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Lauren Mosteller, Inc.*

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF IDAHO

THOMAS WADE, an Individual,

Plaintiff,

v.

LAUREN MOSTELLER, INC., a Georgia  
Corporation, doing business as Chick-Fil-A,

Defendant.

**Case No. 4:25-cv-00139-DKG**

**DEFENDANT'S ANSWER TO  
PLAINTIFF'S COMPLAINT AND  
DEMAND FOR JURY TRIAL**

COMES NOW, Defendant LAUREN MOSTELLER, INC. ("Defendant" herein), by and through its attorneys of record, answer Plaintiffs' Complaint filed March 13, 2025 (the "Complaint" herein) as follows. Defendant denies each and every allegation of the Complaint and specifically admitted herein.

**JURISDICTION AND VENUE**

1. Paragraph 1 states a legal conclusion to which no response is required. To the extent a response is required, Defendant denies.
2. Paragraph 2 states a legal conclusion to which no response is required. To the extent a response is required, Defendant denies.

3. Paragraph 3 states a legal conclusion to which no response is required. To the extent a response is required, Defendant denies.

**PARTIES**

4. Defendant lacks knowledge or information to form a sufficient belief about the truth or falsity of the allegations in Paragraph 4 of the Complaint, and based thereon, denies the same.

5. Defendant admits that it is a Georgia corporation, doing business in Idaho.

6. Defendant admits that it does business in Idaho, is a franchise of Chick-fil-A, Inc., and a Georgia corporation. Defendant denies the remaining allegations in Paragraph 6.

7. Paragraph 7 states a legal conclusion to which no response is required. To the extent a response is required, Defendant denies.

**FACTS COMMON TO ALL COUNTS**

8. Defendant repeats, realleges and incorporates by reference its responses to each and every preceding allegation of Plaintiffs' Complaint.

9. Defendant denies.

10. Upon information and belief, Defendant admits.

11. Defendant admits it hired Plaintiff and that he worked in the back of house crew. Defendant denies the remaining allegations in Paragraph 11.

12. Defendant admits that Plaintiff applied for a leadership development role.

13. Defendant admits that Danny Black is in a leadership position. Defendant lacks knowledge or information to form a sufficient belief about the truth or falsity of the allegations in Paragraph 13 of the Complaint, and based thereon, denies the same.

14. Defendant admits that Eric Ibarra was a shift leader. Defendant denies the remaining allegations in Paragraph 14.

15. Based on information and belief, Defendant admits.

16. Defendant denies.

17. Defendant denies.

18. Defendant denies.

19. Defendant denies.

20. Defendant lacks knowledge or information to form a sufficient belief about the truth or falsity of the allegations in Paragraph 20 of the Complaint, and based thereon, denies the same.

21. Defendant denies.

22. Defendant admits that Plaintiff met with Jessica Lainhart and Kaeli Barnes on or about March 24, 2023. Defendant denies the remaining allegations in Paragraph 22.

23. Defendant admits that Jessica Lainhart apologized to Plaintiff. Defendant denies the remaining allegations in Paragraph 23 as phrased, and states that Plaintiff mischaracterizes what Ms. Lainhart said.

24. Defendant denies.

25. Defendant admits Plaintiff took two days off following the incident. Defendant lacks knowledge or information to form a sufficient belief about the truth or falsity of the remaining allegations in Paragraph 25, and based thereon, denies the same.

26. Defendant denies.

27. Defendant denies.

28. Defendant denies.

29. Defendant denies.

30. Defendant admits that Plaintiff had an appointment with Ms. Lainhart on or about June 11, 2023. Defendant denies the remaining allegations of Paragraph 30.

31. Defendant denies.

32. Defendant denies.

33. Defendant lacks knowledge or information to form a sufficient belief about the truth or falsity of the allegations in Paragraph 33 of the Complaint, and based thereon, denies the same.

34. Defendant denies.

35. Defendant admits that Kaeli Barnes spoke with Plaintiff about working amicably with the Ibarra family. Defendant denies the remaining allegations of Paragraph 35.

