

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

DANIELLA BONHOMME; TATIANA POULARD;
AMINIQUE KIRNON; SELINA SACASA; and
QUANTAVIA GRANT,

Plaintiffs,

- against -

DENNY’S, INC., and GILLS BLOOMSBURG INC.
D/B/A DENNY’S,

Defendants.

Case No. 4:25-CV-02094

COMPLAINT

**PLANTIFF DEMANDS A
TRIAL BY JURY**

Plaintiffs Daniella Bonhomme, Tatiana Poulard, Aminique Kirnon, Selina Sacasa, and Quantavia Grant (“Plaintiffs”), by and through their undersigned counsel, Elefterakis, Elefterakis & Panek, respectfully submit this Complaint against Denny’s, Inc., and Gills Bloomsburg Inc. d/b/a Denny’s (“Defendants”). Plaintiffs respectfully allege as follows, upon information and belief:

PRELIMINARY STATEMENT

1. Overt racism is not dead in 2024, especially not at Denny’s. At Denny’s, incident after incident of proven racial discrimination appears to have had no impact whatsoever on the conduct of franchisees and their employees.¹ To the contrary, racial discrimination is more entrenched and the need for vigorous enforcement of civil rights laws is more vital than ever.

2. On January 14, 2024, the Plaintiffs—five Black women—were humiliatingly denied seating and service at the Denny’s in Bloomsburg, Pennsylvania (“Denny’s Bloomsburg” or “Restaurant”) simply because of the color of their skin.

¹ Stephen Labaton, Denny’s Restaurants to Pay \$54 Million in Race Bias Suits, NYT, May 25, 1994.

3. A Denny's Bloomsburg employee refused Plaintiffs' service due to alleged "flickering" lights at the restaurant. Despite the alleged flickering lights, Plaintiffs observed that other white patrons were seated and the restaurant was operating without issue.

4. Clearly, the alleged "flickering" lights were nothing more than a pretext for blatant racial discrimination. In reality, the sole reason that Denny's Bloomsburg refused to seat and serve Plaintiffs was due to their race.

5. Plaintiffs were justifiably upset and insulted by their abhorrent treatment, so they captured video of the fully functioning restaurant and posted it to TikTok, detailing the discrimination. The video garnered over 40,000 views and sparked immediate outrage.

6. Denny's, Inc. ("Denny's Corporate") contacted Plaintiff Aminique Kirnon ("Plaintiff Kirnon") in an effort to quiet the outrage and conceal the discriminatory conduct of its franchisee, Denny's Bloomsburg. Strategically, Denny's Corporate tapped a Black employee, Chioke Elmore ("Ms. Elmore"), Vice President of Denny's Inc., to placate and persuade Plaintiff Kirnon that Denny's Bloomsburg refusal to serve Plaintiffs was not discriminatory.

7. Ms. Elmore proceeded to gaslight Plaintiff Kirnon, telling her "I look like you and I wouldn't want to work here if they didn't want people like us to eat here."

8. Even worse, Ms. Elmore furthered Denny's Bloomsburg campaign of discrimination by insultingly offering Plaintiff Kirnon a free Denny's meal in an attempt to remedy the blatant racial discrimination the Plaintiffs suffered, as if a Denny's Grand Slam could wipe away the emotional distress from the harrowing violation of Plaintiffs' civil rights.

9. Given Denny's Corporate's willingness to step in and defend Denny's Bloomsburg, with Denny's Corporate essentially serving as a "clean-up crew" for racial discrimination, it is no surprise that Denny's Bloomsburg feels so comfortable engaging in blatant racial discrimination.

10. Plaintiffs hereby bring this action to actually and fairly remedy this execrable violation of their civil rights and to ensure that Denny's Corporate and Denny's Bloomsburg cease their well-documented pattern of racial discrimination.

NATURE OF THE ACTION

11. Plaintiffs complain of unlawful public accommodation discrimination by Defendants in violation of (i) **Section 1981 of the Civil Rights Act of 1866**, 42 U.S.C. § 1981; (ii) **Title II of the Civil Rights Act of 1964**; 42 U.S.C. § 2000a; (iii) **The Pennsylvania Human Relations Act**, 43 P.S. § 951 *et seq.*; and any other claim(s) that can be inferred from the facts set forth herein. Plaintiffs seek damages to redress the injuries they suffered as a result of being discriminated against by Defendants on the basis of their race (Black).

THE PARTIES

12. Plaintiff Daniella Bonhomme is a Black female who is a resident of the State of New York. Ms. Bonhomme is a Masters-educated and licensed marriage-and-family therapist.

13. Plaintiff Tatiana Poulard is a Black female who is a resident of the State of New York. Ms. Poulard is a Patient Care Technician licensed in Phlebotomy and a Certified Nurse Assistant.

14. Plaintiff Aminique Kirnon is a Black female who is a resident of the State of New York. Plaintiff Kirnon has been an elementary school teacher for over a decade and proudly holds three Master's degrees.

15. Plaintiff Selina Sacasa is a Black female who is a resident of the State of Georgia. Ms. Sacasa is a Station Supervisor for New York City's Metropolitan Transportation Authority (MTA).

