

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

TYE COX,

Plaintiff(s),

v.

U-HAUL CO. OF GEORGIA, INC.

Defendant(s).

**JURY TRIAL DEMANDED**

Civil Action File No.

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**COMPLAINT**

COMES NOW THE PLAINTIFF, TYE COX by and through his counsel, Christopher P. Brown, Esq., and complaining of the U-HAUL CO. OF GEORGIA, INC. showing the Court as follows:

**NATURE OF THE CASE**

1. This is a racial discrimination, and retaliation case brought under Title VII of the Civil Rights Act of 1964. During his employment at U-Haul, Plaintiff was subjected to racial discrimination including, but not necessarily limited to: (1) frequent racist comments and conduct by his co-workers and (2) refusal to take his racial discrimination claims seriously when he raised concerns to multiple supervisors.

**THE PARTIES**

2. PLAINTIFF, TYE COX, (“Cox” or “Plaintiff”) is an African American male, and at all times relevant hereto was a resident of Acworth, Georgia.
3. DEFENDANT, U-HAUL CO. OF GEORGIA, INC. (“U-HAUL” or “Defendant”),

is a for-profit corporation, and is licensed to do business in Georgia, with its principal place of business in Georgia and registered agent located at 410 Peachtree Parkway, Suite 4245, Cumming, GA 30041.

4. Defendant has over 500 employees.

#### **JURISDICTION AND VENUE**

5. This is an action for relief from employment discrimination and retaliation in violation of the Title VII based on racial discrimination and retaliation.
6. This Court has subject matter jurisdiction over Plaintiff's Title VII claims contained herein pursuant to 28 U.S.C. §§ 1331 and 1343 as they arise under the laws of the United States of America.
7. Venue in the Atlanta Division is appropriate as the discriminatory conduct and employment took place in Acworth, Georgia.

#### **EXHAUSTION OF ADMINISTRATIVE REMEDIES**

8. Plaintiff timely filed charges of discrimination with the United States Equal Employment Opportunity Commission ("EEOC"). On or around September 24, 2024, the EEOC issued Plaintiff a Notice of Right to Sue.
9. Plaintiff has timely filed this action and has complied with all administrative prerequisites to bring this lawsuit.

#### **FACTS RELEVANT TO ALL COUNTS**

10. Plaintiff has worked for U-Haul for approximately 2 years and 6 months years since May, 2022.
11. For at least the past two and a half years, Mr. Cox has been subjected to racial discrimination in violation of Title VII.
12. At all times relevant to this dispute, Mr. Cox was forced to endure racist comments by at least two co-workers: Jaiden Donaldson and Rasheed Knibbs.

13. At all times relevant to this dispute, those comments included, but were not limited to, being called the “n” word while working and in front of customers.
14. Mr. Donaldson called Mr. Cox the "n word" on multiple occasions. For example, on May 26, 2024, Mr. Donaldson and Mr. Cox were working the same shift. Mr. Cox is the assistant manager. Mr. Donaldson arrived to his shift extremely late. Mr. Cox stated Mr. Donaldson could go home, and Mr. Donaldson got very angry and called Mr. Cox the "n word" in front of several customers.
15. Following the racist comments by Mr. Donaldson, Mr. Cox immediately called his general manager, Mr. Knibbs, to report the incident. Mr. Knibbs responded by hanging up on Mr. Cox.
16. Following the call with Mr. Knibbs, Mr. Cox was forced to call the next highest supervisor, Tom Spencer, who claimed he would speak with Mr. Knibbs. Mr. Knibbs called Mr. Cox back but the only solution that was offered was that Mr. Cox could work the remainder of the day by himself. Mr. Knibbs also stated he would require proof of Mr. Donaldson using the "n word" in front of customers. Mr. Cox stated he did not record the interaction, in which Mr. Knibbs replied that he could not reprimand Mr. Donaldson.
17. At all times relevant to this dispute, Plaintiff received harassing text messages from Mr. Donaldson including, without limitation, racially explicit videos from social media.
18. For example, Mr. Donaldson sent Plaintiff videos from TikTok in which people were in Blackface spouting racial slurs.
19. Plaintiff raised his concerns about the racial discrimination he endured to several supervisors (Tom Spencer and Patrick Spencer).
20. Plaintiff was not taken seriously despite reporting the racist and harassing conduct.
21. No action was taken by management to stop or mitigate the discriminatory conduct.

