

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

DANIELLE LANGAN,

Plaintiff,

-against-

STARBUCKS CORPORATION D/B/A STARBUCKS
COFFEE COMPANY

Defendant.

Case No. 23-CV-5056

Plaintiff designates **Middlesex
County** as the place of trial

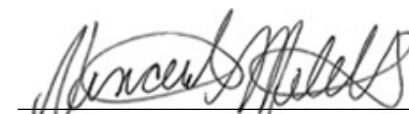
SUMMONS

TO THE ABOVE NAMED DEFENDANT:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer, or if the complaint is not served with this summons, to serve a notice of appearance, on the plaintiffs' attorney(s) within 20 days after the service of this summons, exclusively of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New Jersey); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Respectfully Submitted,

Dated Brooklyn, New York
August 16, 2023



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UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

DANIELLE LANGAN

Plaintiff,

- v -

STARBUCKS CORPORATION D/B/A STARBUCKS
COFFEE COMPANY

Defendant,

Case No. _____

**VERIFIED COMPLAINT &
JURY DEMAND**

Plaintiff DANIELLE LANGAN (“Langan” or “Plaintiff”), by and through its attorneys, Miletto Law P.C., d/b/a The Law Offices of Vincent Miletto, Esq., states as follows by way of Verified Complaint against defendant STARBUCKS CORPORATION D/B/A STARBUCKS COFFEE COMPANY (“Starbucks” or “Defendant”), upon knowledge with respect to Schuman’s own acts and upon information and belief with respect to all other matters:

INTRODUCTION

1. By way of introduction, the Plaintiff in this matter, Ms. Danielle Langan was a 20+ year employee with an exceptional record. Plaintiff enjoyed a meteoric rise from barista in November 2000, to Shift Supervisor within 6 months, through her promotion to Store manager in May 2003. During her career, she enjoyed many accolades, including the North Star Hero award, one of the most prestigious awards that Starbucks could give. Plaintiff even received praise from management as recent as March 15, 2020. While historically, her career has been fantastic and her performance has always been top grade, great memories are often short lived—and there is no force like that of systemic and invidious discrimination.

2. In the midst of a global pandemic, Plaintiff was wrongly accused of racism when Starbucks attempted to deliver T-shirts conveying messages in support of the “Black Lives Matter” movement to a closed store. Plaintiff was blamed for Defendant’s failure to properly deliver the shirts, with management alleging Plaintiff refused the package on purpose.

3. Defendant refused to accept their error and escalated their discrimination against Plaintiff to advance their agenda. When Plaintiff was out on protected leave for contracting an aggressive case of COVID-19, management wrongfully terminated Plaintiff’s employment and used false and un-substantiated accusations of prejudice and poor leadership to support their decision.

4. Beginning in January 2021, after finalizing their class action issue with the Equal Employment Opportunity Commission (“EEOC”), Starbucks began a campaign in which they were going to correct their past historical wrongs against minorities, particularly African Americans. Part of this new image and drive at Starbucks, was to take a firm stance against discrimination in the workplace. Unfortunately for Ms. Langan, this new political ethos that Starbucks sought to employ found her improperly in the line of fire.

5. Starbucks needed a fall person—a sacrificial lamb to show that they were taking the allegations of discrimination against African American’s seriously. Certainly, Starbucks believed that the best way to approach this was to find a Caucasian female and just make her the target of this historical correction campaign! Ms. Langan was that perfect candidate. She is trusting, outspoken, and wears her heart on her sleeve—just the right person to set up to be the model for their new aggressive position on how they would treat alleged discrimination against minorities.

6. Disregard the fact that senior management treats race relations and particular cultures more like a marketing campaign rather than actual human beings (because hey, there is nothing money can't cure—right?), and that all their previous issues with race are going to be cured by funding money and placing employees in positions they may not be the most qualified to serve, since the placement is not based on merit, but rather, an “accelerated program” – no, this is how they are going to show their commitment to the African American community—by **improperly firing a single mother of 3, who after the military, suffering from Post-Traumatic Stress Disorder (PTSD), spent her entire career working for Starbucks, and engaging in a campaign of discrimination, harassment and retaliation, predicated by their particular disdain for her race, sprinkled with a little bit of gender discrimination and disability discrimination.** Certainly, Starbucks has shown that they could whip up a case of invidious race discrimination and retaliation against Caucasian females, suffering from disabilities, older than 40, as fast as they could whip up a large Teavana shaken peach citrus white tea infusion with heavy cream and vanilla syrup.

7. It is worth noting that they could not have picked a worse candidate to make a model of their campaign of discrimination against Caucasian people – they picked an employee who enjoys friendships, relationships and community with all races equally, and has perhaps one of the most diverse group of friends anyone could ever have, and one who basically enjoys extracurricular activities and hobbies from all walks of life. Of all the people in the world that they are trying to turn into a modern David Duke, they are sadly mistaken.

8. Ironically, this campaign to trash Ms. Langan has been organized and facilitated by a group of other Caucasians within Starbucks who seem to think they were the Post Civil War Radical Republicans, but in reality, their public facing actions are nothing more than petty virtue

signaling. As Starbucks tries to make it appear that they are making big moves, effectuating dramatic change, the reality is that just like how they missed the target on understanding race relations within the African American community, they further missed the target on how to spot true racism. Unfortunately, they have destroyed the life of a single mother of 3, who after the military, dedicated her life to Starbucks, in the process.

9. Plaintiff, after being the recipient of this invidious campaign of discriminatory treatment, now brings claims against Starbucks pursuant to Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §2000e, et. seq. (“Title VII”), the Civil Rights Act of 1866, as amended, 42 U.S.C. §1981, the New Jersey Law Against Discrimination (“NJLAD”), as amended, N.J.S.A. § 10:501, et seq., the Americans with Disabilities Act (“ADA”), and other related state and common law claims.

PARTIES

10. Plaintiff, DANIELLE LANGAN, is an individual with a principal place of residence, located Hazlet, New Jersey 07730.

11. Defendant STARBUCKS CORPORATION D/B/A STARBUCKS COFFEE COMPANY is organized under the laws of Washington with its headquarters located at 2401 Utah Avenue, South, Seattle, Washington, 98134.

12. At all material times, Defendant maintained locations throughout the State of New Jersey, including without limitation, in North Brunswick and other locations within New Jersey.

13. At all times material hereto, Plaintiff worked out of the primary shop located in North Brunswick, New Jersey and traveled to Defendants’ other locations in New Jersey, including but not limited to Matawan, Marlboro, Manalapan , Middletown , Edison, freehold, Woodbridge mall , Woodbridge and Menlo Park.

14. Defendant is engaged in an industry affecting interstate commerce and regularly does business in the State of New Jersey.

15. At all times material hereto, Defendant employed more than fifteen (15) employees.

16. At all times material hereto, Defendant acted by and through its authorized agents, servants, workmen, and/or employees acting within the course and scope of their employment with Defendant and in furtherance of Defendant's business.

17. At all times material hereto, Defendant acted as an employer within the meaning of the statutes which form the basis of this matter.

18. At all times material hereto, Plaintiff was an employee of Defendant within the meaning of the statutes that form the basis of this matter.

JURISDICTION & VENUE

19. The causes of action which form the basis of this matter arise under Title VII of the Civil Rights Act ("Title VII"), 42 U.S.C. § 1981, and the New Jersey Law Against Discrimination ("NJLAD").

20. The District Court has jurisdiction over the Counts related to Title VII pursuant to 42 U.S.C. §2000e-5 and 28 U.S.C. §1331.

21. The District Court has jurisdiction over the Courts related to 42 U.S.C. § 1981 pursuant to U.S.C. §1331.

22. The District Court has jurisdiction over the Counts related to the NJLAD pursuant to 28 U.S.C. §1332 since the amount in controversy exceeds the sum or value of seventy-five thousand dollars (\$75,000), exclusive of costs and interest and as there is complete diversity of citizenship as Plaintiff is a citizen of New Jersey and Defendant is a citizen of Washington.

23. Venue is proper in this District Court under 28 U.S.C. §1391 (b) and 42 U.S.C. §2000e-5(f).

24. On or about July 26, 2021, Plaintiff filed a Charge of Discrimination (“Charge”) with the New Jersey Office of the Attorney General, Division on Civil Rights (“NJDCR”) and the Equal Employment Opportunity Commission (“EEOC”) complaining of acts of discrimination alleged herein. Attached hereto, incorporated herein and marked as **Exhibit A** is a true and correct copy of the dully filed NJDCR / EEOC Charge of discrimination.

25. On or about July 21, 2023, the EEOC issued the Plaintiff a Notice of Right to Sue for her Charge of Discrimination. Attached hereto and marked as **Exhibit B** is a true and correct copy of the Notice.

26. Plaintiff has fully complied with all administrative prerequisites for the commencement of this action.

FACTS COMMON TO ALL COUNTS

27. Ms. Langan is an individual who began working for Starbucks on November 14, 2000. She began working as a barista and was quickly promoted to Shift Supervisor (“SSV”) within 6 months. Her success continued as she was promoted to Store Manager (“SM”) by May 2003. Her assigned primary location was at 522 Shoppes Boulevard, in North Brunswick Township, New Jersey 08902.

28. As an SM, Ms. Langan was responsible for providing overall leadership, planning and executing strategic operational plans, providing functional business requirements, and partner development and team building.

29. Ms. Langan reported directly to Mr. Vaughn Clement (“Clement”), who was the District Manager. Jennifer Pivarnik (“Pivarnik”) was the regional director of operations and Tracy Gaven-Bridgman (“Gaven-Bridgman”) was the regional vice president of operations.

30. Ms. Langan continued to excel in her role as an SM. She became ServeSafe certified and a Certified Trainer for Store Managers. She also earned the title of Coffee Master and received awards during her time with Starbucks, including the North Star Hero award for Area 81.

31. The North Star Hero Award was only awarded to a handful of Starbucks Partners who displayed excellence in the areas of customer service and human interaction. According to the Executive Vice President and President of U.S. Retail, Kris Engskov, over 80,000 individuals are nominated for the North Star Hero Award and is the most prestigious award offered by Starbucks.

32. The award was given to Ms. Langan by the former Regional Director, Marcus Eckensburger. She was taken to high end restaurant in Baltimore, celebrated, and introduced to senior management members.

33. During her time as a Starbucks employee, Ms. Langan was always exceptional in her service and participation. As a partner, she was well known for (a) assisting her peers; (b) creating and participating in community events; and (c) assisting with stores that were underperforming. Concerning her efforts to assist underperforming stores, she essentially ran two (2) stores for three (3) years, with one having exceptionally high foot traffic as a mall location, all while continuously training store managers.

