

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
MIDLAND DIVISION

JULIAN NNADI,)	
)	
Plaintiff,)	<u>FIRST AMENDED COMPLAINT</u>
)	
-against-)	
)	JURY TRIAL DEMANDED
THE PINNACLE GROUP)	
JB HUNT GAS & DRILLING, LLC.,)	Case Number: 7:09-cv-00120-RAJ
)	
Defendants.)	

The Plaintiff, Julian Nnadi, by and through his attorneys, the Law Offices of Joshua Friedman, hereby complains as follows:

NATURE OF THE CLAIMS

1. This is a racial harassment and retaliation case brought pursuant to 42 U.S.C. § 1981.

THE PARTIES

2. The Plaintiff, Julian Nnadi (hereinafter “Nnadi” or “Plaintiff”), is a black man.
3. Defendant JB Hunt Gas & Drilling LLC (hereinafter “JB Hunt”) operates in the Western District of Texas, where the events complained of transpired. It is a wholly owned subsidiary of Defendant Pinnacle Group.
4. On information and belief: defendant Pinnacle Group and JB Hunt share senior officers and/or managers. Defendant Pinnacle Group provides a Human Resources function to defendant JB Hunt, including prevention of and response to racial harassment.

JURISDICTION AND VENUE

5. This Court has jurisdiction pursuant to 28 U.S.C. § 1343.

6. Venue is proper in this jurisdiction pursuant to the general venue statute, 28 U.S.C. § 1391.

RELEVANT FACTS

7. Nnadi worked for JB Hunt from in or about October 2008 until his constructive discharge on or about April 6, 2009.

8. Nnadi began working for JB Hunt as an assistant driller at the Odessa worksite.

9. From the outset of his employment with JB Hunt, Plaintiff experienced abusive treatment because of his race.

10. Plaintiff's co-workers and supervisors constantly referred to him by employing racist nicknames.

11. JB Hunt's supervisory employees, including but not limited to Richard Alexander ("Alexander"), Kenny Biggenstaff ("Biggenstaff") and Brandy (last name unknown) routinely called Plaintiff "darkness," "blackness," "brown sugar" and "my black bitch."

12. Ed Chaney ("Chaney"), a JB Hunt general manager, frequently called Plaintiff "Obama boy."

13. Whenever they wanted to get his attention, Nnadi's co-workers and supervisors, would tell him: "Get your black ass over here."

14. Nnadi complained to Alexander about the racist comments he was subjected to on many occasions.

15. Alexander, who at all relevant times worked as the tool pusher, a senior management-level position at the Odessa worksite, told Plaintiff he would make the

harassment stop. When Chaney called Plaintiff “Obama boy,” Alexander promised that he would have a talk with Chaney and tell him to “calm down.”

16. However, the more Nnadi complained to Alexander about the harassment he experienced, the worse his job assignments became.

17. For example, after he complained about Chaney, Nnadi received arduous work assignments such as moving heavy pipes or office furniture and low-level work usually performed by others such as mopping floors and washing trucks.

18. In or about December 2008, Plaintiff requested vacation time to fly overseas to tend to his ill mother. Alexander granted Nnadi’s request, telling him to take as much time as he needed.

19. However, ten days into Nnadi’s leave, Alexander called Plaintiff’s girlfriend, Victoria and told her that Nnadi’s position with JB Hunt would be terminated if he did not return to work within a week.

20. Although Plaintiff returned within a week as instructed, when he went back to work he received a demotion to the position of “floor hand” and began receiving \$18 per hour, which constituted a \$3 per hour wage cut.

21. In addition to his demotion, Nnadi experienced more frequent and extreme harassment upon his return from vacation in or about January 2009.

22. For example, JB Hunt supervisory employees began telling racist jokes in front of Plaintiff.

23. Chaney and Brandy once told Plaintiff the following racist joke: “How do you stop a black baby from jumping on the bed? Put Velcro on the ceiling. And how do you bring the black baby off the ceiling? Hit him down like a piñata.”

24. Additionally, in or about that same time period, Alexander presented Plaintiff with a cotton plant as if it were a gift in front of others including Nnadi's co-worker, Steven Braswell ("Braswell").