22. His complaints to U-Haul supervisors resulted in no action being taken to remedy his work conditions.

**FIRST CLAIM FOR RELIEF:**

**VIOLATION OF TITLE VII OF THE CIVIL RIGHTS ACT OF 1964  
(RACIAL DISCRIMINATION AGAINST DEFENDANT)**

23. Plaintiff incorporates by reference all of the allegations set forth in paragraphs 1 through 22 above.
24. Title VII of the Civil Rights Act of 1964 prohibits employment discrimination based on race, color, religion, sex, and national origin.
25. The prohibition against race discrimination extends to harassment based on race.
26. As noted above, Plaintiff was subjected to racial harassment including, without limitation, racial slurs and racially derogatory videos by co-workers.
27. Even after reporting the harassment, Defendant did nothing to mitigate the harassment.
28. As such, Defendant has violated Plaintiff's rights under Title VII by forcing him to endure racial harassment.
29. As a result of Defendant's discriminatory conduct, Plaintiff has been damaged in his career and reputation and otherwise suffered monetary damages.

**SECOND CLAIM FOR RELIEF:**

**VIOLATION OF TITLE VII OF THE CIVIL RIGHTS ACT OF 1964  
(RETALIATION AGAINST DEFENDANT)**

30. Plaintiff incorporates by reference all of the allegations set forth in paragraphs 1 through 26 above.
31. During the course of his employment, Plaintiff was subjected to racial harassment, as well as differential treatment because of his race.

32. The reason for Plaintiff's hostile work environment was his race.
33. Plaintiff reported the racial harassment and discrimination to management.
34. Defendant failed to investigate Mr. Cox's complaint.
35. Defendant did nothing to address the rampant racial harassment and discrimination at U-Haul.
36. Defendant lacks any legitimate justification for subjecting Plaintiff to the adverse employment actions and retaliation complained of above, and any such purported justifications are mere pretext for retaliation.
37. As a result of Defendant's retaliatory conduct, Plaintiff has been damaged in his career and reputation and otherwise suffered monetary damages.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff demands judgment against Defendant U-Haul as follows:

- A. For back pay recoverable under Title VII and Georgia law;
- B. For front pay recoverable under Title VII and Georgia law;
- C. For the maximum allowable compensatory damages under Title VII for Plaintiff's injury to her career, emotional pain and suffering, inconvenience, mental anguish, loss of enjoyment of life, and other nonpecuniary damages and fringe benefits;
- D. For attorney's fees and costs of this lawsuit, pursuant to applicable statute(s); and
- E. For such other and further relief, as is just and equitable.

**DEMAND FOR JURY TRIAL**

Plaintiff demands a jury trial on all causes of action and claims to which she has a right to a jury trial.

Dated December 18, 2024.

*Christopher P. Brown*

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*Attorney for Plaintiff*

JS44 (Rev. 10/2020 NDGA)

**CIVIL COVER SHEET**

The JS44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form is required for the use of the Clerk of Court for the purpose of initiating the civil docket record. (SEE INSTRUCTIONS ATTACHED)

**I. (a) PLAINTIFF(S)**

TYE COX

**DEFENDANT(S)**

U-HAUL CO. OF GEORGIA, INC.