36. Defendant denies.

37. Upon information and Belief, Defendant admits.

38. Defendant admits that Noah Ibarra was suspended. Defendant denies the remaining allegations of Paragraph 38.

39. Defendant denies.

40. Defendant denies.

41. Defendant denies.

42. Defendant denies.

43. Defendant denies.

44. Defendant denies.

45. Defendant denies.

46. Defendant admits that it terminated Plaintiff's employment. Defendant denies the remaining allegations in Paragraph 46.

47. Upon information and belief, Defendant admits.

48. Defendant admits.

49. Defendant admits.

50. Defendant admits.

51. Defendant admits.

52. Paragraph 52 states legal conclusions to which no response is required. To the extent a response is required, Defendant denies.

**COUNT I**  
**VIOLATION OF 42 U.S.C. § 1981**  
**(Discrimination/Hostile Work Environment/Retaliation)**

53. Defendant repeats, realleges and incorporates by reference its responses to each and every preceding allegation of Plaintiffs' Complaint.

54. Paragraph 54 states legal conclusions to which no response is required. To the extent a response is required, Defendant denies.

55. Paragraph 55 states legal conclusions to which no response is required. To the extent a response is required, Defendant denies.

56. Paragraph 56 states legal conclusions to which no response is required. To the extent a response is required, Defendant denies.

57. Paragraph 57 states legal conclusions to which no response is required. To the extent a response is required, Defendant denies.

58. Paragraph 58 states legal conclusions to which no response is required. To the extent a response is required, Defendant denies.

59. Paragraph 59 states legal conclusions to which no response is required. To the extent a response is required, Defendant denies.

60. Paragraph 60 states legal conclusions to which no response is required. To the extent a response is required, Defendant denies.

**COUNT II**  
**VIOLATION OF TITLE VII/IDAHO HUMAN RIGHTS ACT**  
**(Hostile Work Environment)**

61. Defendant repeats, realleges and incorporates by reference its responses to each and every preceding allegation of Plaintiffs' Complaint.

62. Paragraph 62 states legal conclusions to which no response is required. To the extent a response is required, Defendant denies.

63. Paragraph 63 states legal conclusions to which no response is required. To the extent a response is required, Defendant denies.

64. Paragraph 64 states legal conclusions to which no response is required. To the extent a response is required, Defendant denies.

65. Paragraph 65 states legal conclusions to which no response is required. To the extent a response is required, Defendant denies.

66. Paragraph 66 states legal conclusions to which no response is required. To the extent a response is required, Defendant denies.

67. Paragraph 67 states legal conclusions to which no response is required. To the extent a response is required, Defendant denies.

68. Paragraph 68 states legal conclusions to which no response is required. To the extent a response is required, Defendant denies.

**COUNT III**  
**VIOLATION OF TITLE VII/IDAHO HUMAN RIGHTS ACT**  
**(Race/Color Discrimination)**

69. Defendant repeats, realleges and incorporates by reference its responses to each and every preceding allegation of Plaintiffs' Complaint.

70. Paragraph 70 states legal conclusions to which no response is required. To the extent a response is required, Defendant denies.

71. Paragraph 71 states legal conclusions to which no response is required. To the extent a response is required, Defendant denies.

72. Paragraph 72 states legal conclusions to which no response is required. To the extent a response is required, Defendant denies.

73. Paragraph 73 states legal conclusions to which no response is required. To the extent a response is required, Defendant denies.

74. Paragraph 74 states legal conclusions to which no response is required. To the extent a response is required, Defendant denies.

75. Paragraph 75 states legal conclusions to which no response is required. To the extent a response is required, Defendant denies.

**COUNT IV**  
**VIOLATION OF TITLE VII/IDAHO HUMAN RIGHTS ACT**  
**(Retaliation)**

76. Defendant repeats, realleges and incorporates by reference its responses to each and every preceding allegation of Plaintiffs' Complaint.