25. Alexander even harassed Plaintiff off the oil field. In or about January 2009, Plaintiff and Victoria, his girlfriend, were at a bar. Alexander, who was also at there, approached the pair and informed Nnadi that he found Victoria pretty. Obviously drunk, Alexander then poured a glass of water down Victoria's back and laughed.

26. In or about January 2009, Robert Hughes ("Hughes"), who is part Latino, complained during a safety meeting about being harassed by his co-workers because of his race.

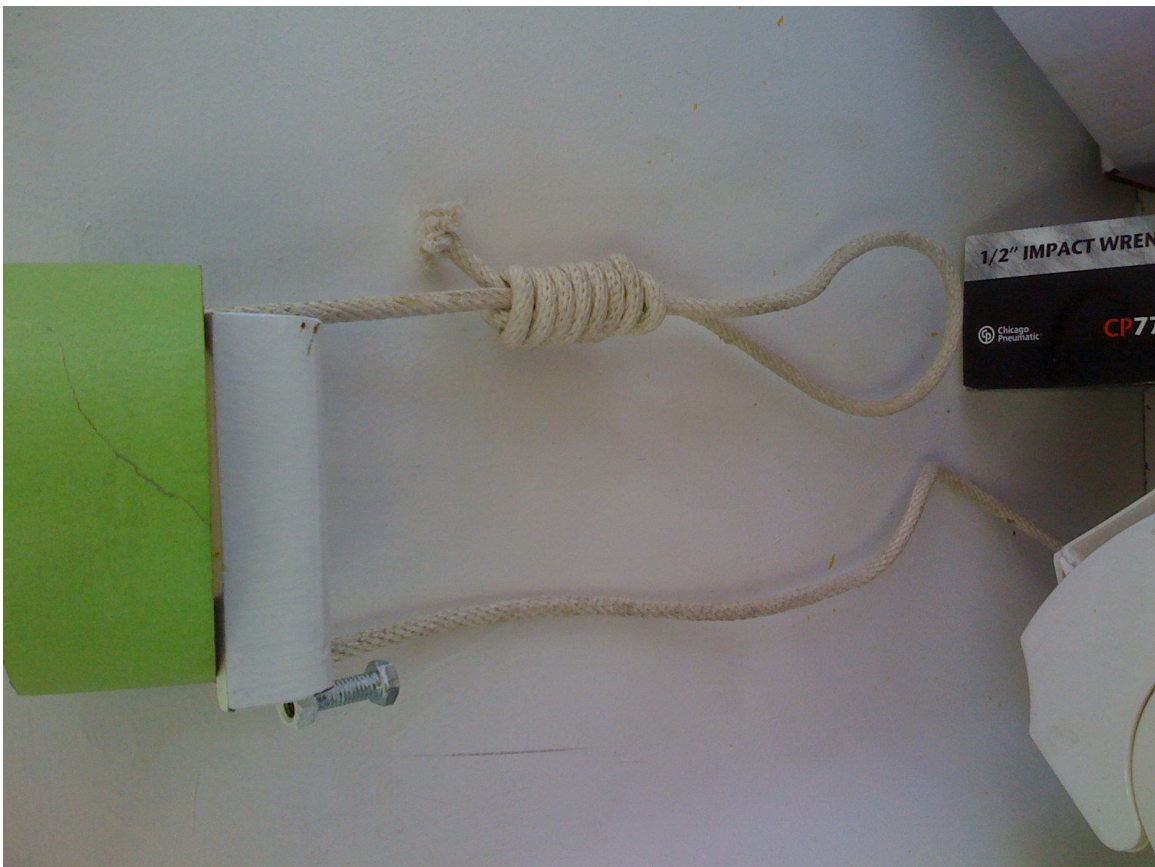
27. On information and belief: Hughes' complaint reached senior officers and/or managers of defendant Pinnacle Group and JB Hunt. Said officers and/or managers of Pinnacle Group provide a Human Resources function to JB Hunt. They visited the work site in Odessa after Hughes' complaint. Although they learned about racial harassment from Hughes and JB Hunt managers during the visit, they took no remedial action and failed even to interview the sole black employee at the site.