**(b) COUNTY OF RESIDENCE OF FIRST LISTED**

PLAINTIFF Cobb  
(EXCEPT IN U.S. PLAINTIFF CASES)

**COUNTY OF RESIDENCE OF FIRST LISTED**

DEFENDANT Forsyth  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED

**(c) ATTORNEYS** (FIRM NAME, ADDRESS, TELEPHONE NUMBER, AND E-MAIL ADDRESS)

Andrew 'Casey' Geiger & Christopher P. Brown  
Geiger Legal Group  
157 Reinhardt College Parkway, Suite #400  
Canton, Georgia 30114  
770-720-4600 acgeiger@geiger-legal.com

**ATTORNEYS** (IF KNOWN)

**II. BASIS OF JURISDICTION**

(PLACE AN "X" IN ONE BOX ONLY)

- 1 U.S. GOVERNMENT PLAINTIFF
- 3 FEDERAL QUESTION (U.S. GOVERNMENT NOT A PARTY)
- 2 U.S. GOVERNMENT DEFENDANT
- 4 DIVERSITY (INDICATE CITIZENSHIP OF PARTIES IN ITEM III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES**

(PLACE AN "X" IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)  
(FOR DIVERSITY CASES ONLY)

- |                            |                            |   |                            |                            |   |
|----------------------------|----------------------------|---|----------------------------|----------------------------|---|
| PLF                        | DEF                        |   | PLF                        | DEF                        |   |
| <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | CITIZEN OF THIS STATE                   | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 | INCORPORATED OR PRINCIPAL PLACE OF BUSINESS IN THIS STATE     |
| <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | CITIZEN OF ANOTHER STATE                | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 | INCORPORATED AND PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE |
| <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | CITIZEN OR SUBJECT OF A FOREIGN COUNTRY | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 | FOREIGN NATION  |

**IV. ORIGIN** (PLACE AN "X" IN ONE BOX ONLY)

- 1 ORIGINAL PROCEEDING
- 2 REMOVED FROM STATE COURT
- 3 REMANDED FROM APPELLATE COURT
- 4 REINSTATED OR REOPENED
- 5 TRANSFERRED FROM ANOTHER DISTRICT (Specify District)
- 6 MULTIDISTRICT LITIGATION - TRANSFER
- 7 APPEAL TO DISTRICT JUDGE FROM MAGISTRATE JUDGE JUDGMENT
- 8 MULTIDISTRICT LITIGATION - DIRECT FILE

**V. CAUSE OF ACTION** (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE - DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

Title VII racial discrimination

**(IF COMPLEX, CHECK REASON BELOW)**

- 1. Unusually large number of parties.
- 2. Unusually large number of claims or defenses.
- 3. Factual issues are exceptionally complex
- 4. Greater than normal volume of evidence.
- 5. Extended discovery period is needed.
- 6. Problems locating or preserving evidence
- 7. Pending parallel investigations or actions by government.
- 8. Multiple use of experts.
- 9. Need for discovery outside United States boundaries.
- 10. Existence of highly technical issues and proof.

**CONTINUED ON REVERSE**

**FOR OFFICE USE ONLY**

RECEIPT # \_\_\_\_\_ AMOUNT \$ \_\_\_\_\_ APPLYING IFP \_\_\_\_\_ MAG. JUDGE (IFP) \_\_\_\_\_  
 JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_ (Referral) NATURE OF SUIT \_\_\_\_\_ CAUSE OF ACTION \_\_\_\_\_

**VI. NATURE OF SUIT** (PLACE AN "X" IN ONE BOX ONLY)

CONTRACT - "0" MONTHS DISCOVERY TRACK

- 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT
- 152 RECOVERY OF DEFAULTED STUDENT LOANS (Excl. Veterans)
- 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS

CONTRACT - "4" MONTHS DISCOVERY TRACK

- 110 INSURANCE
- 120 MARINE
- 130 MILLER ACT
- 140 NEGOTIABLE INSTRUMENT
- 151 MEDICARE ACT
- 160 STOCKHOLDERS' SUITS
- 190 OTHER CONTRACT
- 195 CONTRACT PRODUCT LIABILITY
- 196 FRANCHISE