34. As recently as March 15, 2020, Ms. Langan received accolades from Ms. Pivarnik, a regional Director of Operations, and Ms. Gaven-Bridgman, the regional Vice President of Operations.

35. Ms. Langan achieved her success while suffering from a multitude of personal ailments. Specifically, in 2007, after having an emotional breakdown which required 10 days of hospitalization, she was diagnosed with depression and anxiety disorder as a result of postpartum depression, which also caused significant damage to her thyroid. Ms. Langan has been taking medication since 2007 to treat her depression. Until recent events, her condition was never a barrier to her ability to perform. Ms. Langan notified the District Manager and the Regional Director on a few occasions in the past of her condition, but it was generally controlled due to the medication she was taking (antidepressants) and a relatively peaceful work environment.

36. By March 2020, it was reported that as Starbucks settled their race discrimination case against African Americans, and beginning in 2021, as discussed in the 2021 Civil Rights Assessment, they were going to take aggressive steps against “racial injustice” going on within Starbucks.

37. Around that same time, mass shutdowns occurred due to the COVID-19 Pandemic.

38. As a result of the global shutdowns, operations at Starbucks became increasingly difficult and everyone at Starbucks was well aware. There was a tremendous amount of uncertainty, and there was even confusion as to whether or not Starbucks was an “essential service” and should remain open to an extent. Schedules were up in the air, many employees were riddled with anxiety due to concerns propagated by the media, and management was peppered with questions from entry level employees about things like catastrophic pay and overtime. During this time, Ms. Langan reached out to Ms. Pirvanik on March 20, 2020, to address the working conditions. They connected in person on March 22, 2020, when Ms. Pivarnik visited the location. No solutions were provided and the appointment amounted to nothing but an unhelpful “pep talk” by Ms. Pirvanik.

39. Starbucks then became heavily politicized, likely driven by their recent settlement with the EEOC concerning a class action lawsuit alleging race discrimination. Toward the end March 2020, the shutdown began in New Jersey, and Plaintiff's store was then closed. At that time, Starbucks desired to promote a pro Black Lives Matter (BLM) campaign, which we speculate was in light of their then recent media attention concerning the class action settlement with African American employees, and provided shirts for all employees to wear while at work.

40. The shirts were delivered to Ms. Langan's store, but were sent back because the store was closed. No one was able to sign for and accept the package, so the package was sent back to the sender. Ms. Langan was accused of intentionally sending back the package, believing that she sent it back due to her alleged opposition to Starbucks' BLM campaign, which was grounded in Ms. Langan's alleged racism. Ms. Langan denied any allegations of racism and denied having any opposition to the BLM campaign. Simply put, the store was closed at the time of delivery, due to COVID restrictions, and the package was sent back. Ms. Langan's explanation was ignored, and the false narrative of racism began.

41. Starbucks never attempted to redeliver the BLM shirts to Ms. Langan's store. Because Ms. Langan's store did not have any available BLM shirts, Shift Supervisor Devyn Bowles, using her own funds, made similar BLM shirts for everyone to wear, but never offered one to Ms. Langan. When Ms. Langan asked why she did not receive a tee-shirt, Ms. Bowles responded by saying "you would never wear one anyway." Ms. Langan asked why Ms. Bowles would say that, but Ms. Langan was ignored. Curious and concerned with the statement made by Ms. Bowles, Ms. Langan asked Assistant Store Manager, Devon Bascunan, about the comment. He advised that she was not offered a tee-shirt because they believe that she is racist and does not

support BLM. Ms. Langan rejects any allegation of racism, and never gave any indication of her political preferences. Ms. Langan, as a result, was defamed and ostracized due this event.

42. While Ms. Langan had no issues implementing the BLM shirts at her store should they have been properly delivered, she noticed the shirts made by Ms. Bowles drew unnecessary attention and hostility from certain customers, who were already frustrated and angry over Covid restrictions. Customers who were not politically in support of BLM directed their frustration at Starbucks employees. Starbucks, however, did not seem to care about this issue at all.

43. Ms. Lanagan was not the only employee who felt that political shirts were not a good idea. Mr. Bascunan shared his opinion that Starbucks was “petty” about the shirts but ignored other important issues like poorly performing employees and the readily apparent operational issues occurring during the pandemic.

44. In October 2020, Ms. Langan was advised by Regional Manager Vaughn Clement that the Ethic and Compliance team began to investigate her. Ms. Langan asked Mr. Clement why she was being investigated, but Mr. Clement failed to provide any reasoning, background, updates, or information. At this point, Ms. Langan’s anxiety began to deeply manifest and negatively affect her. After advising Ms. Langan of the investigation, Mr. Clement began to distance himself from Ms. Langan, and began to increase his communications with Mr. Devon Bascunan, who originally worked under Ms. Langan as an ASM. During this period, when issues or concerns arose from the North Brunswick location, Mr. Clement would only reach out to Mr. Bascunan, and no longer Ms. Langan. Shortly after the inquiry to Mr. Clement, in November 2020, Mr. Bascunan was promoted to a Store Manager (SM), likely in anticipation of Ms. Langan’s future termination.

45. By December 2020, it was apparent to Ms. Langan that there was an issue and Mr. Clement was not telling her. Ms. Langan reached out to Mr. Clement many times about needing

a new assistant in North Brunswick because Mr. Bascunan was promoted to his own store, and they were going into the busy season of holiday. Mr. Clement told Ms. Langan she would be fine considering the COVID situation, and the holiday would not be as busy as past holidays. It put Ms. Langan and her team in a tough labor situation, and she was working over forty-five (45) to fifty (50) hours a week until she herself found a supervisor to help. The store did very well that holiday and sales were around thirty percent (30%) over the previous year.

46. At no point in time did Starbucks ever bothered to consult with Ms. Langan during the COVID shutdowns about any allegedly poor conduct, because she was one of the only employees who had no issues coming to work—so in reality, if there were any true allegations made against her, Starbucks knowingly held them on the side because they needed her labor. Thus, ensuring business is still operational is more important than addressing any employee's concerns.

47. Later, as Ms. Langan's immune system was likely already compromised by the substantial stress and anxiety she was suffering from, Ms. Langan unfortunately contracted COVID and needed to be placed on leave. Due to the level of severity of the virus, amplified by the tremendous stress and anxiety Ms. Langan suffered, Ms. Langan was on leave for approximately one (1) month, and during this time, Mr. Clement began to transition more duties from Ms. Langan to Mr. Bascunan, who was her junior, and a 28-year-old Hispanic male. By this time, as facilitated by Mr. Clement, Mr. Bascunan began to take over all of Ms. Langan's duties in her assigned store located in North Brunswick, New Jersey. Specific duties taken away from Ms. Langan and given to Mr. Bascunan include, but are not limited to (a) preparing the employee schedules, (b) administering the SSV program; and (c) transferring the overall management duties of the North Brunswick location.

48. While Ms. Langan was on protected sick leave due to COVID, Mr. Bascunan, who at the time was promoted to Store Manager (SM) at the New Brunswick location, improperly disclosed to the employees at the North Brunswick location that Ms. Langan had contracted COVID, disclosing her private information and causing a scare. By way of text message on December 30, 2020, Ms. Langan told him he was not permitted to disclose her private medical information to everyone. Mr. Bascunan disregarded her request to keep her medical information private and continued to disclose the information to the other employees, causing her to suffer anxiety from the stigmatization and criticism of the staff. When Ms. Langan confronted Mr. Vaughn Clement about the improper disclosure on December 30, 2020 via text message, not wanting to leave a trail of evidence he asked for her to call him. She contacted him and told him about the situation, but rather than take any remedial, he simply brushed it off and did nothing to fix the situation.

49. It is worth noting that according to employee accounts, during Ms. Langan's time on sick leave, Mr. Bascunan had numerous discussions with Mr. Vaughn Clement concerning his desire to take over Ms. Langan's store on a permanent basis. Ms. Langan believes this is why Mr. Bascunan disclosed her private medical information—COVID is a sensitive subject, Ms. Langan had a particularly aggressive case which may have resulted in long term effects, and many employees were tremendously nervous about COVID and were terrified to contract it. Mr. Bascunan disclosed her private information with the intention to cause shame on Ms. Langan, to create a barrier, and to ensure she would no longer want to return to her assigned location.

50. On or about January 21, 2021, Ms. Langan called Human Resources and spoke with Ms. Tina McDonald, Human Resources Generalist, to explain that she felt she was being attacked. Ms. McDonald advised that there was nothing Human Resources could do to assist. Ms. Langan

told Ms. McDonald she felt she was being attacked by multiple employees at the same time, and those four (4) particular employees were out to get her fired. Ms. McDonald replied with “if you think they are out to get you then my concern is not about the BLM, it's about why they are out to get **you**”

51. Suddenly, just like that, it was no longer about trying to remedy or address any concerns that Ms. Langan may have had, but rather, it was about getting rid of Ms. Langan at all costs. Ms. Langan was going to be the one (1) particular employee that was going to be the proverbial “sacrificial lamb” to show how Starbucks takes action in support of African American employees. Meanwhile, Ms. Langan’s situation was certainly the most improper situation out there, as Ms. Langan was quite contrary to what Starbucks was looking for. She regularly enjoyed deep relationships with all members of her Starbucks family, irrespective of race, creed, culture, national origin, or gender. Unfortunately, for the first time in 20 years, a span with an impeccable record, and without a single shred of hard, documentary evidence subject to cross examination, Ms. Langan finally felt alone, and felt like she was the one to blame.

52. Ms. Langan was terminated from Starbucks on February 4, 2021. According to the Notice of Separation, it stated that based on findings from an Ethics and Compliance investigation (Case #126510) it was concluded that:

- a. Ms. Langan demonstrated a lack of leadership in her failure to take ownership and responsibility on concerns reported (what were these reported concerns?)
- b. Ms. Langan showed poor judgment in discussing details of the investigation with one of her direct reports after specifically being directed not to.

c. Ms. Langan engaged in a pattern of behavior that is not reflective of the company's Mission & Values and expectations of partner conduct, including the Anti-Harassment Standard.

53. Ms. Langan contends that she was never warned that she was going to be terminated nor was ever given an opportunity to present her side or defend herself. After getting the termination notice, she approached Mr. Clement about this to discuss what was going on. Mr. Clement advised that he “couldn’t respond,” and that she would be notified by partner resources. This was a runaround.