28. As a result of their inaction Hughes quit. Following his departure, Kirk Wade ("Wade"), the drilling manager for JB Hunt, and Michael Johnson, the safety manager, spoke with Nnadi about his experience working at the Odessa site. During that conversation, Plaintiff complained about the constant use of racist language by his supervisors and co-workers as well as the other harassment he had been subjected to since he began working for JB Hunt.

29. Wade told Plaintiff, “You don’t have to take this.” However, other than offer Nnadi his cell phone number and invite Plaintiff to call him “if anything else happens,” Wade did nothing in response to Nnadi’s complaints regarding the hostile work environment at the Odessa worksite.

30. The day after Plaintiff complained to Wade, JB Hunt supervisory employee Brandy told Nnadi to get some tools from a toolbox in the drilling office. When Plaintiff went to retrieve the tools, he found a noose hanging beside the toolbox.

31. Plaintiff took the following pictures of the noose he found in the drilling office that day with his cell phone:





32. When Nnadi walked out of the drilling office after having seen the noose, JB Hunt supervisory employees Alexander, Brandy, and Daniel (last name unknown) laughed at him.

33. In or about February 2009, Plaintiff and his crew transferred to the Joshua work site, which at all relevant times was managed by Chaney. Nnadi was assigned to work as an assistant to Tony (last name unknown), the assistant driller, and Daniel, the driller.

34. At the Joshua site, Plaintiff continued to be subjected to a work environment polluted by bigoted and hateful remarks.

35. For example, when Chaney greeted Plaintiff, he frequently did so by asking, “What’s up my nigger?”

36. When Chaney wanted Plaintiff to mop the floor of the drilling office, he told Nnadi to “get your black ass to the floor and mop.” If Plaintiff did not respond quickly enough, Chaney said he would “bite the black off your ass.”

37. When Nnadi complained about the racist slurs he was subjected to, JB Hunt supervisory employees retaliated against him.

38. For example, the driller, Daniel, frequently greeted Plaintiff by saying, “What’s up blackness?” and called Nnadi a “black ass nigger” a number of times. When Nnadi took issue with Daniel’s racist language, Daniel would become angry and reprimand Plaintiff for “talking back” to him and “having an attitude.”

39. In or about February 2009, Plaintiff complained to Daniel about Jason (last name unknown), a co-worker, who yelled at Nnadi, called him a “mother fucker” and said “get your black ass over here.” Instead of reprimanding Jason, Daniel wrote Plaintiff up for allegedly assaulting Jason. When Nnadi tried to defend himself, Chaney refused to investigate what happened. Instead, Chaney told Plaintiff, “I have to believe my driller.”

40. A short time thereafter, Jason sprayed Nnadi with a water hose while Plaintiff was power-washing tools. Upon information and belief, Jason was never reprimanded even though Plaintiff complained to both Daniel and Chaney about the incident.

41. In or about the same time period, Daniel wrote Plaintiff up for taking a cigarette break with his immediate supervisor, Tony.

42. In or about mid-March 2009, Chaney told Plaintiff the following racist joke: “How do you keep a black man from hanging around your back yard? Hang one in the front yard.”

43. As a result of the relentless harassment he experienced at the Joshua work site, Plaintiff developed insomnia and became paranoid. The racist slurs and jokes took a toll on Nnadi who could not sleep at night because he feared he would be attacked by his work colleagues.

44. In or about the end of March 2009, Plaintiff packed his bags and informed Chaney that he could not stand any more harassment and he was walking off the oilrig.

45. Plaintiff complained to Chaney at length about the racial harassment and retaliation he experienced at the Joshua worksite before he left.

46. During that conversation, which Nnadi recorded using his cell phone, Chaney acknowledged that he and others had used inappropriate language when speaking to Plaintiff.

47. In the conversation, a recording of which is available online at www.efriedmans.com/Nnadi_v._Pinnacle_Group/Im_just_a_human_being.mp3, Chaney admitted that he called Plaintiff "Obama boy" and that he heard Alexander call Nnadi "blackness":

Nnadi: I'm just a human being. I mean (unclear) I mean I have been called all kinds of names.

Chaney: Well, you shouldn't have been.

Nnadi: But, you know what, but do I go and say I am not going to work here no more because of this and that and that -- no. But it gets to a point when you can't tolerate so much.

Chaney: (unclear) By no means I tell you that right now.