16. Plaintiff Quantavia Grant is a Black female who is a resident of the State of New York. Ms. Grant is a Crisis Paraprofessional with an Advanced Skills Teacher classification.

17. Defendant Denny's, Inc. is listed as a Foreign Business Corporation in the Commonwealth of Pennsylvania. Upon information and belief, Denny's, Inc. is a Delaware corporation with its headquarters in South Carolina.

18. Defendant Gills Bloomsburg Inc. is a Domestic Business Corporation formed in the Commonwealth of Pennsylvania. Upon information and belief, Gills Bloomsburg Inc. is the franchisee that owns and operates the Denny's restaurant located in Bloomsburg, PA, at 131 Paper Mill Road, that was visited by Plaintiffs on January 14, 2024.

JURISDICTION AND VENUE

19. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1331. This Court has supplemental jurisdiction over the Pennsylvania law claim pursuant to 28 U.S.C. § 1367.

20. This Court also has jurisdiction pursuant to 28 U.S.C. § 1332, as the amount in controversy exceeds \$75,000 and the Plaintiffs and Defendants are citizens of different states.

21. Venue is proper in this judicial district pursuant to 28 U.S.C. § 1391 because a substantial part of the events and/or omissions giving rise to the claims occurred in the Middle District of Pennsylvania.

PROCEDURAL PREREQUISITES

22. Plaintiffs have timely filed a complaint with the Pennsylvania Human Relations Commission ("PHRC"), upon which this Complaint is based.

23. The PHRC issued a Probable Cause finding against Denny's Bloomsburg on June 6, 2025. A copy of the Notice is annexed to this Complaint. (Exhibit A)

24. On July 14, 2025, the PHRC issued Plaintiffs a Right to Sue letter, permitting this action to move forward under Section 12(c) of the Human Relations Act, 43 P.S. § 962 (c). A copy of the Notice is annexed to this Complaint. (Exhibit B)

FACTUAL ALLEGATIONS

I. Denny's Sordid History of Discrimination, Including at the Bloomsburg Restaurant

25. Though Denny's Corporate and Denny's franchisees pay lip service to the value of diversity, their actions reveal a troubling pattern of discrimination and violations of civil rights. A cursory search reveals the following examples of discriminatory conduct repeated across the nation at Denny's restaurants:

- 1991, San Jose, California: A group of Black teenagers was denied service unless they consented to prepay for their meals, a policy not applied to other customers.
- 1993, Annapolis, Maryland: Six Black United States Secret Service agents experienced undue delay in service at a Denny's restaurant, witnessing their white counterparts receive immediate seating and service.
- 1994, Class Action Settlement: Denny's settled a class action lawsuit for \$54.4 million, filed by Black customers who faced refusal of service, longer waits, or were asked to pay more than white customers. Upon information and belief, this settlement remains the largest under federal public accommodations laws to date.
- 1995, Sacramento, California: A Black customer was informed that he, along with his friends, had to prepay for their meals due to a previous incident involving other Black customers, clearly a discriminatory policy based on race.
- 1997, Syracuse, New York: Six Asian-American students were subjected to prolonged waits and eventually forced to leave by security, followed by a physical assault by other patrons, all under racially charged circumstances.

- 2007, Illinois Federal Court: A jury awarded \$600,000 in a discrimination case against Denny's, further evidence of the systemic issues within the company regarding racial discrimination and violation of civil rights.
- 2014, Deming, New Mexico: An LGBT group reported homophobic slurs and refusal of service by Denny's staff, leading to a settlement including donations and retraining on discrimination policies.
- 2017, Vancouver, British Columbia: Allegations surfaced of an Indigenous female being forced to prepay for her meal unlike other customers, followed by staff reporting her to police under dubious circumstances.
- 2018, Lake City, Florida: A group of Black customers was refused service at a Denny's location.
- 2023, Sioux Falls, South Dakota: Black men were refused service at a Denny's location where Caucasian patrons were served.

26. Denny's Bloomsburg, located in a heavily Caucasian town², also exhibited multiple instances of discriminatory practices based on race.

27. Google reviews describe Denny's Bloomsburg discriminating against patrons of color, as Non-Caucasians have been subjected to subpar or outright refusal of service, while white patrons are tended to without issue.

28. For example, a reviewer stated, "I look Hispanic and my fiancé is African American and the couple who got immediate services was white," as he detailed their discriminatory experience at Denny's Bloomsburg in which they walked out after 40 minutes of being ignored, while Caucasian couples were serviced:

² Bloomsburg, a town in Pennsylvania on the I-80 corridor, is home to a population of 86.8% Caucasian, 4.2% Black, 8.2% Hispanic, and 1.3% Asian residents. See <https://www.census.gov/quickfacts/fact/table/bloomsburgtownpennsylvania/PST045223>.

Denny's

131 Paper Mill Rd, Bloomsburg, PA

[Write a review](#)

3.9  1,789 reviews ⓘ



Darian Link

1 review

 8 months ago

If I could give no stars I would because there was nothing to experience. I can't recall how long my fiancé and I had waited but it was much longer than we should have expected. We were seated fairly quickly and had our orders all ready. Not a single waitress there came to our table the whole time we were there (I'm going to say we waited between 30-40 minutes but I'm not entirely certain). At some point I asked my fiancé if he'd like to just leave and he responded we'd give it a couple more minutes. Just as he said that a couple was seated not too far from us and not even 5 minutes had a waitress take their orders. We still didn't have anyone take our order so we left. I want to assume there may have been no communication that we were there and no one was assigned to our table but the unfortunate thing I could and don't want to assume is this may have been a little racist. I look Hispanic and my fiancé is African American and the couple who got immediate services was white...it's something I really don't want to assume with the business but how it played out I don't know what to think and it genuinely hurts.