REAL PROPERTY - "4" MONTHS DISCOVERY TRACK

- 210 LAND CONDEMNATION
- 220 FORECLOSURE
- 230 RENT LEASE & EJECTMENT
- 240 TORTS TO LAND
- 245 TORT PRODUCT LIABILITY
- 290 ALL OTHER REAL PROPERTY

TORTS - PERSONAL INJURY - "4" MONTHS DISCOVERY TRACK

- 310 AIRPLANE
- 315 AIRPLANE PRODUCT LIABILITY
- 320 ASSAULT, LIBEL & SLANDER
- 330 FEDERAL EMPLOYERS' LIABILITY
- 340 MARINE
- 345 MARINE PRODUCT LIABILITY
- 350 MOTOR VEHICLE
- 355 MOTOR VEHICLE PRODUCT LIABILITY
- 360 OTHER PERSONAL INJURY
- 362 PERSONAL INJURY - MEDICAL MALPRACTICE
- 365 PERSONAL INJURY - PRODUCT LIABILITY
- 367 PERSONAL INJURY - HEALTH CARE/ PHARMACEUTICAL PRODUCT LIABILITY
- 368 ASBESTOS PERSONAL INJURY PRODUCT LIABILITY

TORTS - PERSONAL PROPERTY - "4" MONTHS DISCOVERY TRACK

- 370 OTHER FRAUD
- 371 TRUTH IN LENDING
- 380 OTHER PERSONAL PROPERTY DAMAGE
- 385 PROPERTY DAMAGE PRODUCT LIABILITY

BANKRUPTCY - "0" MONTHS DISCOVERY TRACK

- 422 APPEAL 28 USC 158
- 423 WITHDRAWAL 28 USC 157

CIVIL RIGHTS - "4" MONTHS DISCOVERY TRACK

- 440 OTHER CIVIL RIGHTS
- 441 VOTING
- 442 EMPLOYMENT
- 443 HOUSING/ ACCOMMODATIONS
- 445 AMERICANS with DISABILITIES - Employment
- 446 AMERICANS with DISABILITIES - Other
- 448 EDUCATION

IMMIGRATION - "0" MONTHS DISCOVERY TRACK

- 462 NATURALIZATION APPLICATION
- 465 OTHER IMMIGRATION ACTIONS

PRISONER PETITIONS - "0" MONTHS DISCOVERY TRACK

- 463 HABEAS CORPUS- Alien Detainee
- 510 MOTIONS TO VACATE SENTENCE
- 530 HABEAS CORPUS
- 535 HABEAS CORPUS DEATH PENALTY
- 540 MANDAMUS & OTHER
- 550 CIVIL RIGHTS - Filed Pro se
- 555 PRISON CONDITION(S) - Filed Pro se
- 560 CIVIL DETAINEE: CONDITIONS OF CONFINEMENT

PRISONER PETITIONS - "4" MONTHS DISCOVERY TRACK

- 550 CIVIL RIGHTS - Filed by Counsel
- 555 PRISON CONDITION(S) - Filed by Counsel

FORFEITURE/PENALTY - "4" MONTHS DISCOVERY TRACK

- 625 DRUG RELATED SEIZURE OF PROPERTY 21 USC 881
- 690 OTHER

LABOR - "4" MONTHS DISCOVERY TRACK

- 710 FAIR LABOR STANDARDS ACT
- 720 LABOR/MGMT. RELATIONS
- 740 RAILWAY LABOR ACT
- 751 FAMILY and MEDICAL LEAVE ACT
- 790 OTHER LABOR LITIGATION
- 791 EMPL. RET. INC. SECURITY ACT

PROPERTY RIGHTS - "4" MONTHS DISCOVERY TRACK

- 820 COPYRIGHTS
- 840 TRADEMARK
- 880 DEFEND TRADE SECRETS ACT OF 2016 (DTSA)

PROPERTY RIGHTS - "8" MONTHS DISCOVERY TRACK

- 830 PATENT
- 835 PATENT-ABBREVIATED NEW DRUG APPLICATIONS (ANDA) - a/k/a Hatch-Waxman cases