54. At the Unemployment Hearing (UI Hearing) dated July 9, 2021, Mr. Clement reported that one of the reasons for Ms. Langan’s termination was that during the course of the investigation, she was instructed not to discuss details of the investigation with other employees. Ms. Clement advised that Ms. Langan violated the confidentiality rules maintained by Starbucks. This is false and supported by documentary evidence. By the close of the investigation, it became very clear that it was Ms. Hogan who routinely would report to Ms. Langan on her own volition, without solicitation from Ms. Langan, everything that was told to Ms. Hogan by the Ethics & Compliance team. In fact, Ms. Langan routinely told Ms. Hogan that she could not speak to her—even the day before her termination, on February 3, 2021, Ms. Langan advised Ms. Hogan about her need to keep matters quiet.

55. Under the law, Starbucks has no right to obstruct employees from speaking about working conditions, but that is not even the case here since Ms. Langan maintained and complied with Starbucks improper prohibition about discussing working conditions.

56. Also, Ms. Langan found out at the UI Hearing that Starbucks felt that the alleged discriminatory comments were far too egregious, and she needed to be terminated. However, this

is disingenuous and rather, they failed to conduct a true investigation, failed to permit Ms. Langan to testify in detail for herself, and simply dismissed her contention that she denied the allegations. Rather, they assumed that the alleged testimony from others was truthful, more so than Ms. Langan. To Starbucks, the fact that she was a +20-year employee who always was truthful, with a stellar record to support, meant nothing. The rationale and assumption that the other employees were more credible than Ms. Langan was based on absolutely nothing except the fact that they believed this would be helpful to show how they are punishing White people, while supporting African Americans. Starbucks must have believed that this would be a great way to show their support for African Americans after a class action lawsuit against them for discriminating against African Americans.

57. At the UI Hearing, Mr. Clement fictitiously testified that Ms. Langan had an opportunity to appeal. This was absolutely false. According to Mr. Clement, Ms. Langan would have had an opportunity to appeal and would have been contacted by the Ethics & Compliance Team or the Human Resources Team. When so much as questioned how the investigation even worked, Mr. Clement deflected and advised that he did not know. He contended that when an investigation takes place, everything is frozen shut. If that is the case, how was there even an opportunity to discuss this matter with management, let alone appeal? As this was the case, and no appeal was ever present, Starbucks failed miserably because no one reached out to Ms. Langan.

58. In fact, it was Ms. Langan who reached out to her Regional Director of Operations, Ms. Jennifer Pivarnik and her boss, Tracy Gaven-Bridgman. On February 5, 2021, Ms. Langan contacted them by way of text message, and advised that she was fired in the morning of February 4, 2021, and she did not understand why, because she did not do anything wrong. Ms. Pivarnik messaged Ms. Langan that there was nothing she was able to do to support her. Ms. Langan was

to reach out to Ms. Melanie Keen, the Partner Resource Manager at Starbucks, for further information. Ms. Langan reached out to Ms. Keen and was advised by Ms. Keen that based on her findings, her termination was proper.

59. A text message through the Company phone cannot realistically be considered an “appeal” by Starbucks, as so highly touted by Mr. Clement on the UI Hearing call. Perhaps such a system would work for a small business, but not Starbucks. Starbucks has a 141-billion-dollar market cap and approximately 349,000 employees (as of September 2020). There is no way Starbucks can realistically say that an informal text message qualifies as an “appeal.”

60. Regarding the shirt incident at the UI Hearing, Mr. Clement put the blame on Ms. Langan, advising that it was her responsibility to follow up to request the shirts, but this is incorrect on its face. Why would Ms. Langan be responsible to follow up? The package’s attempted delivery occurred when the Store was closed, so Ms. Langan did not initially know of the delivery attempt. Furthermore, undeliverable packages are presumably sent back to the sender, so if Starbucks was the sender, and it went back to them, why would they not re-attempt delivery? Why would they permit employees to pay out of pocket for the BLM shirts, when Starbucks was the one promoting the campaign? Ms. Langan many times asked Mr. Clement to follow up on the shirts and was told there was nothing he could do since (a) she missed the opportunity as her store was closed, and (b) by the time of this request, the shirts were sold out. Ms. Langan tried on her own order the shirts on multiple occasions, however, they were sold out.

61. In another event, Ms. Langan overheard a conversation between the staff over the communication system, in which a comment made by a SSV, Ms. Isaura Lopez-Perez, began to discuss how “minorities couldn’t be racist, and you can’t be racist toward white people.” Ms. Langan, not wanting this non-work-related conversation to continue while employees were on the

clock, reprimanded her over the communication system. However, this resulted in Ms. Langan being reprimanded and further advancing the harmful and improper notion that Ms. Langan was racist.

62. At some point after this, first discovered at the UI Hearing, Ms. Langan was notified of a situation concerning an alleged comment she made about a Latina and Walmart. Ms. Clement pointed out that Ms. Langan made an offensive comment concerning the Latina population. There were no specifics other than a stray comment here. While there is no other information of an alleged discriminatory comment, there was a situation where Ms. Jessica Ardita was frustrated about something, and the rumor was that Ms. Langan offended her. Ms. Langan asked Ms. Ardita if something was wrong, or if she offended her, and Ms. Ardita advised that she was just frustrated due to all the medical issues she had going on, told Ms. Langan that she loved Ms. Ardita and gave her a hug.

63. Furthermore, at the UI Hearing, Ms. Langan was notified by Mr. Clement of two situations, without a date presented, in which the colloquial term “nigga” was allegedly stated or presented. Those situations were described as follows:

a. Mr. Clement advised that an employee reported that while he was talking to himself in the back room, and when Ms. Langan confronted him, she allegedly stated “sometimes you just got to speak the realist nigga in the room.” Ms. Langan denied this. In fact, the sentence was said by another employee, Mr. Jalen Gill, over the headset.

b. Mr. Clement also reported that Ms. Langan permitted employees to listen to music which used the word “nigga” in it, and that Ms. Langan joined in singing, repeating the term. Ms. Langan denies “joining in singing,” but does not deny that she permitted employees who put on the radio to play rap music, which used the term

frequently. Additionally, Ms. Langan advised that Mr. Clement was there on numerous occasions where the music was played.

64. Each of these instances was introduced by Starbucks at the UI Hearing, and never discussed with Ms. Langan prior. Regardless, Ms. Langan denies ever making the first comment, and denies that she was joining in singing in the second instance.

65. While it was clear that no one within Starbucks was going to listen to Ms. Langan, or even give Ms. Langan an opportunity to defend herself, Ms. Langan needed to get to the truth and see if anyone really had issues with her. Ms. Langan contacted those who she believed were involved in the investigation, specifically African American employees she worked with, and she contends that no one received any call from Human Resources for an investigation.

66. Ms. Langan also contends that the investigation into her allegedly wrongful behavior was performed improperly. To determine if Ms. Langan ever engaged in racist commentary against African Americans, Starbucks interviewed Jessica Ardita (Hispanic), Sarah Farghley (Egyptian), Devon Bascunan (Hispanic), Corrine Hogan (White) and Devyn Bowles (White)—not one single African American. Meanwhile, not one single African American employee had anything negative to say about Ms. Langan. In fact, African American employees were mind blown about her termination and the allegations against Ms. Langan. Of those who were surprised were Mr. Jordan Way (African American) and Ms. Zoe Hill (African American), neither who were contacted during the investigation.

67. After Ms. Langan's termination, she was then replaced by no one other than Mr. Bascunan, who was now employed as a SM in Ms. Langan's store. Immediately after Ms. Langan's termination, Mr. Clement transferred Mr. Bascunan to the North Brunswick location, and was happy to have Ms. Langan replaced. Ms. Langan contends that Mr. Clement favors men

over women and has no record of terminating any men that Ms. Langan can recall. Ms. Langan recalls that he may have fired 2 females in the past.

68. After her termination, in a tremendous show of support, Ms. Loranny Nunez, a former employee and law student, unilaterally decided to prepare a Letter In Support of Ms. Langan. In a letter dated March 26, 2021, prepared by Ms. Loranny Nunez on behalf of Ms. Danielle Langan, sent to Starbucks CEO, Kevin Johnson, Starbucks was made aware of the frustration caused by the improper termination of Ms. Langan.

69. According to the Letter In Support, Ms. Langan was terminated improperly, and was fictitiously accused of racism. Ms. Nunez contends that she used to work for Ms. Langan and that no allegations of racism were to be supported. The Letter In Support was signed by eleven (11) current and former members of Starbucks, including Ms. Nunez.

70. No one at Starbucks ever responded to the Letter In Support, nor did they even acknowledge receipt.

71. Ms. Langan is convinced that the reason for her termination was predicated on race discrimination, retaliation, and disability discrimination. For years, Ms. Langan's performance has been stellar, even in light of her known postpartum depression and anxiety, so much so that she has even received one of the highest awards given by Starbucks. However, ever since her alleged refusal to participate in Starbucks' BLM campaign (which was not the case), she has been unfairly and improperly stereotyped as being racist. Additionally, the moment she contracted COVID and was required to go on leave due to the severity, she had her responsibilities and duties taken away from her, as Starbucks knew full well their intention to terminate her. Mr. Bascunan, a younger, non-white male, was selected as her replacement. Thus, it is clear that she has been

treated disparately, and she has been wrongfully terminated for fictitious reasons, and not even given an opportunity to respond back in the investigation.

72. Similarly situated employees do not see such kind of punishment, even for more egregious allegations.

73. A perfect example is Mr. Garret McCloud, who is an African American male, who was alleged to have been sexually harassing women in the workplace. After a subpar investigation, they concluded that there was no incident of sexual harassment, and that the multiple females were found to not have any claim.

74. Another example is Cranford Manager, Leo Rivera, a Hispanic male, who is well known for offensive commentary, calling employees who he believes are slow “retards” and other explicative comments that have no place for paper. The offended employee called into corporate to report the behavior, and not a single preventative step, or even investigation, has taken place.

75. A third example is Ms. Jessica Ardita, Hispanic female, who was cited for making a comment to Ms. Roxana Maroun, white female, asking if she “sucked dick.” Ms. Maroun was tremendously offended by this statement and reported it to the Ethics and Compliance committee, and not a single disciplinary or corrective step was taken. Naturally, because Starbucks favors minorities over white people, Starbucks has no interest in punishing Ms. Ardita.

76. For Ms. Langan, if she received only a tiny bit of the treatment Mr. McCloud received, she would have fared better. For Ms. Langan, there was no investigation, no proof ever provided, no evidence, no opportunity to defend herself and absolutely no consideration for her situation as a single mother of three (3) children.