Food: 1/5 | Service: 1/5 | Atmosphere: 1/5

29. Another reviewer states, “If you are white, from what I saw you would most likely have a great experience however, if you are American African, African American or any other race, I would not take a chance coming here unless you are ok with lower class service.” The reviewer goes on to describe being purposefully neglected while Caucasian patrons were readily helped:

Denny's

131 Paper Mill Rd, Bloomsburg, PA

[Write a review](#)

3.9  1,789 reviews ⓘ



Kim Thompson

3 reviews

 8 months ago

I arrived at the restaurant as a party of two with a friend of mine. We were both excited because Denny's is one of our favorite childhood restaurants and they closed down in the city years ago where we are from. After a long drive we were hoping to get good service and good food. The food was good however, the service was terrible. When we arrived on 7/8/2023 around 5:30pm we were immediately seated and served our drinks. We did not see our waitress for another 30 mins. She came back talking as if she was exhausted and said, "oh I'm sorry I thought you guys would have left." She then explained that there was a reunion between a father and daughter in a private area of the restaurant with a big party size which is the reason for the wait. Although the restaurant was quiet and parking lot was pretty much empty, we took her word for it and stated that's it's ok and we were ready to order. She then took our order and we waited another 25 to 30 minutes for our waitress to return and refill my coffee. About another 10 minutes went by before she finally brought out our breakfast food without my pancakes which she stated she forgot about which led to another 15 minute wait. Meanwhile, we sat there and watched a party of 3 and

(continued on next page)

Denny's

131 Paper Mill Rd, Bloomsburg, PA

[Write a review](#)

3.9 ★★★★★ 1,789 reviews ⓘ

forgot about which led to another 15 minute wait. Meanwhile, we sat there and watched a party of 3 and 2 parties of two walk in and receive their drinks and food in no more than a 15 min. wait. When I got up to pay for our food the same waitress walked away from the register as I approached her. I stood there patiently waiting because I thought she was going to come right back however, she did not. My friend walked over to her and tried to get her attention by saying, "excuse me, excuse me, we are ready to pay. She then follows him back to the register and yells, "haha, oh I was like, did I hear yelling?..." At this point, I was upset that we decided to eat here however, I now know to be more conscious on where I decide to spend my hard earned money. I'm not positive on why we were treated differently and I hope it was not racial related even though it sure seemed that way. If you are white, from what I saw you would most likely have a great experience however, if you are American African, African American or any other race, I would not take a chance coming here unless you are ok with lower class service.

Food: 1/5 | Service: 1/5 | Atmosphere: 1/5



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II. Denny's Bloomsburg Unlawfully Discriminates Against Plaintiffs on the Basis of Their Race

30. Distressingly, on January 14, 2024, Denny's Bloomsburg and Denny's Corporate's continued their pattern of discrimination, when they refused to sit or serve Plaintiffs simply because they are Black.

31. Plaintiffs arrived at Denny's Bloomsburg at approximately 2:30 p.m., expecting to have lunch. But before they even entered the restaurant, Plaintiffs were aggressively cut off in the vestibule by a Caucasian employee, Paige Wright, who denied them entry and service, proffering an excuse that the lights in the restaurant were "flickering."

32. This claim of "flickering" lights was a pretextual excuse to refuse service to Plaintiffs on account of their race though they served White patrons while having "flickering lights." Indeed, as Plaintiffs left Denny's Bloomsburg, they witnessed numerous Caucasians dining in the restaurant.

33. Thereafter, Plaintiffs needed to use the restroom and went back into the restaurant, where they were closely monitored by the staff. Plaintiffs witnessed no lights flickering, and Caucasian patrons receiving polite and orderly service. Denny's Bloomsburg was conducting business as usual, white customers were enjoying their meals, the staff was bustling efficiently, and the ambiance was perfectly normal.

34. Realizing they were being discriminated against based on their race, Plaintiffs recorded video inside the restaurant.

35. The video Plaintiffs recorded does not show any "flickering" lights in the restaurant or any other disruption from normal restaurant functions, and even if it had, there was no disruption that would have prevented them from being seated.

36. This incident was traumatizing and humiliating to Plaintiffs, as it was clearly racially motivated.

37. The video taken inside Denny's Bloomsburg was posted to TikTok, where it garnered over 40,000 views and sparked justified outrage.

https://www.tiktok.com/@aimeemichelle_mimi/video/7324056045817564458?is_from_webapp=1&sender_device=pc&web_id=7353382282562242079

III. Denny's Corporate Tacitly Acknowledges the Unlawful Discrimination and Attempts to Placate Plaintiffs with an Insulting Offer to Remedy the Discrimination by their franchise

38. Amid the uproar sparked by the TikTok video of the racist incident at the Denny's Bloomsburg, Denny's Corporate reached out to Plaintiff Kirnon for her email address.