SOCIAL SECURITY - "0" MONTHS DISCOVERY TRACK

- 861 HIA (1395f)
- 862 BLACK LUNG (923)
- 863 DIWC (405(g))
- 863 DIWW (405(g))
- 864 SSID TITLE XVI
- 865 RSI (405(g))

FEDERAL TAX SUITS - "4" MONTHS DISCOVERY TRACK

- 870 TAXES (U.S. Plaintiff or Defendant)
- 871 IRS - THIRD PARTY 26 USC 7609

OTHER STATUTES - "4" MONTHS DISCOVERY TRACK

- 375 FALSE CLAIMS ACT
- 376 Qui Tam 31 USC 3729(a)
- 400 STATE REAPPORTIONMENT
- 430 BANKS AND BANKING
- 450 COMMERCE/ICC RATES/ETC.
- 460 DEPORTATION
- 470 RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS
- 480 CONSUMER CREDIT
- 485 TELEPHONE CONSUMER PROTECTION ACT
- 490 CABLE/SATELLITE TV
- 890 OTHER STATUTORY ACTIONS
- 891 AGRICULTURAL ACTS
- 893 ENVIRONMENTAL MATTERS
- 895 FREEDOM OF INFORMATION ACT 899
- 899 ADMINISTRATIVE PROCEDURES ACT / REVIEW OR APPEAL OF AGENCY DECISION
- 950 CONSTITUTIONALITY OF STATE STATUTES

OTHER STATUTES - "8" MONTHS DISCOVERY TRACK

- 410 ANTI-TRUST
- 850 SECURITIES / COMMODITIES / EXCHANGE

OTHER STATUTES - "0" MONTHS DISCOVERY TRACK

- 896 ARBITRATION (Confirm / Vacate / Order / Modify)

**\* PLEASE NOTE DISCOVERY TRACK FOR EACH CASE TYPE. SEE LOCAL RULE 26.3**

**VII. REQUESTED IN COMPLAINT:**

CHECK IF CLASS ACTION UNDER F.R.Civ.P. 23 DEMAND \$ \_\_\_\_\_

JURY DEMAND  YES  NO (CHECK YES ONLY IF DEMANDED IN COMPLAINT)

**VIII. RELATED/REFILED CASE(S) IF ANY**

JUDGE \_\_\_\_\_ DOCKET NO. \_\_\_\_\_

CIVIL CASES ARE DEEMED RELATED IF THE PENDING CASE INVOLVES: (CHECK APPROPRIATE BOX)

- 1. PROPERTY INCLUDED IN AN EARLIER NUMBERED PENDING SUIT.
- 2. SAME ISSUE OF FACT OR ARISES OUT OF THE SAME EVENT OR TRANSACTION INCLUDED IN AN EARLIER NUMBERED PENDING SUIT.
- 3. VALIDITY OR INFRINGEMENT OF THE SAME PATENT, COPYRIGHT OR TRADEMARK INCLUDED IN AN EARLIER NUMBERED PENDING SUIT.
- 4. APPEALS ARISING OUT OF THE SAME BANKRUPTCY CASE AND ANY CASE RELATED THERETO WHICH HAVE BEEN DECIDED BY THE SAME BANKRUPTCY JUDGE.
- 5. REPETITIVE CASES FILED BY PRO SE LITIGANTS.
- 6. COMPANION OR RELATED CASE TO CASE(S) BEING SIMULTANEOUSLY FILED (INCLUDE ABBREVIATED STYLE OF OTHER CASE(S)):

7. EITHER SAME OR ALL OF THE PARTIES AND ISSUES IN THIS CASE WERE PREVIOUSLY INVOLVED IN CASE NO. \_\_\_\_\_, WHICH WAS DISMISSED. This case  IS  IS NOT (check one box) SUBSTANTIALLY THE SAME CASE.

12/18/2024

SIGNATURE OF ATTORNEY OF RECORD

DATE