FIRST CAUSE OF ACTION

(Race Discrimination in Violation of Title VII of the Civil Rights Act)

77. Plaintiff incorporates by reference paragraphs 1 through 69 above, as if set forth herein in their entirety.

78. Pursuant to 42 U.S.C. § 2000e (f), plaintiff qualifies as an employee under Title VII.

79. Pursuant to 42 U.S.C. § 2000e (b), Defendants qualify as an employer pursuant to Title VII.

80. By committing the foregoing acts of discrimination and harassment against Plaintiff, Defendant has violated Title VII.

81. Pursuant to 42 U.S.C. § 2000e-2(a)(1), it is an unlawful employment practice for an employer to fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex, or national origin.

82. Said violations were done with malice and/or reckless indifference to Plaintiff's protected rights and warrant the imposition of punitive damages.

83. As a direct and proximate result of Defendant's violation of Title VII, Plaintiff has suffered the damages and losses set forth herein and has incurred attorneys' fees and costs.

84. Plaintiff will continue to suffer irreparable injury and monetary damages as a result of Defendant's discriminatory acts unless and until this Court grants the relief requested herein.

85. No previous application has been made for the relief requested herein.

SECOND CAUSE OF ACTION

(Race Discrimination in Violation of 42 U.S.C. § 1981)

86. Plaintiff incorporates by reference paragraphs 1 through 77 above, as if set forth herein in their entirety.

87. By committing the foregoing acts of discrimination and harassment against Plaintiff, Defendant has violated Title VII.

88. Said violations were done with malice and/or reckless indifference to Plaintiff's protected rights and warrant the imposition of punitive damages.

89. As a direct and proximate result of Defendant's violation of Title VII, Plaintiff has suffered the damages and losses set forth herein and has incurred attorneys' fees and costs.

90. Plaintiff will continue to suffer irreparable injury and monetary damages as a result of Defendant's discriminatory acts unless and until this Court grants the relief requested herein.

91. No previous application has been made for the relief requested herein.

THIRD CAUSE OF ACTION

(Race Discrimination in Violation of the NJLAD)

92. Plaintiff incorporates by reference paragraphs 1 through 83 above, as if set forth herein in their entirety.

93. Pursuant to N.J. Stat. §10:5-5 (f), the plaintiff qualifies as an employee under the NJLAD.

94. Pursuant to N.J. Stat. §10:5-5 (e), Defendants qualify as an employer pursuant to the NJLAD.

95. By committing the foregoing acts of discrimination and harassment against Plaintiff, Defendant has violated the NJLAD.

96. Said violations were done with malice and/or reckless indifference to Plaintiff's protected rights, and warrant the imposition of punitive damages.

97. As a direct and proximate result of Defendant's violation of the NJLAD, Plaintiff has suffered the damages and losses set forth herein and has incurred attorneys' fees and costs.

98. Plaintiff will continue to suffer irreparable injury and monetary damages as a result of Defendant's discriminatory acts unless and until this Court grants the relief requested herein.

99. No previous application has been made for the relief requested herein.

FOURTH CAUSE OF ACTION

(Retaliation under Title VII)

100. Plaintiff incorporates by reference paragraphs 1 through 91 above, as if set forth herein in their entirety.

101. Pursuant to 42 U.S.C. § 2000e (f), plaintiff qualifies as an employee under Title VII.

102. Pursuant to 42 U.S.C. § 2000e (b), Defendants qualify as an employer pursuant to Title VII.

103. By committing the foregoing acts of discrimination and harassment in retaliation against Plaintiff, Defendant has violated Title VII.

104. Said violations were done with malice and/or reckless indifference to Plaintiff's protected rights, and warrant the imposition of punitive damages.

105. As a direct and proximate result of Defendant's violation of Title VII, Plaintiff has suffered the damages and losses set forth herein and has incurred attorneys' fees and costs.

106. Plaintiff will continue to suffer irreparable injury and monetary damages as a result of Defendant's discriminatory acts unless and until this Court grants the relief requested herein.

107. No previous application has been made for the relief requested herein.

NINTH CAUSE OF ACTION

(Retaliation under NJLAD)

108. Plaintiff incorporates by reference paragraphs 1 through 99 above, as if set forth herein in their entirety.

109. Pursuant to §10:5-1 et., seq., plaintiff qualifies as an employee under the NJLAD.

110. Pursuant to §10:5-1 et., seq., Defendants qualify as an employer pursuant to the NJLAD.

111. By committing the foregoing acts of discrimination and harassment against Plaintiff, Defendant has violated the NJLAD.

112. Pursuant to N.J. Stat. § 10:5-12 d, for any person to take reprisals against any person because that person has opposed any practices or acts forbidden under this act or because that person has sought legal advice regarding rights under this act, shared relevant information with legal counsel, shared information with a governmental entity, or filed a complaint, testified or assisted in any proceeding under this act or to coerce, intimidate, threaten or interfere with any person in the exercise or enjoyment of, or on account of that person having aided or encouraged any other person in the exercise or enjoyment of, any right granted or protected by this act.

113. Said violations were done with malice and/or reckless indifference to Plaintiff's protected rights, and warrant the imposition of punitive damages.

114. As a direct and proximate result of Defendant's violation of the NJLAD, Plaintiff has suffered the damages and losses set forth herein and has incurred attorneys' fees and costs.

115. Plaintiff will continue to suffer irreparable injury and monetary damages as a result of Defendant's discriminatory acts unless and until this Court grants the relief requested herein.

116. No previous application has been made for the relief requested herein.

SIXTH CAUSE OF ACTION

(Discrimination in violation of the ADA)

117. Plaintiff incorporates by reference paragraphs 1 through 107 above, as if set forth herein in their entirety.

118. By committing the foregoing acts of discrimination and harassment against Plaintiff, Defendant has violated the ADA.

119. In order to establish a violation of Title II of the ADA by these defendants, a plaintiff must show: (1) that he or she "has a disability;" (2) "is otherwise qualified for the employment or benefit"; (3) that he or she was "excluded from the employment or benefit . . . solely on the basis of the disability;" and (4) the provider of the "service[], program[], or activit[y]" is "a public entity."

120. Said violations were done with malice and/or reckless indifference to Plaintiff's protected rights and warrants the imposition of punitive damages.

121. As a direct and proximate result of Defendant's violation of the NJLAD, Plaintiff has suffered the damages and losses set forth herein and has incurred attorneys' fees and costs.

122. Plaintiff will continue to suffer irreparable injury and monetary damages as a result of Defendant's discriminatory acts unless and until this Court grants the relief requested herein.

123. No previous application has been made for the relief requested herein.

SEVENTH CAUSE OF ACTION

(Discrimination in violation of the NJLAD)

124. Plaintiff incorporates by reference paragraphs 1 through 113 above, as if set forth herein in their entirety.

125. Pursuant to §10:5-1 et., seq., plaintiff qualifies as an employee under the NJLAD.

126. Pursuant to §10:5-1 et., seq., Defendants qualify as an employer pursuant to the NJLAD.

127. By committing the foregoing acts of discrimination and harassment against Plaintiff, Defendant has violated the NJLAD.

128. Said violations were done with malice and/or reckless indifference to Plaintiff's protected rights, and warrant the imposition of punitive damages.

129. As a direct and proximate result of Defendant's violation of the NJLAD, Plaintiff has suffered the damages and losses set forth herein and has incurred attorneys' fees and costs.

130. Plaintiff will continue to suffer irreparable injury and monetary damages as a result of Defendant's discriminatory acts unless and until this Court grants the relief requested herein.

131. No previous application has been made for the relief requested herein.

EIGHTH CAUSE OF ACTION

(Discrimination in violation of the ADEA)

132. Plaintiff incorporates by reference paragraphs 1 through 121 above, as if set forth herein in their entirety.

133. The Age Discrimination in Employment Act of 1967 (ADEA), 29 U.S.C.S. § 621 et seq., prohibits employers from discharging any individual because of such individual's age. 29 U.S.C.S. § 623(a)(1).

134. By committing the foregoing acts of discrimination and harassment against Plaintiff, Defendant has violated the ADEA.

135. Said violations were done with malice and/or reckless indifference to Plaintiff's protected rights, and warrant the imposition of punitive damages.

136. As a direct and proximate result of Defendant's violation of the NJLAD, Plaintiff has suffered the damages and losses set forth herein and has incurred attorneys' fees and costs.

137. Plaintiff will continue to suffer irreparable injury and monetary damages as a result of Defendant's discriminatory acts unless and until this Court grants the relief requested herein.

138. No previous application has been made for the relief requested herein.

NINTH CAUSE OF ACTION

(Intentional infliction emotional distress)

139. Plaintiff incorporates by reference paragraphs 1 through 127 above, as if set forth herein in their entirety.

140. In order to prevail on a claim for intentional infliction of emotional distress, the conduct complained of must be so outrageous in character, and so extreme in degree, as to go beyond all possible bounds of decency; be regarded as atrocious, and utterly intolerable in a civilized community. *Taylor v. Metzger*, 152 N.J. 490, 509, 706 A.2d 685 (1997).

141. By committing the foregoing acts of discrimination and harassment against Plaintiff, Defendant's conduct was outrageous and extreme.

142. Said acts were so outrageous in character and so extreme in degree, as to go beyond all possible bounds of decency, Plaintiff has suffered an injury and is entitled to punitive damages.

143. As a direct and proximate result of Defendant's intentional infliction of emotional distress, Plaintiff has suffered the damages and losses set forth herein and has incurred attorneys' fees and costs.

144. Plaintiff will continue to suffer irreparable injury and monetary damages as a result of Defendant's discriminatory acts unless and until this Court grants the relief requested herein.

145. No previous application has been made for the relief requested herein.

TENTH CAUSE OF ACTION

(Negligent infliction of emotional distress)

146. Plaintiff incorporates by reference paragraphs 1 through 134 above, as if set forth herein in their entirety.

147. "A claim of direct, negligent infliction of emotional distress," may be viable where the plaintiff claims damages proximately caused by a breach of a duty owed by the defendant. *Lascurain v. City of Newark*, 349 N.J. Super. 251, 277, 793 A.2d 731 (App. Div. 2002). To be compensable, a plaintiff must demonstrate he or she suffered from "severe," *McDougall v. Lamm*, 211 N.J. 203, 215, 48 A.3d 312 (2012), or "genuine and substantial" emotional distress. *Lascurain*, 349 N.J. Super. at 277, 793 A.2d 731. *Clark v. Nenna*, 465 N.J. Super. 505, 511-512

148. By committing the foregoing acts of discrimination and harassment against Plaintiff, Defendant's breached its duty owed to the Plaintiff.