Nnadi: You know what, Ed, I am going to say it like it is. The first day you met me, I'm going to be serious, I had an issue with you because we got to the rig and you said, "Hey, what's up Obama boy." And I said, "Hey, what's up man." Because the reason why I answered you like that was because Richard told me that you, when you

asked him to pick me up . . . and I'm not saying this to get you mad but that is what you said to me and now that might be just a statement.

Chaney: That was just a statement.

Nnadi: You see that was just a statement, you see, but I didn't take it that way. You know, because, you know, if someone I don't know says something like that to me, dude, I weigh 230 pounds and if someone was going to talk stuff like that to me in my face it's either I get charges on me (unclear) . . . You know, it's ridiculous.

* * * * *

Chaney: That there was just a figure of speech and if that offended you in the wrong way, I apologize. It wasn't nothing racial I was just saying Obama thing. Of course, then I turn around and Richard was calling you "blackness" and I, man, and I did, I said that ain't right.

48. In response to Plaintiff's concerns, Chaney held a meeting attended by Nnadi, Daniel, Jason, and Plaintiff's co-worker, Braswell. However, Chaney failed to reprimand Jason and Daniel for harassing Plaintiff because of his race and retaliating against him for complaining about them. Instead, Chaney asserted that they faced a "morale problem" and everyone needed to learn to work as a unit.

49. Dissatisfied with Chaney's inability to respond to his complaints about the racial harassment and retaliation in an effective manner, Plaintiff left the Joshua worksite to return to Odessa.

50. On his way to the airport, Nnadi called Wade to inform him of his decision to quit. Wade implored Plaintiff to meet with him in Odessa when he returned. Wade told Nnadi he would do "whatever it takes to make you stay."

51. When he arrived in Odessa, Nnadi met with Alexander.

52. During that conversation, which Plaintiff recorded with his cell phone, Nnadi resolved to meet with Wade in person the next day to complain about the toxic environment at the Joshua worksite. Plaintiff made that decision after he learned from Alexander that Chaney had minimized the seriousness of his complaints by suggesting to

Wade the problem was the result of personality conflicts, which could be resolved simply by transferring Plaintiff to a different crew.

53. In the recording, available online at www.efriedmans.com/Nnadi_v._Pinnacle_Group/Ed_Called_Back_and_Said.mp3,

Nnadi stated that he could not go back to the Joshua worksite because of the racial harassment he experienced there, which he did not believe Chaney would be able to stop:

Alexander: Ed called back and said, “Hey, I have this squashed. It’s all good. We’re just going to put Julian on a different crew. It’s all cool.” Do you see what I am getting at?

Nnadi: I understand what you are saying but he is making Kirk [Wade] feel like he has everything under control. He doesn’t have anything under control in that rig.

Alexander: But you gotta go and follow through with it.

Nnadi: Yesterday, I did not want to call Kirk because he is not . . .

Alexander: Send him a text message.

Nnadi: On Sunday?

Alexander: It don’t matter what day.

Nnadi: I was going to go to the office tomorrow and sit down there and talk to him. You know because honestly the racism was too much for me, the way they talked to me.

Alexander: (unclear) Then do that. It’s better for you to sit down and talk to Kirk face to face then it is for him to hear from the (unclear) on a phone call.

54. During that same conversation, available online at www.efriedmans.com/Nnadi_v._Pinnacle_Group/The_day_before_yesterday.mp3,

Alexander confirmed that the write-ups Plaintiff received at the Joshua work site from Daniel were in retaliation for Nnadi’s complaints about the harassment he experienced at the hands of Daniel and others:

Nnadi: The day before yesterday, [Chaney] called me as soon as he came to the rig and said, “What’s up Obama boy,” and I said, “Come on, Ed.” Around that time I was already hot for three days from all the bullshit that has been happening. They wrote me up two days in a row.

Alexander: You know what’s funny. Those write-ups have not been received in the office yet. They never made it to the office.

Nnadi: The write-ups never got to the office?

Alexander: Do you want me to tell you why I know that?

Nnadi: You can pull it up on your system?

Alexander: No. People in the office (unclear) talk to me. They have never made it to Kirk’s desk and Kirk has to sign off on them. When anyone gets wrote up, Kirk has to initialize it himself. He has to put it in the employee file. Kirk has never received those write-ups.