39. On January 17, 2024, Michael Whitacre, Regional Franchise Director of Denny's Corporate, emailed Plaintiff Kirnon requesting her phone number to speak "about what happened."

Plaintiff Kirnon replied to the email with another complaint, memorializing what occurred and providing her contact number.

40. On January 19, 2024, Plaintiff Kirnon was contacted via phone by Ms. Elmore, who identified herself as a Vice President of Denny's Corporate.

41. Insultingly, Ms. Elmore furthered Denny's Bloomsburg's campaign of discrimination by offering Plaintiff Kirnon a free meal in a willful attempt to gaslight her and cause significant emotional distress. By inserting herself and purporting to "remedy" the situation, Ms. Elmore not only actively participated in the discrimination but also bound Denny's Corporate to the unlawful conduct, as her actions were taken on its behalf.

42. Evidently, Ms. Elmore's conversation with Plaintiff Kirnon and the offer of a free meal demonstrate that Denny's Corporate exercises an ongoing and systemic right of control over the policies and procedures of Denny's Bloomsburg, including the means and methods of how Denny's Bloomsburg conducts business on a daily basis.

43. Specifically, Denny's Corporate controls the manner in which Denny's Bloomsburg investigates and responds to complaints and/or allegations of racial discrimination, evidenced by Ms. Elmore contacting Plaintiff Kirnon in response to her TikTok video alleging Denny's Bloomsburg discriminated against her and the other Plaintiffs.

44. Ms. Elmore, also a Black woman, attempted to gaslight Plaintiff Kirnon by stating, "I look like you, and I wouldn't want to work here if they didn't want people like us to eat here."

45. This statement, together with the offer of a free meal, was itself a direct part of the discriminatory conduct, as Denny's Corporate sought to provide cover for the unlawful treatment at Denny's Bloomsburg. With Denny's Corporate so willing and eager to step in and provide

cover for racial discrimination, it is no surprise that Denny's Bloomsburg is so emboldened to engage in blatant racial discrimination.

46. Moreover, Defendants deliberately exploited Ms. Elmore's identity as a "token" Black employee in a superficial effort to deflect accountability and avoid addressing the underlying racial discrimination, further perpetuating Plaintiffs' harm.

47. Plaintiffs bring this lawsuit to obtain redress and to ensure that Denny's ceases its long-standing pattern of discriminatory behavior, which is fostered and permitted by both Denny's Corporate and its individual franchises.

48. As a result of Defendants' actions, Plaintiffs feel extremely humiliated, degraded, victimized, embarrassed, traumatized, and emotionally distressed.

49. The unlawful discriminatory actions of Defendants constitute malicious, willful, and wanton violations of Section 1981, for which Plaintiff is entitled to the maximum allowable damages under this statute and an award of punitive damages.

FIRST CAUSE OF ACTION
For Race Discrimination in Violation of §1981
Against All Defendants

50. Plaintiffs repeat, restate, and re-allege the preceding paragraphs of this Complaint as if fully set forth herein.

51. Under 42 U.S.C. § 1981, "[a]ll persons within the jurisdiction of the United States shall have the same right in every State and Territory to make and enforce contracts," which "includes the making, performance, modification, and termination of contracts, and the enjoyment of all benefits, privileges, terms, and conditions of the contractual relationship." 42 U.S.C. § 1981(a)-(b).

52. Indeed, 42 U.S.C. § 1981 offers relief when racial discrimination blocks the *creation* of a contractual relationship, and its protections apply to all contracts, which undoubtedly includes restaurant purchases and services.

53. Plaintiffs are all Black women and Defendants intended to, and did, discriminate against them on the basis of their race. Namely, as more fully explained above, Defendant Bloomsburg refused to seat and serve Plaintiffs based on race and then Denny's Corporate attempted to gaslight and cover up the discrimination.

54. Defendants' racially discriminatory conduct abridged Plaintiffs' rights, including, but not limited to, their rights to equal treatment and ability to contract, as they could not order food like the other white patrons of Denny's Bloomsburg.

55. But for their race, Plaintiffs would not have suffered the loss of legally protected rights, including their rights to equal treatment and ability to contract.

56. As a result of the unlawful discriminatory conduct of Defendants in violation of 42 U.S.C. § 1981, Plaintiffs have suffered, and continue to suffer, severe mental anguish and emotional distress, including but not limited to depression, humiliation, embarrassment, stress and anxiety, loss of self-esteem and self-confidence, and emotional pain and suffering, for which they are entitled to an award of monetary damages and other relief, including compensatory damages.

57. The unlawful discriminatory actions of Defendants constitute malicious, willful, and wanton violations of 42 U.S.C. § 1981, for which Plaintiffs are entitled to the maximum allowable damages under this statute and an award of punitive damages.

SECOND CAUSE OF ACTION
For Race Discrimination in Violation of Title II
Against All Defendants

58. Plaintiffs repeat, restate, and re-allege the preceding paragraphs of this Complaint as if fully set forth herein.

59. Title II of The Civil Rights Act of 1964 states that “All persons shall be entitled to the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of any place of public accommodation, as defined in this section, without discrimination on the ground of race, color, religion, or national origin.” 42 U.S.C. §2000a(a).