149. Said acts were the direct and proximate cause of Plaintiff's severe, genuine, and substantial damages.

150. As a direct and proximate result of Defendant's conduct, Plaintiff has suffered the damages and losses set forth herein and has incurred attorneys' fees and costs.

151. Plaintiff will continue to suffer irreparable injury and monetary damages as a result of Defendant's discriminatory acts unless and until this Court grants the relief requested herein.

152. No previous application has been made for the relief requested herein.

ELEVENTH CAUSE OF ACTION

(Negligent Retention, Supervision, and Hiring under State Law)

153. Plaintiff incorporates by reference paragraphs 1 through 139 above, as if set forth herein in their entirety.

154. In order to state a claim for negligent supervision, evaluation and/or retention, a Plaintiff must allege that (i) the employer knew or should have known an employee was unfit,

incompetent, or dangerous to hire; and (ii) through the employer's negligence, the Plaintiff was injured by the unfit, incompetent, or dangerous employee. See *G.A.-H. v. K.G.G.*, 238 N.J. 401, 416, 210 A.3d 907 (2019) (citing *Di Cosala v. Kay*, 91 N.J. 159, 173, 450 A.2d 508 (1982)). Similarly, in order to prevail on a theory of negligent training, supervision, evaluation or retention, a Plaintiff must show that (i) an employer knew or should have known that a failure to properly train, supervise, evaluate, or terminate an employee posed a risk, and (ii) the employer's negligent failure to take appropriate action cause the Plaintiff injury. See *G.A.-H v. K.G.G.*, 238 N.J. 401, 416, 210 A.3d 907 (2019).

155. By committing the foregoing acts of discrimination and harassment against Plaintiff, Defendant has negligently hired employees they knew or should have known were unfit and incompetent.

156. Said hiring was done with malice and/or reckless indifference to Plaintiff's protected rights, and warrant the imposition of punitive damages.

157. As a direct and proximate result of Defendant's negligent conduct, Plaintiff has suffered the damages and losses set forth herein and has incurred attorneys' fees and costs.

158. Plaintiff will continue to suffer irreparable injury and monetary damages as a result of Defendant's conduct unless and until this Court grants the relief requested herein.

159. No previous application has been made for the relief requested herein.

RELIEF

WHEREFORE, Plaintiff seeks damages and legal and equitable relief in connection with Defendant's improper conduct, and specifically prays that the Court grant the following relief to Plaintiff by:

- a. Declaring the acts and practices complained of herein to be in violation of 42 U.S.C. § 1981;
- b. Declaring the acts and practices complained of herein to be in violation of the NJLAD;
- c. Enjoining and permanently restraining the violations alleged herein;
- d. Entering judgment against the Defendant and in favor of the Plaintiff in an amount to be determined;
- e. Awarding compensatory damages to make the Plaintiff whole for all lost earnings, earning capacity, and benefits, which Plaintiff has suffered as a result of Defendant's improper conduct;
- f. Awarding compensatory damages to Plaintiff for past pain and suffering, emotional upset, mental anguish, humiliation, and loss of life's pleasures, which Plaintiff has suffered as a result of Defendant's improper conduct;
- g. Awarding punitive damages to Plaintiff under Title VII;
- h. Awarding punitive damages to Plaintiff under 42 U.S.C. § 1981;
- i. Awarding punitive damages to Plaintiff under the NJLAD;
- j. Awarding Plaintiff other such damages as are appropriate under Title VII, 42 U.S.C. § 1981, and the NJLAD;
- k. Awarding Plaintiff the costs of suit, expert fees and other disbursements, and reasonable attorneys' fees; and
- l. Granting such other and further relief as this Court may deem just, proper, or equitable including other equitable and injunctive relief providing restitution for past violations and preventing future violations.

DEMAND FOR JURY TRIAL

Plaintiff DANIELLE LANGAN, by operation of this Verified Complaint, hereby demands a trial by jury as to all matters so triable.

DEMAND FOR DISCOVERY OF INSURANCE COVERAGE

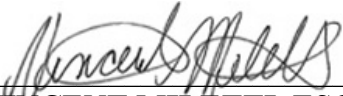
Pursuant to Rule 4:10-2(b), demand is made that Defendants disclose to Plaintiffs attorney whether or not there are any insurance agreements or policies under which any person or firm carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in this action or indemnify or reimburse for payment, and provide Plaintiff's attorney with true copies of those insurance agreements or policies, including, but not limited to, any and all declaration pages, specimens, or endorsements. This demand shall include and cover not only primary coverage, but also any and all excess, catastrophe and umbrella policies.

CERTIFICATION

Pursuant to Local Civil Rule 11.2, I hereby certify to the best of my knowledge that the matter in controversy is not the subject of any other action pending in any court or of any pending arbitration or administrative proceeding.

Respectfully Submitted,

Dated: Astoria, New York
August 16, 2023



VINCENT MILETTI, ESQ.
The Law Office of Vincent Milette, Esq.
10 Halletts Point, Suite 1742
Astoria, New York 11102
609-353-6287 (Office)
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To Michael Kessel, Esq.
Littler Mendelson
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1085 Raymond Blvd, 8th Floor
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Attorney for Defendants

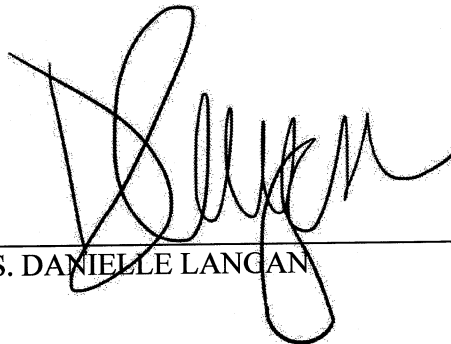
VERIFICATION

STATE OF NEW YORK)

) SS

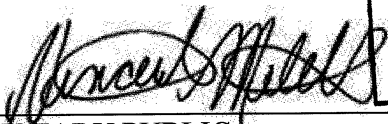
COUNTY OF KINGS)

MS. DANIELLE LANGAN, hereby attests, affirms, verifies, deposes, and says that she is the Plaintiff in this matter, that he has read the foregoing Verified Complaint and that she believes that the facts set forth therein are true and correct to the best of her knowledge, information, and belief. Ms. Danielle Langan's knowledge or information and belief, is based on personal knowledge of the facts of this case.



MS. DANIELLE LANGAN

Sworn to me, the undersigned, on
this 16th day of August, 2023.



NOTARY PUBLIC

VINCENT MILETTI, ESQ.
Notary Public - State of New York
No. 02MI6380651
Qualified in Kings County
My Commission Expires 08/10/2026

CERTIFICATE OF SERVICE IN NYSCEF SYSTEM

I certify that this document is being filed through the Public Access to Court Electronic Records (“PACER”) Court Electronic Filing (ECF) System, which serves as counsel for other parties who are registered participants as identified on the system in the Case Detail tab. An electronic copy of the foregoing was sent to all registered participants via ECF Confirmation Notice. Any counsel for other parties, or for any parties, who are not registered participants are being served by first class mail on the same date of electronic filing.

A handwritten signature in black ink, appearing to read "Vincent Milette", is written over a horizontal line.

Vincent Milette, Esq.



Vincent Miletti, Esq.
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July 26, 2021

Sent Via Email & Certified Mail

Equal Employment Opportunity
Commission
Newark Area Office
Two Gateway Center
283-299 Market Street, Suite 1703
Newark, New Jersey 07102

New Jersey Office of the Attorney General
Division on Civil Rights Web
P.O. Box 089
Trenton, NJ 08625-0089

In Re Danielle Langan v. Starbucks Corporation, New Filing

Attn: Mr. John Waldinger, Attn: Office of Attorney General,

My name is Vincent Miletti, Esq., and I represent Ms. Danielle Langan in the attached matter against her former employer Starbucks Corporation.

Please find the attached correspondence that amounts to a Charge of Discrimination. You will find that it includes both Federal & State Agency Claims. This package will be shared between both agencies to ensure its receipt and processing.

If you would be so kind, please do confirm receipt of this matter to VMiletti@Milettilaw.com, so I may notify my client of its submission and acknowledgment.

Of course, if you have any questions or concerns, please do not hesitate to reach out to me at your earliest convenience.

Please note that the above discussion is based on information known to date and at any time, we respectfully reserve the right to supplement this letter, or any information contained herein, which will be based upon the receipt or discovery of any additional information subsequently discovered. Nothing in this letter is intended to, nor should be interpreted to abridge, waive, forego, disregard or otherwise restrict any of our rights pursuant to equity or law, and we otherwise reserve all rights in connection with this matter.

Cordially,

A handwritten signature in black ink, appearing to read "Vincent Miletti". The signature is written in a cursive, flowing style.

Vincent Miletti, Esq.
Partner



Home / File a Complaint / Employment

Employment

The record has been deleted.

Instructions: Complete the following steps to file a Complaint based on discrimination, harassment or retaliation in Employment

[Instructions](#) ✓ |
 [Basic Information](#) ✓ |
 [User Information](#) ✓ |
 [Complainant Demographics](#) ✓ |
 [Additional Complainant Parties](#) ✓ |
 [Respondents](#) ✓

[Intake Details](#) |
 [Documents](#) |
 [Confirmation](#) |
 [Schedule Appointment](#)

County Where Incident Occurred

Middlesex

Most Recent Date of Harm

7/9/2021

Is the Harm Continuing? *

Yes

Please identify whether you believe were subjected to discrimination, harassment, and/or retaliation and provide a detailed explanation.

Discrimination

[Add Discrimination](#)

Harm ↑	Basis	Explanation	Actions
Discharged (fired), demoted, laid off or forced to retire	Race or color	See attached supporting document.	▼
Discharged (fired), demoted, laid off or forced to retire	Disability	See attached supporting document.	▼
Discharged (fired), demoted, laid off or forced to retire	Sex or gender	See attached supporting document.	▼
Discharged (fired), demoted, laid off or forced to retire	Age	See attached supporting document.	▼

Harassment

[Add Harassment](#)

Basis ↑	Explanation	Actions
Age	See attached supporting document.	▼
Disability	See attached supporting document.	▼
Race or color	See attached supporting document.	▼
Sex or gender	See attached supporting document.	▼

Retaliation

[Add Retaliation](#)

Harm ↑	Protected Activity	Explanation	Actions
Discharged (fired), demoted, laid off or forced to retire	Reported, opposed, or objected to any practice prohibited by the LAD	See attached supporting document.	▼
Other differential treatment in working conditions	Reported, opposed, or objected to any practice prohibited by the LAD	See attached supporting document.	▼
Retaliatory harassment	Reported, opposed, or objected to any practice prohibited by the LAD	See attached supporting document.	▼

Are there any witnesses that can support your allegations?