Nnadi: Kirk never received it?

Alexander: I am telling you (unclear). He flat out told me that he had not received any write-ups on you at all.

Nnadi: Dude!

Alexander: You know those write-ups they gave you were for intimidation. They were never meant for the office.

55. The following day, Plaintiff met with Wade to discuss his concerns regarding Chaney and the others at the Joshua worksite.

56. During that conversation, which Plaintiff recorded using his cell phone, Nnadi complained about the harassment he experienced at the Joshua worksite, Chaney’s failure to respond to his complaints about the harassment, and Daniel’s retaliatory write-ups.

57. In the recording, available online at [www.efriedmans.com/Nnadi v. Pinnacle Group/As soon as work was over.mp3](http://www.efriedmans.com/Nnadi_v._Pinnacle_Group/As_soon_as_work_was_over.mp3),

Wade confirmed Alexander’s claim that the central office never received the write-ups from the Joshua worksite regarding Plaintiff. Indeed, Wade confirmed that the write-ups

were retaliatory in nature when Nnadi explained to him the circumstances under which Daniel issued the write-ups:

Nnadi: As soon as work was over, [Daniel] brought me in the office and said, “Julian, you have to sign this because you were taking a cigarette break.” Whatever, he wrote me up.

Wade: I never saw it.

Nnadi: Boss, he wrote me up. I signed it.

Wade: Yeah, they had never come across my desk.

Nnadi: They were doing it . . . See Boss, they were doing it to (unclear).

Wade: They were probably doing it just to mess with you.

58. When Plaintiff complained about being harassed by his co-workers, Wade stated in the recording at

www.efriedmans.com/Nnadi_v._Pinnacle_Group/Boss_I_really_tried.mp3, that the racist remarks should have stopped admitting the inadequacy of Defendants’ response to complaints about racial harassment:

Nnadi: Boss, I really tried. You can ask Richard, he will tell you. I hardly get mad. I am always happy, I am always, you know . . .

Wade: [Responding to Plaintiff’s complaint about Jason, who drenched him with the water hose] But you know the thing about the guys with the water hose, that stuff has been going on forever and I don’t know how many people have been bent out of shape over that.

But the talking part of it, they don’t need to be doing that. I thought we already covered all of that a long time ago after that, um, one hand was here.

59. As a result of that conversation, Plaintiff and Wade agreed that Nnadi would continue to work for JB Hunt and he would be transferred to the Odessa worksite under the supervision of Alexander.

60. With a few days of his arrival at the Odessa worksite, Alexander began to harass Plaintiff. For example, Alexander began to refer to Nnadi as “my black bitch” and told him to “get your black ass over here” when he wanted to get Plaintiff’s attention.

61. On or about April 3, 2009, Alexander told Nnadi to get to work on a specific project, which Alexander described as “nigger rigging.”

62. A few days later, on or about April 5, 2009, Alexander worked a piece of rope into a noose and told Plaintiff if he did not behave, Alexander was going to hang him right there in the drilling office.

63. A video of this incident, which Plaintiff filmed with his cell phone, is available online at <http://www.youtube.com/watch?v=4vs5yLohghE>

64. Plaintiff’s co-worker, Jason Larkin (“Larkin”), witnessed Alexander swing the noose in front of Nnadi’s face.

65. In his Declaration executed April 28, 2009, which is attached hereto as Exhibit A and incorporated herein, Jason Larkin describes the incident as follows:

I was in the “Doghouse,” a building where tools are kept and where Alexander keeps an office, with Alexander and Nnadi. I saw Alexander swing and then tighten a noose in front of Nnadi’s face while laughing. Nnadi and I immediately left the Doghouse.

66. That day, Larkin called Wade to inform him about the noose incident. In his Declaration, Larkin states:

I called Kirk Wade (“Wade”), the drilling manager, to report Alexander’s mistreatment of Nnadi, which I found to be disrespectful. I told him I saw Alexander swing and then tighten a noose in front of Nnadi’s face while laughing. Wade told me to call him back later. When I tried to reach Wade an hour later, he did not answer his cell phone.