60. 42 U.S.C. §2000a(b)(2) provides, in relevant part, that “[e]ach of the following establishments is a place of public accommodation within this title if its operations affect commerce: (2) any restaurant, cafeteria, lunchroom, lunch counter, soda fountain, or other facility principally engaged in selling food for consumption on the premises”

61. And 42 U.S.C. §2000a(c)(2) explains that the “operations of an establishment affect commerce within the meaning of this title if . . . (2) in the case of an establishment described in paragraph (2) of subsection (b), it serves or offers to serve interstate travelers or a substantial portion of the food which it serves or gasoline or other products which it sells, has moved in commerce.”

62. Plaintiffs are all Black women and Defendants intended to, and did, discriminate against them on the basis of their race. Plaintiffs attempted to exercise the right to full benefits and enjoyment of Denny’s Bloomsburg, a place of public accommodation, but were denied the right to full benefits and enjoyment. Namely, as more fully explained above, Defendants refused to seat and serve Plaintiffs, who attempted to eat lunch at the Restaurant, whereas Denny’s Bloomsburg did seat and serve white patrons during the same time period.

63. Defendants' racially discriminatory conduct abridged Plaintiffs' rights, including, but not limited to, their rights to equal treatment and enjoyment of services at Denny's Bloomsburg, which is a restaurant that serves or offers to serve interstate travelers. Moreover, upon information and belief, a substantial portion of the food that Denny's Bloomsburg serves has "moved in commerce."

64. Denny's Corporate planned, managed, and coordinated Denny's Bloomsburg's response to Plaintiffs' allegations of racial discrimination and unequal treatment by assigning Ms. Elmore to contact Plaintiff Kirnon regarding Plaintiffs' allegations of racial discrimination and unequal treatment.

65. Denny's Corporate, through Ms. Elmore, gaslighted Plaintiff Kirnon, stating: "I look like you and I wouldn't want to work here if they didn't want people like us to eat here."

66. Denny's Corporate, through Ms. Elmore, attempted to orchestrate an active cover up of Denny's Bloomsburg's racially discriminatory conduct, further discriminating against Plaintiffs, which resulted in the loss of their rights to equal treatment and services.

67. But for their race, Plaintiffs would not have suffered the loss of legally protected rights.

68. As a result of the unlawful discriminatory conduct of Defendants in violation of 42 U.S.C. §2000a, Plaintiffs have suffered, and continue to suffer, severe mental anguish and emotional distress, including, but not limited to depression, humiliation, embarrassment, stress and anxiety, loss of self-esteem and self-confidence, and emotional pain and suffering, for which they are entitled to an award of monetary damages and other relief, including compensatory damages.

69. The unlawful discriminatory actions of Defendants constitute malicious, willful, and wanton violations of 42 U.S.C. §2000a, for which Plaintiffs are entitled to the maximum allowable damages under this statute and an award of punitive damages.

THIRD CAUSE OF ACTION
Race Discrimination in Violation of PHRA, 43 P.S. § 951 *et seq.*
Against All Defendants

70. Plaintiffs repeat, restate, and re-allege the preceding paragraphs of this Complaint as if fully set forth herein.

71. The Pennsylvania Human Relations Act (“PHRA”), 43 P.S. § 955(i)(1) provides, in relevant part, that:

[i]t shall be an unlawful discriminatory practice...[f]or any person being the owner, lessee, proprietor, manager, superintendent, agent or employe of any public accommodation, resort or amusement to . . . [r]efuse, withhold from, or deny to any person because of his ***race***, color, sex, religious creed, ancestry, national origin or handicap or disability . . . ***any of the accommodations, advantages, facilities or privileges of such public accommodation, resort or amusement.***

72. The PHRA also expressly defines the “term ‘public accommodation, resort, or amusement’” to include “restaurants or eating houses.” 43 P.S. § 954(l).

73. Plaintiffs are all Black women and Defendants intended to, and did, discriminate against them on the basis of their race. Plaintiffs attempted to exercise the right to full benefits and enjoyment of Denny’s Bloomsburg, a place of public accommodation, but were denied the right to full benefits and enjoyment. Namely, as more fully explained above, Defendants refused to seat and serve Plaintiffs, who attempted to eat lunch at the Restaurant, whereas Denny’s Bloomsburg did seat and serve white patrons during the same time period.

74. Defendants’ racially discriminatory conduct abridged Plaintiffs’ rights, including, but not limited to, their rights to equal treatment and the accommodations, advantages, facilities

or privileges of Denny's Bloomsburg, which is a restaurant that serves or offers to serve interstate travelers. Moreover, upon information and belief, a substantial portion of the food that Denny's Bloomsburg serves has "moved in commerce."

75. Denny's Corporate planned, managed, and coordinated Denny's Bloomsburg's response to Plaintiffs' allegations of racial discrimination and unequal treatment by assigning Ms. Elmore to contact Plaintiff Kirnon regarding Plaintiffs' allegations of racial discrimination and unequal treatment.

76. Denny's Corporate, through Ms. Elmore, gaslighted and further discriminated against Plaintiffs, which resulted in the loss of their rights to equal treatment and services.