[Previous](#)

[Save and Next](#)

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION ON CIVIL RIGHTS
DOCKET NO. E2021-003276

Danielle Langan,)	
)	
Complainant,)	Verified Complaint
)	Received and Recorded
v.)	Date: 2/16/2022
)	Department of Law and Public Safety
Starbucks Corporation,)	Division on Civil Rights
)	By: Investigator #365
Respondent.)	
)	
)	

Complainant Danielle Langan alleges that Respondent Starbucks Corporation committed acts of unlawful employment discrimination within the meaning of the New Jersey Law Against Discrimination (LAD), N.J.S.A. 10:5-1 to -49, when it subjected her to disparate and discriminatory treatment based on her age, gender, race and disability, and by discharging (terminating) her based on her race and disability. Complainant further alleges that she was wrongfully terminated in retaliation for complaining about the disparate and discriminatory treatment. Complainant alleges as follows:

1. Complainant resides at 67 Fieldcrest Way, Hazlet, New Jersey 07730.
2. Respondent Starbucks Corporation operates a place of business located at 522 Shoppes Boulevard, North Brunswick Township, New Jersey 08902.
3. Complainant belongs to a protected class, namely, Complainant is 43 year old white female with a disability as defined by the LAD.
4. On or around November 14, 2000, Respondent hired Complainant as a Barista.
5. Complainant alleges that Respondent subjected her to disparate and discriminatory treatment and discharged her based on race, age, gender and disability, in violation of N.J.S.A. 10:5-12(a). Complainant further alleges that Respondent also discharged her in reprisal for engaging in the LAD-protected activity of complaining about the disparate and discriminatory treatment, in violation of N.J.S.A. 10:5-12(d). Specifically, Complainant alleges that:

- a. In March 2020, Starbucks desired to promote a pro Black Lives Matter campaign and delivered shirts to the Complainant's location. However, due to no fault of Complainant, the location was closed, and the shirts were never delivered. Complainant was unjustly charged with intentionally turning back the package due to allegations of racism and her opposition to the Black Lives Matters movement. Complainant advised that the store was closed at the time due to COVID restrictions and requested that Respondent resend the shirts, and Complainant would make arrangements to open the store when the delivery arrives. Respondent never redelivered the shirts and simply ignored the incident. Complainant followed up with the Respondent on numerous occasions to secure the shirts for the staff, but the Respondent reported that there was nothing they could do and simply ignored her requests.
- b. In or around April 2020, Complainant overheard a subordinate employee making offensive comments to the staff, and at the time, Complainant reprimanded the employee for the offensive comments over the internal communication system. Complainant was improperly cited for being insensitive, and rather than addressing the employee who made the offensive commentary, reprimanded Complainant, improperly suggesting that she was racist.
- c. Complainant indicates that she was fictitiously alleged to have made discriminatory comments about Latin American female employees. No supporting evidence was ever produced to the Complainant, and based on Complainant's own investigation and query, this situation never occurred. Complainant contends that this issue was first raised at an unemployment insurance hearing, which took place on in July 9, 2021, and was disproven at that hearing.
- d. Complainant indicates that she was fictitiously alleged to have made comments that were discriminatory toward African Americans. No supporting evidence was ever produced, and based on Complainant's own investigation and query, this situation never occurred. Complainant contends that this issue was also first raised at an unemployment insurance hearing, which took place on in July 9, 2021, and was disproven at that hearing.
- e. Complainant reports that in October 2020, her supervisor, Regional Manager Vaughn Clement, advised her that the Compliance Team began an investigation on her. Complainant contends that she inquired about the investigation, however no information was ever provided. At no point in time was Complainant ever provided with an explanation, reasoning, background, or allegations of her alleged investigation.
- f. Complainant contends that once the investigation began, Clement, ceased all communications with her and began communicating solely with another employee who was designed to serve as her future replacement, Mr. Devon Bascunan. Mr. Bascunan was promoted to the same role enjoyed by the Complainant in November 2020.

- g. By December 2020, Complainant was inquiring almost daily as to the status of her investigation, however she continued to be ignored. During this time, with an already compromised immune system due to the anxiety, she was stricken with COVID and placed on disability leave. While she was on leave, Clement began to permanently transition all of Complainant's duties to Mr. Bascunan.
- h. In January 2021, Complainant returned to work from disability leave, but the continued isolation and discriminatory treatment continued. On January 21, 2021, Complainant reported to Human Resources, Ms. Tina McDonald, that she felt she was being attacked, treated unfairly, treated in a discriminatory fashion and that she was wrongfully accused of racism. Complainant's concerns were disregarded.
- i. Complainant was terminated by the Respondent on February 4, 2021. Respondent contends that:
 - (i) Complainant demonstrated a lack of leadership in her failure to take ownership and responsibility on concerns reported;
 - (ii) Complainant showed poor judgment in discussing details of the investigation with one of her direct reports after specifically being directed not to, and;
 - (iii) Complainant allegedly engaged in a pattern of behavior that is not reflective of the company's Mission & Values and expectations of partner conduct, including the Anti-Harassment Standard.
- j. Complainant responded by advising that:
 - (i) she was never warned that she was going to be terminated nor was ever given an opportunity to present her side or defend herself;
 - (ii) that the allegations as asserted by Respondent were false, with no supporting or corroborating evidence, and;
 - (iii) as evidenced by the unemployment hearing, Respondent failed to conduct an investigation, simply dismissed any suggestion that they were incorrect in their characterization of the Complainant and refused to address the fact that there simply was not a piece of evidence to support any allegation asserted against Complainant.
- k. According to Complainant, at the Unemployment Insurance Hearing, Clement fictitiously testified that Complainant had an opportunity to appeal and would have been contacted by the Ethics & Compliance Team or the Human Resources Team. Complainant indicates that when questioned, Clement was unable to express how the process worked, but rather, indicated that this is what Respondent's policies indicated.

- l. On February 5, 2021, Complainant contacted Regional Direct of Operations, Ms. Jennifer Pivarnik and her supervisor, Ms. Tracy Gaven-Bridgman. Pivarnik responded solely by saying there was nothing she could do to assist. Additionally, Complainant indicates that she reached out to the Partner Resource Manager, Ms. Melanie Keen, who also advised that there was nothing she could do as well.
- m. Complainant, not having any options, decided to reach out to those who she believed were involved in the investigation, specifically African American males and females, and she contends that no one received any call from Human Resources for an investigation.
- n. After Complainant's termination, she was then replaced by Mr. Bascunan, who she suspected was her replacement as Complainant alleges Clement favors men over women and has no record of terminating any men according to the Complainant.
- o. Complainant contends that the investigation into her allegedly wrongful behavior was performed improperly. Complainant contends that the investigation into whether or not she ever engaged in racist commentary against African Americans, was one in which not a single African American was ever interviewed. Specifically, while there were no available statements, Mr. Clement testified that the Respondent interviewed Jessica Ardita (Hispanic), Sarah Farghley (Egyptian), Devon Bascunan (Hispanic), Corrine Hogan (White) and Devyn Bowles (White)—not one single African American. Complainant contends that not one single African American employee had anything negative to say about Complainant. Complainant, during her own investigation, received positive reviews from Mr. Jordan Way (African American) and Ms. Zoe Hill (African American).
- p. After the termination of the Complainant, Ms. Loranny Nunez, a former employee and law student, unilaterally decided to prepare a Letter In Support of Complainant. In a letter dated March 26, 2021, prepared by Ms. Loranny Nunez on behalf of the Complainant, sent to the CEO of the Respondent, Kevin Johnson, the Respondent was made aware of the frustration caused by the improper termination of the Complainant.
- q. According to the Letter In Support as provided, Complainant was terminated improperly, fictitiously accusing her of racism. Ms. Nunez contends that she used to work for Complainant and that no allegations of racism were to be supported. The Letter In Support was signed by 11 current and former members of the Respondent, including Ms. Nunez. Respondent never responded to the Letter In Support.
- r. Complainant indicates that the reason for her termination was predicated on race discrimination, retaliation, and disability discrimination. For years, Complainant indicates that her performance has been stellar, even in light of her known postpartum depression and anxiety, so much so that she has even received one of the highest awards given by Respondent. However, ever since the Complainant's alleged refusal to participate in the Respondent's political campaigns, which appears to not have been the case, she has been unfairly and improperly stereotyped as being racist.

Additionally, the moment she contracted COVID and was required to go on leave due to the severity, she had her responsibilities and duties taken away from her almost immediately, as Respondent knew full well their intention to terminate her. Mr. Bascunan, a younger, non-white male, was selected as her replacement.

- s. According to the Complainant, similarly situated employees do not see such kind of punishment, even for more egregious allegations.
 - i. Mr. Garret McCloud, who is an African American male, was alleged to have been sexually harassing females. After a subpar investigation, Respondent concluded that there was no incident of sexual harassment, and that the multiple females were found to not have any claim.
 - ii. Respondent's Cranford location Manager, Leo Rivera, who was a Hispanic male, was well known for his offensive commentary and other explicative comments that have no place in the workplace. The offended employees called Respondent to report the behavior, and no remedial measures, or investigation, had taken place.
 - iii. Jessica Ardita, who was a Hispanic female, was cited for making a lewd comment to Ms. Roxana Maroun, a white female. Ardita asked Maroun if she engaged in improper sexual acts. Maroun was tremendously offended by this statement and reported it to the Ethics and Compliance committee, and Ardita was not disciplined.
 - t. Complainant contends that this is evidence as to how the Respondent favors non-Caucasians over Caucasians.
 - u. On October 22, 2021, it was determined by the Appeal Tribunal before the New Jersey Department of Labor that the Respondent was unable to show misconduct.
 - v. Based on the information as provided, there was no available record of any wrongful acts or misconduct by Complainant. There was no evidence to corroborate any allegations of offensive or discriminatory comments made by the Complainant, and the Complainant appears to have a very good relationship with her coworkers, both subordinates and management.
 - w. Respondent's reasons for termination are pretext to mask the race, age, gender and disability reasons.
 - x. Complainant's complaint to Respondent's Human Resources employee, Tina McDonald, about the disparate and discriminatory treatment was causally connected to her discharge.
6. The above LAD violations occurred in the County of Middlesex in the State of New Jersey.