67. When Wade attempted to discipline Larkin for complaining about Alexander's mistreatment of Plaintiff, Larkin quit his job with JB Hunt. Larkin recounts these events in his Declaration as follows:

The next day, Mark, the tool pusher, told me that Wade wanted to write me up for complaining about Alexander's mistreatment of Nnadi. Mark said he want not going to write me up. I quit my job with JB Hunt that day because of the way Alexander mistreated Nnadi and because of the way Wade responded to my complaint. Although I am still unemployed because of the recession, after the noose incident and Wade's response to my complaint about it, I knew I could no longer work for a company that allows employees to be disrespected in the way Nnadi was.

68. The day after the noose incident, on or about April 6, 2009, Alexander called Nnadi into his office to inform Plaintiff that he was being transferred to another worksite because of his attitude.

69. During that conversation, part of which Plaintiff recorded using his cell phone, Alexander admitted that he subjected Nnadi to racist language and other inappropriate treatment and witnessed others do the same

70. In the recording, available online at www.efriedmans.com/Nnadi_v._Pinnacle_Group/Dude_you_know.mp3, Alexander also admitted Defendants' response to Plaintiff's complaints about the harassment had been inadequate:

Nnadi: Dude, you know what's going through my head every day I do this fucking job? When Ed calls me "nigger" or calls me "Obama boy" or makes me move a 38 inch by 48 inch pipe (unclear) when the forklift is parked right there.

Alexander: When you called me and told me (unclear) I did what I could to help you out.

Nnadi: Yes, you did. But you know the funny thing, I called Kirk to report it when Ed was doing all this bullshit and called me all those names. Is that the best he can fucking do? Is that the best that he can fucking do to Ed?

Alexander: I don't think so (unclear). You know that. My hands are tied on Ed. I am just a driller.

71. Despite Alexander's promises that he would not harass Plaintiff anymore, Nnadi decided he could no longer work on a JB Hunt worksite given the relentless harassment he had been subjected to by his colleagues and Defendants' complete failure to remedy the situation when he complained about it.

72. The foregoing events have taken a heavy toll on Plaintiff.

73. Prior to his tenure at JB Hunt, Nnadi was a happy, outgoing person who enjoyed working hard and socializing with his family and friends.

74. Plaintiff chose to work at JB Hunt because he hoped that a successful career working on an oilrig would allow him to save enough money to someday start a business of his own.

75. While he worked for JB Hunt and in the months since his constructive discharge, Plaintiff has suffered from depression, which has manifested in a variety of ways.

76. Nnadi is now under the care of a psychotherapist who concluded that "his Nigerian/British upbringing did not prepare him for the type of KKK/Arian racism he experienced [at JB Hunt]. . . . He is showing many symptoms of post traumatic stress syndrome" and depression.

77. As a result of the racial harassment, Nnadi suffers from insomnia and nightmares prohibit Nnadi from getting sufficient rest.

78. During the day, Plaintiff is plagued by anger and resentment. Nnadi feels his co-workers and supervisors at JB Hunt violated his trust by harassing him or by

allowing others to subject him to abusive treatment, which forced him to leave a good-paying job.

79. Nnadi suffers from headaches and frequently does not have an appetite. As a result, Plaintiff has trouble concentrating and insufficient energy because he has lost a significant amount of weight. Nnadi constantly worries about his finances.

80. Plaintiff has withdrawn from his family and friends.

81. Finding it difficult to cope in the aftermath of his constructive discharge from JB Hunt, Nnadi cut himself off from those closest to him, including his girlfriend, Victoria. Their relationship ended several months after left Defendants' employ.

82. Currently, Plaintiff spends a significant amount of time alone watching television.

COUNT I

RACIALLY HOSTILE WORK ENVIRONMENT DISCRIMINATION

IN VIOLATION OF 42 USC § 1981

83. Plaintiff hereby alleges and incorporates by reference the preceding paragraphs.

84. Defendants JB Hunt and the Pinnacle Group are liable for the racial harassment of Nnadi's co-workers and supervisors because Defendants were aware of the racial harassment through Hughes, JB Hunt's drilling manager, Kirk Wade, and other managers, but failed to take appropriate remedial action in response to such knowledge.

