

**STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF WAYNE**

DWIGHT JACKSON,

Plaintiff,

Case No. 24- -CD
Honorable

-V-

SHINOLA HOTEL,

Defendant.

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COMPLAINT

NOW COMES the above-named Plaintiff, by and through his attorneys, MARKO LAW, PLLC, and for his Complaint against the above-named Defendant, states as follows:

JURISDICTION AND VENUE

1. Plaintiff Dwight Jackson is a 27-year-old African American man residing in Detroit, County of Wayne, Michigan.

2. Defendant Shinola Hotel is a domestic limited liability company located and conducting business in the City of Detroit, County of Wayne, State of Michigan.

3. The transactions and occurrences giving rise to this action took place in the County of Wayne, State of Michigan.

4. The amount in controversy greatly exceeds this Court's jurisdictional requirement.

FACTUAL ALLEGATIONS

5. Jackson, by reference, incorporates the preceding paragraphs of this Complaint as though fully set forth herein.

6. Dwight Jackson is a 27-year-old African American man.

7. Jackson applied to Defendant on multiple occasions from January 2024 to April 2024 as Dwight Jackson with his resume.

8. Jackson was not contacted by Defendant to undergo the interview process for the positions to which he applied.

9. Jackson applied to Defendant twice for similar positions under a more readily apparent Caucasian name, under the alias "John Jebrowski," using the exact resume, in which he was contacted by Defendant to undergo the interviewing process the same week.

10. Jackson established that the Defendant's consideration of candidates was based on the racial appearance of the applicant's name.

11. Shortly after Jackson underwent the interview process, he was informed that he was no longer a viable candidate for the position.

12. Upon information and belief, Jackson's applications were disregarded by Defendant due to discrimination of his race.

13. Jackson has suffered and continues to suffer emotional distress as a result of the discrimination regarding his race to which he endured illegal disqualification of the position.

14. As a result of Defendant's actions and inactions, Jackson has suffered and will continue to suffer extensive damages, including but not limited to the following:

- a. Stress;
- b. Humiliation;
- c. Emotional Damages;
- d. Non-economic Damages;
- e. Exemplary Damages;
- f. Economic Damages; and
- g. All other injuries to be discovered throughout discovery.

COUNT I - VIOLATION OF MICHIGAN ELLIOTT LARSEN CIVIL RIGHTS
ACT
(Disparate Treatment)

15. Plaintiff, by reference, incorporates the preceding paragraphs of his Complaint as though fully set forth herein.

16. At all material times, Plaintiff was an applicant, and Defendants were his desired employer, covered by and within the meaning of the Michigan Elliott-Larsen Civil Rights Act, MCL 37.2101, et seq.

17. Plaintiff as an African American, is part of a protected class under the Michigan Elliot-Larsen Civil Rights Act, MCL 37.2101, et seq.

18. Due to Plaintiff's race, he was denied an employment opportunity with Defendant.

19. Defendants, through its agents, representatives, and employees, were predisposed to discrimination on the basis of race and acted in accordance with that predisposition.

20. Defendants, through its agents, representatives, and employees, treated Plaintiff differently from similarly situated applicants in the terms and conditions of employment based on the unlawful consideration of race.

21. Defendants' actions were intentional in disregard to Plaintiff's rights and sensibilities.

22. Defendants are vicariously liable for the violation of Plaintiff's Rights under the Michigan Elliott-Larsen Civil Rights Act pursuant to the doctrine of respondeat superior.

23. As a direct and proximate result of Defendants' unlawful actions, Plaintiff has sustained and continues to sustain injuries and damages.

**COUNT II- VIOLATION OF THE MICHIGAN'S ELLIOT-LARSEN CIVIL
RIGHTS ACT**
(Retaliation)

24. Plaintiff, by reference, incorporates the preceding paragraphs as though fully set forth herein.

25. Defendant retaliated against Plaintiff for applying to Shinola Hotel, opposing the unlawful hiring practices, and complaining to Shinola Hotel about such practices, which are protected activities under ELCRA.

26. In response to Plaintiff's participation in these protected activities, Plaintiff was punished without justification by Defendant, including, but not limited to, denying Plaintiff employment at Shinola Hotel, among others to be discovered through the course of litigation.

27. Defendant's actions were willful, intentional, and/or made in reckless disregard of Plaintiff's rights and sensibilities.

28. Defendant's actions were a direct and proximate result of Plaintiff's injuries. Shinola Hotel showed interest in hiring "John Jebrowski" when he presented to be a Caucasian male. When Defendant found out Dwight Jackson, an African American male, opposed Shinola Hotels discriminatory hiring practices, he was denied employment.

29. As a direct and proximate result of Defendant's actions, Plaintiff has suffered and continues to suffer damages and injuries.

WHEREFORE, Plaintiff respectfully request this Honorable Court enter a judgment against Defendants in such an amount as the trier of fact shall deem fair and just, together with interest, costs and attorney fees, and for such other and further relief as this Honorable Court may deem appropriate.

Respectfully submitted,

/s/ Nichole A. Omilion

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Dated: July 03, 2024

PROOF OF SERVICE

The Undersigned certifies that the forgoing instrument was served upon all parties to the above cause to each of the attorneys of record herein at their respective addresses disclosed on the pleadings on July 3, 2024

- | | |
|---|---|
| <input type="checkbox"/> US Mail | <input type="checkbox"/> Fax |
| <input type="checkbox"/> Hand Delivered | <input type="checkbox"/> Overnight Carrier |
| <input type="checkbox"/> Certified Mail | <input checked="" type="checkbox"/> E-File/E-Mail |

Signature: /s/ Alalah Melendez