7. Complainant has not instituted any other action, either criminal or civil, regarding this matter.

WHEREFORE, Complainant requests whatever relief is provided by law including, but not limited to, affirmative relief, and compensatory damages for economic loss, humiliation, mental pain and suffering.

Danielle Langan, of full age, hereby certifies that they are the Complainant named herein; that they have read and understand the foregoing Complaint and, that to the best of their knowledge, information and belief, the facts alleged in this complaint are true.

Danielle Langan

COMPLAINANT DANIELLE LANGAN

EEOC CHARGE FORM

EEOC CHARGE NO. 17E-2022-000192

1. COMPLAINANT (CHARGING PARTY):

Danielle Langan
67 Fieldcrest Way
Hazlet, New Jersey 07730

2. RESPONDENT:

Starbucks Corporation
522 Shopp's Boulevard
North Brunswick Township, New Jersey 08902

THE PARTICULARS ARE:

Complainant Danielle Langan alleges that Respondent Starbucks Corporation committed acts of unlawful employment discrimination, in violation of Title VII of the Civil Rights Act of 1964 (Title VII), the Age Discrimination in Employment Act of 1967 (ADEA) and the Americans with Disabilities Act Amendments Act of 2008 (ADAAA). Complainant alleges as follows:

1. Complainant belongs to a protected class, namely, Complainant is 43 year old (DOB 5/10/1978) white female with a disability as defined by the ADAAA.
2. On or around November 14, 2000, Respondent hired Complainant as a Barista.
3. Complainant alleges that Respondent subjected her to disparate and discriminatory treatment and discharged her based on race, age, gender and disability, in violation of Title VII of the Civil Rights Act of 1964 (Title VII), the Age Discrimination in Employment Act of 1967 (ADEA) and the Americans with Disabilities Act Amendments Act of 2008 (ADAAA), 42 U.S.C. 2000e-3. Complainant further alleges that Respondent also discharged her in reprisal for engaging in a protected activity, in violation of Title VII of the Civil Rights Act of 1964 (Title VII), the Age Discrimination in Employment Act of 1967 (ADEA) and the Americans with Disabilities Act Amendments Act of 2008 (ADAAA), 42 U.S.C. 2000e-3. Specifically, Complainant alleges that:
 - a. In March 2020, Starbucks desired to promote a pro Black Lives Matter campaign and delivered shirts to the Complainant's location. However, due to no fault of Complainant, the location was closed, and the shirts were never delivered. Complainant was unjustly charged with intentionally turning back the package due to allegations of racism and her opposition to the Black Lives Matters movement. Complainant advised that the store was closed at the time due to COVID restrictions and requested that Respondent resend the shirts, and Complainant would make arrangements to open the store when the delivery arrives. Respondent never

EEOC CHARGE FORM

redelivered the shirts and simply ignored the incident. Complainant followed up with the Respondent on numerous occasions to secure the shirts for the staff, but the Respondent reported that there was nothing they could do and simply ignored her requests.

- b. In or around April 2020, Complainant overheard a subordinate employee making offensive comments to the staff, and at the time, Complainant reprimanded the employee for the offensive comments over the internal communication system. Complainant was improperly cited for being insensitive, and rather than addressing the employee who made the offensive commentary, reprimanded Complainant, improperly suggesting that she was racist.
- c. Complainant indicates that she was fictitiously alleged to have made discriminatory comments about Latin American female employees. No supporting evidence was ever produced to the Complainant, and based on Complainant's own investigation and query, this situation never occurred. Complainant contends that this issue was first raised at an unemployment insurance hearing, which took place on in July 9, 2021, and was disproven at that hearing.
- d. Complainant indicates that she was fictitiously alleged to have made comments that were discriminatory toward African Americans. No supporting evidence was ever produced, and based on Complainant's own investigation and query, this situation never occurred. Complainant contends that this issue was also first raised at an unemployment insurance hearing, which took place on in July 9, 2021, and was disproven at that hearing.
- e. Complainant reports that in October 2020, her supervisor, Regional Manager Vaughn Clement, advised her that the Compliance Team began an investigation on her. Complainant contends that she inquired about the investigation, however no information was ever provided. At no point in time was Complainant ever provided with an explanation, reasoning, background, or allegations of her alleged investigation.
- f. Complainant contends that once the investigation began, Clement, ceased all communications with her and began communicating solely with another employee who was designed to serve as her future replacement, Mr. Devon Bascunan. Mr. Bascunan was promoted to the same role enjoyed by the Complainant in November 2020. Complainant followed up with the Respondent on numerous occasions to secure the shirts for the staff, but the Respondent reported that there was nothing they could do and simply ignored her requests.
- g. By December 2020, Complainant was inquiring almost daily as to the status of her investigation, however she continued to be ignored. During this time, with an already compromised immune system due to the anxiety, she was stricken with COVID and placed on disability leave. While she was on leave, Clement began to permanently transition all of Complainant's duties to Mr. Bascunan.

EEOC CHARGE FORM

- h. In January 2021, Complainant returned to work from disability leave, but the continued isolation and discriminatory treatment continued. On January 21, 2021, Complainant reported to Human Resources, Ms. Tina McDonald, that she felt she was being attacked, treated unfairly, treated in a discriminatory fashion and that she was wrongfully accused of racism. Complainant's concerns were disregarded.
- i. Complainant was terminated by the Respondent on February 4, 2021. Respondent contends that:
 - i. Complainant demonstrated a lack of leadership in her failure to take ownership and responsibility on concerns reported;
 - ii. Complainant showed poor judgment in discussing details of the investigation with one of her direct reports after specifically being directed not to, and;
 - iii. Complainant allegedly engaged in a pattern of behavior that is not reflective of the company's Mission & Values and expectations of partner conduct, including the Anti-Harassment Standard.
- j. Complainant responded by advising that:
 - i. she was never warned that she was going to be terminated nor was ever given an opportunity to present her side or defend herself;
 - ii. that the allegations as asserted by Respondent were false, with no supporting or corroborating evidence, and;
 - iii. as evidenced by the unemployment hearing, Respondent failed to conduct an investigation, simply dismissed any suggestion that they were incorrect in their characterization of the Complainant and refused to address the fact that there simply was not a piece of evidence to support any allegation asserted against Complainant.
- k. According to Complainant, at the Unemployment Insurance Hearing, Clement fictitiously testified that Complainant had an opportunity to appeal and would have been contacted by the Ethics & Compliance Team or the Human Resources Team. Complainant indicates that when questioned, Clement was unable to express how the process worked, but rather, indicated that this is what Respondent's policies indicated.
- l. On February 5, 2021, Complainant contacted Regional Direct of Operations, Ms. Jennifer Pivarnik and her supervisor, Ms. Tracy Gaven-Bridgman. Pivarnik responded solely by saying there was nothing she could do to assist. Additionally, Complainant indicates that she reached out to the Partner Resource Manager, Ms. Melanie Keen, who also advised that there was nothing she could do as well.

EEOC CHARGE FORM

- m. Complainant, not having any options, decided to reach out to those who she believed were involved in the investigation, specifically African American males and females, and she contends that no one received any call from Human Resources for an investigation.
- n. After Complainant's termination, she was then replaced by Mr. Bascunan, who she suspected was her replacement as Complainant alleges Clement favors men over women and has no record of terminating any men according to the Complainant.
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EEOC CHARGE FORM

- s. According to the Complainant, similarly situated employees do not see such kind of punishment, even for more egregious allegations.
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 - u. On October 22, 2021, it was determined by the Appeal Tribunal before the New Jersey Department of Labor that the Respondent was unable to show misconduct.
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 - w. Respondent's reasons for termination are pretext to mask the race, age, gender and disability reasons.
 - x. Complainant's complaint to Respondent's Human Resources employee, Tina McDonald, about the disparate and discriminatory treatment was causally connected to her discharge.
4. Complainant has not instituted any other action, either criminal or civil, regarding this matter.

EEOC CHARGE FORM

WHEREFORE, Complainant requests whatever relief is provided by law including, but not limited to, affirmative relief, and compensatory damages for economic loss, humiliation, mental pain and suffering.

I, DANIELLE LANGAN, DECLARE UNDER PENALTY OF PERJURY THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF THE FACTS ALLEGED HEREIN ARE TRUE AND CORRECT.

Danielle Langan

2/16/2022

Signature

Date



**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Philadelphia District Office**

801 Market Street, Suite 1300
Philadelphia, PA 19107-3127
Intake Information Group: (800) 669-4000
Intake Information Group TTY: (800) 669-6820
Philadelphia Status Line: (866) 408-8075
Philadelphia Direct Dial: (215) 440-2602
TTY (215) 440-2610
FAX (215) 440-2632, 2848 & 2604

Danielle Langan v. Starbucks Corporation
NJDCR Docket No.: E2021-003276
EEOC Charge No.: 17E-2022-000192

Date: 2/18/2022

NOTICE OF CHARGE OF DISCRIMINATION

Your charge of employment discrimination as filed with the New Jersey Division on Civil Rights (NJDCR) will also be forwarded to the Philadelphia District Office of the U.S. Equal Employment Opportunity Commission (EEOC) for dual filing. This dual-filing is done in order to preserve your federal rights as explained below. The EEOC charge number will be assigned by the NJDCR in addition to NJDCR's own docket number. This letter, which will be sent to you by the NJDCR, constitutes your notification of the dual-filing with EEOC. The Respondent named in your charge will also be notified by NJDCR of the dual-filing with EEOC.

The EEOC will refrain from any processing of your charge until such time as the NJDCR completes its processing and issues final findings and orders. At that time, the NJDCR will notify the EEOC of the closure so that EEOC can review the NJDCR finding. Those final findings and orders may be adopted by EEOC and the EEOC case would then be closed based on the NJDCR proceedings.

However, under Section 1601.76 of EEOC's regulations, you are entitled to request that EEOC perform a Substantial Weight Review of the NJDCR's final finding. To obtain this review, you must request it by writing to EEOC within 15 days of your receipt of NJDCR's final finding in your case. Otherwise, EEOC will generally adopt the NJDCR's findings.

To request the Substantial Weight Review, you should address your request to the address shown in the letterhead above, to the attention of the State and Local Unit. In addition, you should provide as much specific detail as possible as to why you are dissatisfied with the NJDCR investigation or finding.