COUNT II

RETALIATION IN VIOLATION OF 42 USC § 1981

85. Plaintiff hereby alleges and incorporates by reference the preceding paragraphs.

86. Plaintiff's complaints about the harassment he was subjected to by his co-workers and supervisors constituted protected activity.

87. Defendants' baseless, retaliatory write-ups would deter a reasonable employee from engaging in protected activity.

PLAINTIFF DEMANDS TRIAL BY JURY

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that this Court grant the following relief:

- A. Declare the conduct of Defendants JB Hunt and the Pinnacle Group, which is complained of herein, to be in violation of the Plaintiff's rights as secured by 42 U.S.C. § 1981, enjoin future violations and retain jurisdiction of this matter for such time as necessary to ensure compliance with such order;
- B. Award Plaintiff compensatory damages to be determined by the jury at the time of trial;
- C. Award Plaintiff front and back pay;
- D. Award Plaintiff punitive damages to be determined by the jury at the time of trial;
- E. Award Plaintiff reasonable attorneys' fees and costs, including the fees and costs of experts, incurred in prosecuting this action; and
- F. Grant such further relief as the Court deems necessary and proper.

Dated: December 25, 2009

Respectfully Submitted,

By: _____

Holly B. Williams
Texas Bar Number 00788674
WILLIAMS LAW FIRM, P.C.
1209 W. Texas Ave.
Midland, TX 79701
(432) 682-7800; 432-682-1112 (fax)

Attorneys for Plaintiff

Law Offices of Joshua Friedman


BY: Joshua Friedman

Joshua Friedman josh@joshuafriedmanesq.com
Rebecca Houlding rebecca@joshuafriedmanesq.com
Daniela Nanau daniela@joshuafriedmanesq.com
Admitted *pro hac vice*
25 Senate Place
Larchmont, NY 10538
(212) 308-4338

CERTIFICATE OF SERVICE

I hereby certify that on December 25, 2009 I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

Joshua Friedman
Holly B. Williams
(counsel for plaintiff, defendant has not yet appeared)


BY: Joshua Friedman

Exhibit A

DECLARATION OF JASON LARKIN

Declaration of Jason Larkin, pursuant to 28 U.S.C. § 1746, under the penalty of perjury:

1. I am over the age of eighteen, suffer no legal disabilities, have personal knowledge of the facts set forth below, and am competent to testify. I understand I am making the statements in this Declaration under oath. This Declaration is true and accurate to the best of my knowledge.

2. I worked as a dredge hand for JB Hunt Gas & Drilling LLC ("JB Hunt") for three months beginning in January 2009.

3. I am white.

4. I have been working in the oil drilling industry for thirteen years.

5. I once witnessed the driller, Richard Alexander ("Alexander"), who is the manager of the crew, call my co-worker, Julian Nnadi ("Nnadi") a "nigger."

6. In or around late March 2009, I was in the "Doghouse," a building where tools are kept and where Alexander keeps an office, with Alexander and Nnadi.

7. I saw Alexander swing and then tighten a noose in front of Nnadi's face while laughing.

8. Nnadi and I immediately left the Doghouse.

9. A day or two following the noose incident, Alexander was picking on Nnadi for having a bad attitude and Nnadi walked off the job site.

10. That day, I called Kirk Wade ("Wade"), the drilling manager, to report Alexander's mistreatment of Nnadi, which I found to be disrespectful. I told him I saw Alexander swing and then tighten a noose in front of Nnadi's face while laughing.

11. Wade told me to call him back later. When I tried to reach Wade an hour later, he did not answer his cell phone.

12. The next day, Mark, the tool pusher, told me that Wade wanted to write me up for complaining about Alexander's mistreatment of Nnadi. Mark said he was not going to write me up.

13. I quit my job with JB Hunt that day because of the way Alexander mistreated Nnadi and because of the way Wade responded to my complaint.

14. Although I am still unemployed because of the recession, after the noose incident and Wade's response to my complaint about it, I knew I could no longer work for a company that allows employees to be disrespected in the way Nnadi was.

15. The same day I quit, my co-worker, Donny Kirk ("Kirk") also quit his job working for JB Hunt.

16. I told Kirk about the noose incident and Wade's decision to write me up for complaining about it.

17. Kirk quit because of what I told him about the conduct of Alexander and Wade.

18. Kirk is also white.


JASON LARKIN