77. Paragraph 77 states legal conclusions to which no response is required. To the extent a response is required, Defendant denies.

78. Paragraph 78 states legal conclusions to which no response is required. To the extent a response is required, Defendant denies.

79. Paragraph 79 states legal conclusions to which no response is required. To the extent a response is required, Defendant denies.

80. Paragraph 80 states legal conclusions to which no response is required. To the extent a response is required, Defendant denies.

81. Paragraph 81 states legal conclusions to which no response is required. To the extent a response is required, Defendant denies.

82. Paragraph 82 states legal conclusions to which no response is required. To the extent a response is required, Defendant denies.

**COUNT V**  
**INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

83. Defendant repeats, realleges and incorporates by reference its responses to each and every preceding allegation of Plaintiffs' Complaint.

84. Paragraph 84 states legal conclusions to which no response is required. To the extent a response is required, Defendant denies.

85. Paragraph 85 states legal conclusions to which no response is required. To the extent a response is required, Defendant denies.

86. Paragraph 86 states legal conclusions to which no response is required. To the extent a response is required, Defendant denies.

**ATTORNEY'S FEES**

87. Paragraph 87 states legal conclusions to which no response is required. To the extent a response is required, Defendant denies.

**DEMAND FOR JURY TRIAL**

88. Paragraph 88 states legal conclusions to which no response is required. To the extent a response is required, Defendant denies.

**AFFIRMATIVE DEFENSES**

**FIRST DEFENSE**  
**(Failure to State a Cause of Action)**

As a separate and affirmative defense to the Complaint and to each and every cause of action, Defendant alleges that the Complaint does not state facts sufficient to constitute a cause of action upon which relief may be granted.

**SECOND DEFENSE**  
**(No Proximate Cause)**

As a separate and additional affirmative defense to the Complaint, Defendant alleges that the actions or omissions of Defendant (which allegation is made for the purpose of this pleading only and shall not constitute an admission) were not a substantial factor in bringing about the Plaintiff's alleged injuries and damage and, therefore, were not a proximate cause of any injury or damage suffered by Plaintiff.

**THIRD DEFENSE**  
**(After-Acquired Evidence Doctrine)**

As a separate and additional defense to the Complaint, Defendant alleges, upon likely evidentiary support after a reasonable opportunity for further investigation or discovery, that the Complaint, and each purported cause of action contained therein, are barred and/or damages must be limited under the Doctrine of After-Acquired Evidence.

**FOURTH DEFENSE**  
**(Failure to Mitigate Damages)**

As a separate and additional affirmative defense to the Complaint, Defendant alleges upon likely evidentiary support after a reasonable opportunity for further investigation or discovery, that Plaintiff failed properly and adequately to mitigate any damages he allegedly suffered as a result of the alleged acts, omissions, and/or negligence of Defendant.

**FIFTH DEFENSE**  
**(Business Justification)**

As a separate and additional affirmative defense to the Complaint, Defendant alleges that at all times mentioned therein, it acted with business justification in compliance with the law.

**SIXTH DEFENSE**

**(Employer Practices Job Related and Consistent with Business Necessity)**

As a separate and additional affirmative defense to the Complaint and to each and every cause of action, Defendant alleges that its employment practices at issue are non-discriminatory, job-related and consistent with business necessity.

**SEVENTH DEFENSE**

**(Unclean Hands)**

As a separate and additional affirmative defense to the Complaint, Defendant alleges that Plaintiff may lack clean hands, barring equitable remedies.

**EIGHTH DEFENSE**

**(Failure to Exhaust)**

As a separate and additional affirmative defense to the Complaint, Defendant alleges that Plaintiff failed to exhaust mandatory administrative remedies under the Civil Rights Act of 1866, the Civil Rights Act of 1991, or the Idaho Human Rights Act to the extent his claim and allegations exceed the scope of the prior charge or pre-date the relevant time period.