77. But for their race, Plaintiffs would not have suffered the loss of legally protected rights.

78. As a result of the unlawful discriminatory conduct and practice of Defendants in violation of the PHRA, Plaintiffs have suffered, and continue to suffer, severe mental anguish and emotional distress, including, but not limited to depression, humiliation, embarrassment, stress and anxiety, loss of self-esteem and self-confidence, and emotional pain and suffering, for which they are entitled to an award of monetary damages and other relief, , including compensatory damages.

JURY DEMAND

79. Plaintiffs demand a jury trial on all issues to be tried.

WHEREFORE, Plaintiffs respectfully request a judgment against the Defendants:

A. Declaring that Defendants' discriminatory acts, conduct, and practices are prohibited by and violate 42 U.S.C. § 1981; 42 U.S.C. § 2000a; and The Pennsylvania Human Relations Act, 43 P.S. § 951 *et seq.*

B. Awarding damages to Plaintiffs as will fully compensate them for their loss of rights, as well as for the humiliation, embarrassment, emotional distress, mental injury, pain and suffering, and injury to their reputations suffered due to Defendants' discriminatory acts, conduct, and practices, in an amount to be proven;

C. Awarding Plaintiffs punitive damages;

D. Awarding Plaintiffs their attorneys' fees, costs, disbursements, and expenses incurred in the prosecution of this action; and

E. Awarding Plaintiffs such other and further relief as the Court may deem equitable, just and proper to remedy Defendants' unlawful, discriminatory acts, conduct, and practices.

Dated: November 5, 2025
New York, NY

Respectfully submitted,

/s/

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Jacqueline Carranza, Esq.
Keyonte Sutherland, Esq.
(pro-hac-vice forthcoming)

JS 44 (Rev. 03/24)

CIVIL COVER SHEET

The JS 44 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, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

<p>I. (a) PLAINTIFFS Daniella Bonhomme, Tatiana Poulard, Aminique Kirnon, Selina Sacasa, and Quantavia Grant</p> <p>(b) County of Residence of First Listed Plaintiff _____ (EXCEPT IN U.S. PLAINTIFF CASES)</p> <p>(c) Attorneys (Firm Name, Address, and Telephone Number) Elefterakis, Elefterakis, & Panek Kyle I. Platt 80 Pine Street, 38th Floor, New York, NY 10005</p>	<p>DEFENDANTS Denny's, Inc., and Gills Bloomsburg Inc. d/b/a Denny's</p> <p>County of Residence of First Listed Defendant <u>Spartanburg, SC</u> (IN U.S. PLAINTIFF CASES ONLY)</p> <p>NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.</p> <p>Attorneys (If Known)</p>
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<p>II. BASIS OF JURISDICTION (Place an "X" in One Box Only)</p> <p><input type="checkbox"/> 1 U.S. Government Plaintiff</p> <p><input type="checkbox"/> 2 U.S. Government Defendant</p> <p><input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)</p> <p><input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)</p>	<p>III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th></th> <th>PTF</th> <th>DEF</th> <th></th> <th>PTF</th> <th>DEF</th> </tr> <tr> <td>Citizen of This State</td> <td><input type="checkbox"/> 1</td> <td><input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business In This State</td> <td><input type="checkbox"/> 4</td> <td><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td><input checked="" type="checkbox"/> 2</td> <td><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business In Another State</td> <td><input type="checkbox"/> 5</td> <td><input checked="" type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td><input type="checkbox"/> 3</td> <td><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td><input type="checkbox"/> 6</td> <td><input type="checkbox"/> 6</td> </tr> </table>		PTF	DEF		PTF	DEF	Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4	Citizen of Another State	<input checked="" type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input checked="" type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
	PTF	DEF		PTF	DEF																				
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4																				
Citizen of Another State	<input checked="" type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input checked="" type="checkbox"/> 5																				
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6																				

IV. NATURE OF SUIT (Place an "X" in One Box Only) Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<p>PERSONAL INJURY</p> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<p>PERSONAL INJURY</p> <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <p>PERSONAL PROPERTY</p> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <p>INTELLECTUAL PROPERTY RIGHTS</p> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 <p>SOCIAL SECURITY</p> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <p>FEDERAL TAX SUITS</p> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
<p>REAL PROPERTY</p> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<p>CIVIL RIGHTS</p> <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input checked="" type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<p>PRISONER PETITIONS</p> <p>Habeas Corpus:</p> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <p>Other:</p> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	<input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act	<input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act	

V. 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) 6 Multidistrict Litigation - Transfer 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
 42 U.S.C. Section 1981

Brief description of cause:
 Plaintiffs complain of unlawful public accommodation discrimination by Defendants in violation of 42 U.S.C. Section 1981.

VII. REQUESTED IN COMPLAINT: CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ _____ CHECK YES only if demanded in complaint. JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY (See instructions): JUDGE _____ DOCKET NUMBER _____

DATE: November 5, 2025 SIGNATURE OF ATTORNEY OF RECORD: 

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

COMMONWEALTH OF PENNSYLVANIA

GOVERNOR'S OFFICE

PENNSYLVANIA HUMAN RELATIONS COMMISSION

Complainants

Aminique Kirnon	:	Case No. 202400382
Daniella Bonhomme	:	Case No. 202400383
Tatiana Poulard	:	Case No. 202400384
Selina Sacasa	:	Case No. 202400385
Quantavia Grant	:	Case No. 202400386

vs.

