards Morris.

53. Starbucks and Morris have never retracted their false and misleading statements.

54. Defendants made the false statements with knowledge of their falsity.

55. Defendants' false statements were made with malice.

56. Defendants' false statements constitute defamation per se because they falsely accuse Plaintiffs of crimes of moral turpitude and unfitness in their profession.

57. Defendants' actions injured Plaintiffs by subjecting them to an unwarranted police investigation and falsely portrayed them as criminals, which has caused damage to their reputations.

### **Count 2: Abuse of Process**

58. Plaintiffs incorporate each of the factual allegations from the above paragraphs.

59. Defendants had an unlawful ulterior purpose when it made false claims to police that Plaintiffs assaulted Morris and prevented Morris from leaving the store, and when they sought to have a warrant issued for the arrest of Plaintiffs.

60. Specifically, Defendants made these false claims for the illegitimate collateral purpose of injuring Plaintiffs.

61. Defendants' false statements to police were willfully false and not made in good faith.

62. Defendants' false statements were not made for a proper purpose for which the legal process was intended, but instead for the illegitimate collateral purpose of preventing Plaintiffs from publicly protesting Starbucks.

63. In making the false statements, Defendants misapplied and abused the process for reporting criminal activity and seeking judicial intervention to remedy same.

### **Prayer for relief**

WHEREFORE, Plaintiffs request:

- a. A declaratory judgment against Defendants that they engaged in defamation and abuse of process.
- b. An injunction against further violations, including further statements that Plaintiffs engaged in assault and kidnapping.
- c. An award of damages, including compensatory and punitive damages.
- d. An award of reasonable attorneys' fees and costs.
- e. Such other further relief as this Court deems just and proper.

**Jury demand**

Plaintiffs demand a trial by jury.

Respectfully Submitted,

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Date: October 17, 2022