**NINTH DEFENSE**

**(Laches)**

As a separate and additional affirmative defense to the Complaint, Defendant alleges that the Complaint, and each cause of action contained therein, is barred by the doctrine of laches in that Plaintiff delayed in complaining of the alleged conduct, thereby interfering with Defendant's ability to gather documentary and testimonial evidence and potentially inflating the alleged damages or losses by reason of Plaintiff's own actions and course of conduct.

**TENTH DEFENSE**

**(Plaintiff's Consent)**

As a separate and additional affirmative defense to the Complaint, Defendant alleges upon likely evidentiary support after a reasonable opportunity for further investigation or discovery, that

any and all alleged acts and omissions of Defendant referred to in the Complaint were consented to, caused by, or ratified by Plaintiff.

**ELEVENTH DEFENSE**  
**(Comparative/Third Party Negligence)**

As a separate and additional affirmative defense to the Complaint, Defendant alleges that, upon likely evidentiary support after a reasonable opportunity for further investigation or discovery, if, at or about the time and place referenced in the Complaint, Plaintiff was caused to suffer any injury or damage, which Defendant denies, any such injury or damage was proximately and legally caused and contributed to by the negligence and fault of Plaintiff, or a third party, and said negligence and fault reduces, pro rata, any recovery otherwise available to Plaintiff pursuant to, inter alia, Idaho Code section 6-801.

**TWELFTH DEFENSE**  
**(Isolated and Sporadic Conduct)**

As a separate and additional defense to Plaintiff's Complaint and each cause of action therein, Defendant alleges that Plaintiff's allegations of isolated and sporadic conduct are insufficient to establish a hostile work environment.

**THIRTEENTH DEFENSE**  
**(Speculative Damages)**

As a separate and additional affirmative defense to the Complaint, Defendant alleges that Plaintiff is precluded from recovering the damages alleged in the Complaint because those damages are too vague, uncertain, and speculative to permit recovery.

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**FOURTEENTH DEFENSE**  
**(Lack of Nexus)**

As a separate and additional affirmative defense to the Complaint, Defendant alleges that Plaintiff is unable to establish the requisite nexus between his alleged complaints and any adverse employment action.

**FIFTEENTH DEFENSE**  
**(Estoppel and Waiver)**

As a separate and additional affirmative defense to the Complaint, Defendant alleges that Plaintiff's claims are barred in whole or in part by the doctrine of estoppel or waiver.

**SIXTEENTH DEFENSE**  
**(Good Faith)**

As a separate and additional affirmative defense to the Complaint, Defendant alleges that Defendant is not liable for any alleged discriminatory employment decisions contrary to the employer's "good-faith efforts" to comply with the Civil Rights Act of 1866, the Civil Rights Act of 1991, or the Idaho Human Rights Act.

**SEVENTEENTH DEFENSE**  
**(Plaintiff's Bad Faith)**

As a separate and additional affirmative defense to the Complaint, Defendant alleges that Plaintiff's claims are frivolous, unreasonable, or groundless and may have been brought in bad faith.

**EIGHTEENTH DEFENSE**  
**(De Minimus)**

As a separate and additional affirmative defense to the Complaint, Defendant alleges that any alleged wrongdoing by Defendant, if it occurred, was isolated and de minimus.

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**NINETEENTH DEFENSE**  
**(Statute of Limitations/Statute of Repose)**

As a separate and additional affirmative defense to the Complaint, Defendant alleges that Plaintiff's claims are barred by the applicable Statute of Limitations or Statute of Repose.

**TWENTIETH DEFENSE**  
**(Insufficiency of Service of Process)**

As a separate and additional affirmative defense to the Complaint, Defendant alleges that Plaintiff's claims are barred because of insufficiency of service of process.

**TWENTY-FIRST DEFENSE**  
**(Lack of Subject-Matter Jurisdiction)**

As a separate and additional affirmative defense to the Complaint, Defendant alleges that this Court lacks subject-matter jurisdiction over Plaintiff's claims.

