

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SAM JOSEPH,
an individual,

Plaintiff,

vs.

Case No. 1:17-cv-_____

NORTHERN MICHIGAN
UNIVERSITY, a public
Entity,

Defendant.

William F. Piper (P38636)
William F. Piper, PLC.
Attorney for Plaintiff
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COMPLAINT

The plaintiff Sam Joseph, by and through his attorney William F. Piper, PLC., for his complaint, states as follows:

JURISDICTIONAL ALLEGATIONS

1. The plaintiff Sam Joseph is an individual who resides in the State of New Jersey.
2. The defendant is a public entity located in the City of Marquette, State of Michigan.

3. The plaintiff is a person who is of middle eastern origin, having come from Egypt, he is currently 63 years old, and his skin is darker than other Caucasians.

4. This lawsuit arises in part under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §1981, 42 U.S.C. §1981a, and the Age Discrimination in Employment Act, 29 U.S.C. §621 et. seq.

5. Jurisdiction arises under 28 U.S.C. §1331.

6. Certain claims in this action arise under this court's supplemental jurisdiction to hear and decide state law claims arising out of the same transactions and occurrences as the federal law claims.

COMMON ALLEGATIONS

7. The plaintiff restates and realleges as though fully set forth herein paragraphs 1-6 of this complaint.

8. The defendant hired Mr. Joseph on August 11, 2015 as an instructor of Accounting.

9. The defendant initially asked Mr. Joseph where he was from because it was curious, and he told it, but the question made him uneasy.

10. Initially in his employment four disgruntled students complained about Mr. Joseph.

11. Throughout Mr. Joseph's employment his numbers and performance improved.

12. The defendant never formally warned or disciplined Mr. Joseph about his performance.

13. On March 11, 2016 the defendant precipitously dismissed Mr. Joseph from his job without giving him a reason for it.

14. Similarly situated Northern European and younger instructors and assistant professors were not treated as harshly as Mr. Joseph was.

15. As a result of the wrongful termination set forth above, Mr. Joseph has suffered and will continue to suffer a loss of income and benefits, emotional distress, damage to his reputation, and other consequential damages.

COUNT I – NATIONAL ORIGIN AND COLOR DISCRIMINATION

16. The plaintiff restates and realleges as though fully set forth herein paragraphs 1-15 of this complaint.

17. The defendant terminated Mr. Joseph's employment by it because of his national origin and color.

18. This claim is actionable under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §1981, 42 U.S.C. §1981a, and the Elliott-Larsen Civil Rights Act, MCL 37.2101 et. seq.

19. As a result of the unlawful action described above, Mr. Joseph has suffered the damages set forth above.

WHEREFORE, the plaintiff requests a judgment against the defendant that would include appropriate equitable relief, including reinstatement or front pay; appropriate legal relief, including compensation for his lost income and benefits; compensation for all non-economic damages he suffered and will continue to suffer in the future; punitive damages; and all recoverable interest, costs, attorney's fees and any other relief this court deems fair and just.

COUNT II – AGE DISCRIMINATION

20. The plaintiff restates and realleges as though fully set forth herein paragraphs 1-19 of this complaint.

21. The defendant terminated Mr. Joseph's employment by it in whole or in part because of his age.

22. This claim is actionable under the Age Discrimination in Employment Act, 29 U.S.C. §621 et. se q. and the Elliott-Larsen Civil Rights Act, MCL 37.2101 et. seq.

23. As a result of the wrongful termination set forth above, Mr. Joseph has suffered and will continue to suffer the damages set forth above.

WHEREFORE, the plaintiff requests a judgment against the defendant that would include appropriate equitable relief, including reinstatement or front pay; appropriate legal relief, including compensation for his loss of income and benefits and compensation for all non-economic damages that he suffered in the past and that he will suffer in the future; all liquidated damages recoverable under 29 USC § 626 (b); and all recoverable interest, costs, attorney's fees and any other relief this court deems fair and just.

Dated: May 30, 2017

William F. Piper, PLC.
Attorney for Plaintiff

By: /s/ William F. Piper
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