Respondents

Denny's Inc. et al and Gils Bloomsburg, Inc. d/b/a Denny's

FINDING OF PROBABLE CAUSE

I. JURISDICTION

On July 10, 2024, Aminique Kirnon, Daniella Bonhomme, Tatiana Poulard, Selina Sacasa, and Quantavia Grant (hereinafter "Complainants") filed Complaints of discrimination against Denny's, Inc. et al. (hereinafter "Respondent") and Gils Bloomsburg, Inc. d/b/a Denny's (hereinafter "Co-Respondent") and Complainants have met all jurisdictional requirements under the Pennsylvania Human Relations Act (PHRA).

II. SUMMARY OF ALLEGATIONS

The Complainants, customers, allege that they are all members of the protected class, race (African American). They allege that on January 14, 2024, Respondent refused to sit or serve them, due to their protected class. They allege that around 2:30 pm on January 14, 2024, they arrived at Co-Respondent Gils Bloomsburg, Inc. d/b/a Denny's to have lunch. They allege that before they passed through the vestibule of the restaurant, they were met by a Caucasian employee, who denied them entry by creating an excuse that the lights in the restaurant were flickering due to a supposed power outage. They allege that they were not given the option to be seated and were not told that there would merely be a delay in service. Rather, they were told they could not be served due to the power issues. They allege that the claim of flickering lights was a pretextual excuse to refuse service due to their race. They allege that as they left Co-

Respondent, they witnessed numerous Caucasians dining in the restaurant and observed the lights functioning normally.

The Complainants allege that they needed to use the restroom and went back inside, where they were closely monitored by the staff. They allege that they noticed that Caucasian patrons were receiving polite and orderly service, and they did not observe any supposed flickering lights or power outage. They allege that business was being conducted as usual, Caucasian customers were enjoying their meals, the staff was bustling efficiently, and the ambiance was perfectly normal, with no lighting issues. They allege that Kirnon began recording a video inside Co-Respondent, which showed no flickering lights or any other disruption from normal restaurant functions.

The Complainants allege that after the uproar sparked by the video being posted on social media, on January 19, 2024, Chioke Elmore, vice president of Respondent Denny's Inc. et al, reached out to Kirnon and offered a free meal to remedy the discrimination. They allege that Elmore stated, "I look like you and I wouldn't want to work here if they didn't want people like us to eat here." They allege that Kirnon rejected the offer of a free meal as suitable compensation for suffering humiliating discrimination.

The Complainants allege that Respondent and Co-Respondent discriminated against them by refusing to serve them due to their protected class.

III. SUMMARY OF DEFENSE

Respondent (Denny's, Inc.) agrees that the Complainants entered the Bloomsburg location on January 14, 2024. Respondent states that it is not the owner, lessee, proprietor, manager, or superintendent of the Bloomsburg restaurant. Respondent states that it does not control the employees of Gils Bloomsburg, Inc. and it does not exercise any agency, authority, or control over the day-to-day operations. Respondent states that it lacks direct knowledge of the conduct that allegedly occurred at the Bloomsburg restaurant. Respondent denies that the Complainants were treated differently due to their race. Respondent admits that an employee of Co-Respondent spoke to the Complainants and explained that the restaurant was experiencing power issues, that she could still serve the Complainants but there would be a delay. Respondent denies that they were told that they could not or would not be served. Respondent states that Kirnon stated on a video taken contemporaneous with the events, they were told that their order could not be taken "right now" due to the power issues: "We walked to the first door and the lady ran to the second door. And she was like, oh, we can't take your – any order right now because the lights are flickering. And I'm just like, okay. And I'm like, you know what, we do need to use the bathroom." Respondent admits that the Complainants left the restaurant after their conversation with the employee, returned a short time later, used the facilities, walked through the restaurant, and interacted with at least two employees of Co-Respondent, neither of whom asked them to leave or restricted their use or enjoyment of the restaurant. Respondent states that after

reasonable investigation, it lacks knowledge or information sufficient to form a belief as to the truth of the allegations regarding the conduct of employees of Co-Respondent.

Co-Respondent (Gils Bloomsburg) admits that the Complainants entered its location on January 14, 2024, around 2:30 pm but denies that the Complainants were refused seating. Co-Respondent states that the employees informed the Complainants that they could still be seated and merely informed them that electrical issues would cause service delays. Co-Respondent states that electrical issues, while not immediately visible to the Complainants, had been occurring all day, causing service delays due to flickering lights and issues with its register computer. Co-Respondent denies that Complainants were “closely monitored” when using the restaurant bathroom. Co-Respondent admits that the Complainants began recording a video of the restaurant. Co-Respondent states it is without knowledge sufficient to form a belief regarding the Complainants’ allegations that an employee of Denny’s Inc. contacted Kirnon and offered her a free meal. Co-Respondent denies that the Complainants were discriminated against. Co-Respondent states that the Complainants were welcome to use its restrooms and did. Co-Respondent states that the Complainants refused to be served.