**TWENTY-SECOND DEFENSE**  
**(Improper Venue)**

As a separate and additional affirmative defense to the Complaint, Defendant alleges that venue is improper in this Court for Plaintiff's claims.

**TWENTY-THIRD DEFENSE**  
**(Lack of Personal Jurisdiction)**

As a separate and additional affirmative defense to the Complaint, Defendant alleges that this Court lacks personal jurisdiction over Plaintiff's claims.

**TWENTY-FOURTH DEFENSE**  
**(Pre-Emption/Claim Preclusion)**

As a separate and additional affirmative defense to the Complaint, Defendant alleges that Plaintiff's claims are pre-empted or barred by the claim preclusion.

**TWENTY-FIFTH DEFENSE**  
**(Insufficiency of Process)**

As a separate and additional affirmative defense to the Complaint, Defendant alleges that

Plaintiff's claims are barred, in whole or in part, because of insufficiency of process.

**TWENTY-SIXTH DEFENSE**

**(Standing)**

As a separate and additional affirmative defense to the Complaint, Defendant alleges that Plaintiff lacks standing to bring his claims before the Court.

**TWENTY-SEVENTH DEFENSE**

**(Failure to Use Grievance Procedure)**

As a separate and additional affirmative defense to the Complaint, Defendant alleges that Plaintiff failed to utilize the Defendant's grievance procedures available.

**TWENTY-EIGHTH DEFENSE**

**(Failure to State a Claim for Punitive Damages)**

As a separate and additional affirmative defense to the Complaint, Defendant alleges that Plaintiff fails to state facts sufficient to support an award against Defendant.

**TWENTY-NINTH DEFENSE**

**(Failure to Attorneys' Fees)**

As a separate and additional affirmative defense to the Complaint, Defendant alleges that Plaintiff fails to state facts sufficient to support an award against Defendant.

**THIRTIETH DEFENSE**

**(Employment at Will)**

As a separate and additional affirmative defense to the Complaint, Defendant alleges that Plaintiff's claims, in whole or in part, are barred because Plaintiff was an at-will employee.

**THIRTY-FIRST DEFENSE**

**(Failure to Perform)**

As a separate and additional affirmative defense to the Complaint, Defendant alleges that Plaintiff's claims, in whole or in part, are barred by his failure to satisfactorily perform his job responsibilities and otherwise conduct himself in accordance with the standards and policies of

Defendant.

**THIRTY-SECOND DEFENSE**  
**(No Discrimination, Harassment, or Retaliation)**

As a separate and additional affirmative defense to the Complaint, Defendant alleges that Plaintiff's claims, in whole or in part, are barred because Defendant did not discriminate, harass, or retaliate against Plaintiff, and any and all decisions made by Defendant regarding Plaintiff's employment were based on reasonable, lawful, and non-discriminatory factors.

**THIRTY-THIRD DEFENSE**  
**(No Failure to Prevent Discrimination or Harassment)**

As a separate and additional affirmative defense to the Complaint, Defendant alleges that Plaintiff's claims, in whole or in part, are barred because Defendant did not fail to prevent discrimination or harassment against Plaintiff, and any and all decisions made by Defendant regarding Plaintiff's employment were based on reasonable, lawful and non-discriminatory factors.

**RESERVATION OF RIGHTS**

Because Plaintiff's Complaint is couched in conclusory terms, Defendant cannot fully anticipate all defenses that might be applicable to this action. Accordingly, Defendant reserves the right to assert such additional defenses that may appear and prove applicable during the course of this action.

WHEREFORE, Defendant prays for judgment as follows:

1. That judgment be entered in favor of Defendant, and that the Complaint herein be dismissed with prejudice in its entirety;
2. That Defendant be awarded its costs incurred herein, including attorneys' fees; and
3. That this Court award such other relief as it may deem just and proper.

Dated: May 7, 2025

GORDON REES SCULLY MANSUKHANI,  
LLP

By: /s/ Kelly Drew Rooksby

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