While your charge is being investigated by the NJDCR, you should address any concerns or additional information concerning your charge or the NJDCR investigation directly to the NJDCR. This will ensure that such concerns or information are provided to the appropriate person(s). Please do not contact EEOC directly as EEOC will not be able to assist you while the charge is being processed by NJDCR. The dual-filing of the charge with EEOC will preserve your rights to file a private lawsuit in federal district court as follows:

a. If your charge is filed under Title VII of the Civil Rights Act of 1964, as amended (Title VII) (that is, based on race, sex, color, religion or national origin) or under the Americans with Disabilities Act of 1990, as amended (ADA) (that is, based upon mental or physical disability), you can only file a lawsuit in Federal Court if EEOC first issues you a Notice of Right to Sue. To obtain such a Notice, you must wait for 240 days from the date you filed your charge with NJDCR. You must thereafter make a written request for issuance of the Notice of Right to Sue. This request can be sent directly to EEOC at the address shown in the letterhead above or you can send the request to the NJDCR for forwarding to EEOC. If you choose to send the request directly to EEOC, be sure to forward a copy to NJDCR. Upon its receipt, EEOC will issue you the Notice of Right to Sue and you would have 90 days in which to file suit. The issuance of the Notice of Right to Sue will normally result in EEOC terminating all further processing.

b. If your charge is filed under the Age Discrimination in Employment Act of 1967 as amended (ADEA), (that is, based on age 40 or older), you do not have to request a Notice of Right to Sue from EEOC if you wish to file a lawsuit in Federal Court. Instead, you must wait at least 60 days from the date you filed your charge with the NJDCR, regardless of the status of the NJDCR or EEOC processing. Thereafter, you can file a private lawsuit directly in Federal Court without first contacting EEOC in any manner, but you are still required to notify NJDCR of the lawsuit so that NJDCR can cease processing.

If based upon EEOC's review of NJDCR's final finding, the EEOC determines that the finding should be accepted as the basis for EEOC's closure, you will be so notified in writing. If the NJDCR closure is for any reason other than a successful settlement or a withdrawal, the EEOC closure will also include a Notice of Right to Sue. This applies to charges filed under Title VII, the ADA and/or the ADEA. In such an event, you would then have 90 days from the date of your receipt of the Notice of Right to Sue to file suit in federal district court.

EEOC's regulations require that you notify EEOC of any change in address and keep us informed of any prolonged absence from your current address. However, if the NJDCR is still processing your charge, you should forward any such notification or change of address directly to the NJDCR. You should also cooperate fully with the NJDCR in its processing of your charge.

Should you contact EEOC to request a Substantial Weight Review or to request a Notice of Right to Sue, please include the EEOC Charge Number shown at the top of page 1 in your correspondence to EEOC.

Sincerely,
Jamie R. Williamson
Jamie R. Williamson
District Director



State of New Jersey

OFFICE OF THE ATTORNEY GENERAL
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION ON CIVIL RIGHTS
SOUTHERN REGIONAL OFFICE
5 EXECUTIVE CAMPUS, SUITE 107
CHERRY HILL, NJ 08034

PHIL MURPHY
Governor

MATTHEW J. PLATKIN
Attorney General

SHEILA Y. OLIVER
Lt. Governor

Director

2/18/2022

Danielle Langan
Via NJBIAS to: dlangan510123@aol.com

Vincent Miletti
Counsel for Complainant
Via NJBIAS to: VMiletti@Milettilaw.com

***Re: Danielle Langan v. Starbucks Corporation
DCR Docket No. E2021-003276***

Dear Complainant:

Your verified complaint has been filed with the Division on Civil Rights (“DCR”) and served upon the Respondent. The Respondent will be required to respond to the allegations of the complaint by filing a written Answer and Position Statement, and providing other specific information to DCR. Because initial processing of the complaint may take approximately six to eight weeks, no additional information regarding your complaint will be available during this time. You may, however, monitor the status of your complaint via the New Jersey Bias Investigation Access System (NJBIAS).

After receiving the Respondent’s answer and other information, DCR will review the documents and assign the case to an investigator to begin DCR’s investigation.

Please promptly notify DCR of any changes in your mailing address, telephone number, and/or email address. If you choose to retain an attorney, you must notify DCR via NJBIAS by clicking the “action” button under the corresponding complaint, and selecting “Add Attorney/Witness” from the menu.

In further correspondence on this matter, please use NJBIAS, or call DCR at 833-NJDCR4U (833-653-2748). Thank you for your cooperation.

Very truly yours,

/s/ Rosemary DiSavino



<http://www.njcivilrights.gov>
New Jersey is an Equal Opportunity Employer



Rosemary DiSavino
Deputy Director



Enclosure with EEOC
Form 161-48 (01/2022)

INFORMATION RELATED TO FILING SUIT UNDER THE LAWS ENFORCED BY THE EEOC

*(This information relates to filing suit in Federal or State court under Federal law.
If you also plan to sue claiming violations of State law, please be aware that time limits and other
provisions of State law may be shorter or more limited than those described below.)*

PRIVATE SUIT RIGHTS -- Title VII of the Civil Rights Act, the Americans with Disabilities Act (ADA), the Genetic Information Nondiscrimination Act (GINA), or the Age Discrimination in Employment Act (ADEA):

In order to pursue this matter further, you must file a lawsuit against the respondent(s) named in the charge within 90 days of the date you receive this Notice. Therefore, you should keep a record of this date. Once this 90-day period is over, your right to sue based on the charge referred to in this Notice will be lost. If you intend to consult an attorney, you should do so promptly. Give your attorney a copy of this Notice, and its envelope, and tell him or her the date you received it. Furthermore, in order to avoid any question that you did not act in a timely manner, it is prudent that your suit be filed within 90 days of the date this Notice was mailed to you (as indicated where the Notice is signed) or the date of the postmark, if later.

Your lawsuit may be filed in U.S. District Court or a State court of competent jurisdiction. (Usually, the appropriate State court is the general civil trial court.) Whether you file in Federal or State court is a matter for you to decide after talking to your attorney. Filing this Notice is not enough. You must file a "complaint" that contains a short statement of the facts of your case which shows that you are entitled to relief. Your suit may include any matter alleged in the charge or, to the extent permitted by court decisions, matters like or related to the matters alleged in the charge. Generally, suits are brought in the State where the alleged unlawful practice occurred, but in some cases can be brought where relevant employment records are kept, where the employment would have been, or where the respondent has its main office. If you have simple questions, you usually can get answers from the office of the clerk of the court where you are bringing suit, but do not expect that office to write your complaint or make legal strategy decisions for you.

PRIVATE SUIT RIGHTS -- Equal Pay Act (EPA):

EPA suits must be filed in court within 2 years (3 years for willful violations) of the alleged EPA underpayment: back pay due for violations that occurred more than 2 years (3 years) before you file suit may not be collectible. For example, if you were underpaid under the EPA for work performed from 7/1/08 to 12/1/08, you should file suit before 7/1/10 -- not 12/1/10 -- in order to recover unpaid wages due for July 2008. This time limit for filing an EPA suit is separate from the 90-day filing period under Title VII, the ADA, GINA or the ADEA referred to above. Therefore, if you also plan to sue under Title VII, the ADA, GINA or the ADEA, in addition to suing on the EPA claim, suit must be filed within 90 days of this Notice and within the 2- or 3-year EPA back pay recovery period.

ATTORNEY REPRESENTATION -- Title VII, the ADA or GINA:

If you cannot afford or have been unable to obtain a lawyer to represent you, the U.S. District Court having jurisdiction in your case may, in limited circumstances, assist you in obtaining a lawyer. Requests for such assistance must be made to the U.S. District Court in the form and manner it requires (you should be prepared to explain in detail your efforts to retain an attorney). Requests should be made well before the end of the 90-day period mentioned above, because such requests do not relieve you of the requirement to bring suit within 90 days.

ATTORNEY REFERRAL AND EEOC ASSISTANCE -- All Statutes:

You may contact the EEOC representative shown on your Notice if you need help in finding a lawyer or if you have any questions about your legal rights, including advice on which U.S. District Court can hear your case. If you need to inspect or obtain a copy of information in EEOC's file on the charge, please request it promptly in writing and provide your charge number (as shown on your Notice). While EEOC destroys charge files after a certain time, all charge files are kept for at least 6 months after our last action on the case. Therefore, if you file suit and want to review the charge file, please make your review request within 6 months of this Notice. (Before filing suit, any request should be made within the next 90 days.)

IF YOU FILE SUIT, PLEASE SEND A COPY OF YOUR COURT COMPLAINT TO THIS OFFICE.

EEOC Form 161-B (01/2022)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To: **Danielle Langan**
67 Fieldcrest Way
Hazlet, NJ 07730

From: **Philadelphia District Office**
801 Market St, Suite 1000
Philadelphia, PA 19107

EEOC Charge No.
17E-2022-00192

EEOC Representative
Jane Duncan,
State, Local & Tribal Program Manager

Telephone No.
(267) 589-9737

(See also the additional information enclosed with this form.)

NOTICE TO THE PERSON AGGRIEVED:

Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA), or the Genetic Information Nondiscrimination Act (GINA): This is your Notice of Right to Sue, issued under Title VII, the ADA or GINA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII, the ADA or GINA **must be filed in a federal or state court WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Less than 180 days have elapsed since the filing date. I certify that the Commission's processing of this charge will not be completed within 180 days from the filing date.

The EEOC is terminating its processing of this charge.

Age Discrimination in Employment Act (ADEA): You may sue under the ADEA at any time from 60 days after the charge was filed until 90 days after you receive notice that we have completed action on the charge. In this regard, the EEOC is closing your case. Therefore, your lawsuit under the ADEA **must be filed in federal or state court WITHIN 90 DAYS *of your receipt of this Notice.*** Otherwise, your right to sue based on the above-numbered charge will be lost.

Equal Pay Act (EPA): You already have the right to sue under the EPA (filing an EEOC charge is not required.) EPA suits must be brought in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that backpay due for any violations that occurred **more than 2 years (3 years)** before you file suit may not be collectible.

Please retain this notice for your records.

On Behalf of the Commission:

Digitally Signed By: Karen McDonough
 7/21/2023

Enclosures(s)

Karen McDonough
Deputy District Director

cc: **For Respondent**

Michael Kessel, Esq.
 Littler Mendelson
 One Newark Center 1085 Raymond Blvd., 8th Floor
 Newark, NJ 07102

For Charging Party

Vincent Miletti, Esq.
 Miletti Law
 2139 East 3rd Street
 Brooklyn, NY 11223