

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. _____ -Civ- _____

STEVEN LEZAK,

Plaintiff,

v.

TIGERDIRECT, INC., d/b/a
COMPUSA

Defendant.

COMPLAINT & JURY DEMAND

The Plaintiff, Steven Lezak (“Lezak”), sues Tigerdirect, Inc. d/b/a CompUSA (“TDI”) for religious discrimination pursuant to 29 Title VII of the Civil Rights Act of 1964, as amended by the Civil Rights Act of 1991, 42 U.S.C. §§ 2000e to 2000e-17, and in support of states as follows:

1. Steven Lezak (“Lezak”) is a Florida resident.
2. Tigerdirect, Inc. (“TDI”) d/b/a CompUSA is a Florida corporation with a principal place of business in Miami-Dade County, State of Florida.
3. The principal place of business for TDI is 7795 W. Flagler St. Miami, Florida 33144.
4. TDI employs more than fifteen (15) employees.
5. TDI engages in commerce.

6. The Court has jurisdiction over Lezak's complaint pursuant to 28 U.S.C. § 1331 as Lezak brings an action arising under the laws of the United States.

7. Lezak filed a charge of discrimination with the Equal Employment Opportunity Commission (EEOC) within 180 days of suffering an adverse employment action because of his religion.

8. The EEOC issued Lezak a right to sue on August 25, 2011.

9. TDI was put on notice of Lezak's religious discrimination claim as early as November 2008.

10. Lezak files suit within 90 days of receiving his right to sue letter from the EEOC.

11. On November 12, 2008 Lezak called TDI d/b/a CompUSA, located at 7802 South Orange Blossom Trail Orlando, FL 32809.

12. Lezak interviewed with the store manager, Keith Geiman.

13. Lezak satisfactorily completed the interview.

14. Lezak called Geiman on November 13, 2008.

15. Geiman told Lezak that he would not be hired because he could not work from Friday night to Saturday night.

16. Lezak reiterated to Geiman that he was unable to work from Friday sundown to Saturday sundown due to a sincere religious need.

17. Lezak is an Orthodox Jew.

18. Lezak notified TDI that he would be available during the week and all Sundays, as well as all non-Jewish holidays.

19. Geiman told Lezak that TDI would not hire Lezak, because he could not work from Friday sundown to Saturday sundown.

20. Lezak notified TDI of the discrimination he suffered.

21. Lezak informed TDI that observance of the Sabbath was not a personal preference as TDI stated, but rather a sincerely held religious belief, protected by law.

22. TDI told Lezak this is Florida, an at-will state and there is no requirement to accommodate.

23. TDI stated that working Friday nights and Saturdays was compulsory.

24. Lezak was qualified for the position he applied for.

25. TDI knew Lezak was an Orthodox Jew.

26. TDI knew that Lezak could not work on Friday nights and Saturdays because of a sincerely held religious belief.

27. TDI refused to accommodate Lezak.

28. TDI failed to hire Lezak because of his sincerely held religious beliefs and practices.

29. TDI violated Title VII by refusing to hire Lezak.

30. Lezak demands trial by jury.

Wherefore, Lezak demands employment, back pay, interest, front pay if employment is not granted, compensatory damages, punitive damages, all equitable relief the Court deems appropriate, attorneys' fees and costs.

Respectfully submitted this 24th day of October 2011,

/s/ Bernard R. Mazaheri _____

Bernard R. Mazaheri

Florida Bar Number 643971

Morgan & Morgan

6824 Griffin Road

Davie, Florida 33314

Telephone – (954)318-0268

Facsimile – (954)333-3515

Email – BMazaheri@forthepeople.com

Attorney for Plaintiff