IV. CLAIMS PRESENTED

Complainant alleges the following acts of harm:

- A. Service Denied due to Race

V. FINDINGS OF FACT AND CONCLUSIONS OF LAW

- A. Service Denied due to Race

1. Complainants are members of the protected class, race (African American).
2. Respondent Denny’s Inc. is a franchisor, and Co-Respondent Gils Bloomsburg is its franchisee. The Franchise Agreement provides that the franchisee, Gils Bloomsburg, is not for any purpose an employee or agent of the franchisor, Denny’s Inc.
3. Denny’s Inc. has no authority or control over the employees or daily operations of franchisee Gils Bloomsburg.
4. Denny’s Inc. cannot be held liable for the acts of Gils Bloomsburg.
5. Co-Respondent Gils Bloomsburg is a public accommodation that serves the general public, and Complainants attempted to get service at Co-Respondent’s business location.
6. Co-Respondent uses the location as a Commercial Property.
7. Complainants allege that on January 14, 2024, Co-Respondent refused to sit or serve them, due to their protected class.
8. In an interview with 3 of the 5 Complainants, they stated when they got to the door, the employee met them at the door and told them that she could not take them because the lights were flickering. They were not given the option to sit down, they were not asked if they had cash and were not told it would be a delay. They stated that only a few minutes

passed between the initial interaction and when they went back to use the restroom. When they came back, they were not stopped at the door. They noticed people eating, people with menus in hand, and people who were waiting either to pick up food or waiting to be seated. Complainants observed that they were the only African American customers in the restaurant.

9. In an interview with 2 of the 5 Complainants, they state they were not present for the initial interaction however, when they entered the restaurant to use the restroom, they observed people eating, people with menus in hand, and people waiting to either be seated, pick up food or order food. Complainants observed that they were the only African American customers in the restaurant.
10. Respondent and Co-Respondent both deny that Complainants were refused service and state the Complainants were only told they would be a delay in taking their order; however, an employee's witness account states the manager told her "to stop them before they come in."
11. There is no video footage of the initial interaction but in the footage provided, when Complainants state they were told they could not be served, Respondent's employees state the lights just came back on but do not at any time offer to seat Complainants.
12. Complainants were never seated or served.
13. In a memo for record dated January 16, 2024, Paige Wright states that the power at the restaurant went out from high winds on Sunday afternoon, which knocked out the computers, making all of them reset. She states that they had a group of ladies about to walk in and Austin (manager for that shift) told her to stop them before they could come in. Wright states that she told them she could still serve them, but it would take a minute for the computers to turn on. She stated that she told them, "I can still serve you," and said, "I'm sorry." Wright states the ladies walked away, then came back, went in the bathroom, came out and started recording them.
14. In a memo for record dated January 16, 2024, Christine Foga states that on January 14, 2024, there was a group of women that came in walking around the restaurant video recording everything. She states they came up front and seemed very upset saying that they were told they were not allowed inside due to the lights flickering but at that time the lights were not flickering. Foga states that she apologized to them and tried to explain to them that they were having issues with the power due to the weather that day. She states that she pointed at the one system that was still rebooting and tried telling them that they could stay but they were angry and left. That was the only interaction she had with Complainants.
15. In an email from Austin (LNU) (general manager) to Tim Farrell and Hardy Gill dated January 17, 2024, Austin states that he did not get to have any interaction with customers due to being on the phone with the help desk trying to fix the main register not powering on after the power outage. He stated that he did ask Wright to go address customers to let them know that they would be able to accommodate them, but it would just take time as the systems were down, so they would have been unable to process any food orders for 5-10 minutes until the systems rebooted properly. He states that in no way, shape, or form does he believe anyone that is employed at Co-Respondent would tell them that they were not welcome to eat there.
16. In an email from Complainant Kirnon to Michael Whitacre (regional franchise director), Kirnon states that upon arrival, the Complainants were informed that the restaurant was

not taking any customers due to a power outage, specifically saying that the lights were flickering. She stated that upon walking towards the entrance, the Complainants observed other customers dining inside and no lights were flickering. She states that the only discernible difference between the Complainants and the other patrons was their race.

17. An email from the IT service desk to Co-Respondent dated January 14, 2024 at 1:24pm, shows that a service ticket was created due to the cash station having no power.
18. An IT service ticket report for incident INC3454563 dated January 14, 2024, shows that Co-Respondent reported an issue with register 2 not powering on. The ticket states that they have been monitoring the situation and were aware that register 2 has started to power on since the initial report. Co-Respondent is advised that if they experience any further difficulties with Register 2 not powering on, do not hesitate to call back immediately. The ticket states that the manager on duty confirmed that the register is currently powered on and functioning.
19. An IT service ticket for INC3454891 dated January 14, 2024, shows that Austin reported that the online ordering system was not printing receipts and a service ticket was created.
20. A weather report dated January 14, 2024, shows that a high wind advisory was issued in central and northeast Pennsylvania starting 12:07pm to 5:00pm with wind gusts up to 50 MPH. The advisory states that strong winds with gusts up to 50 MPH are expected throughout Sunday and expect objects outside to be blown around. High-profile vehicles may experience issues when exposed to strong winds.
21. An alert from the National Weather Service dated January 14, 2024, shows that a wind advisory was issued where strong winds were expected within the area. It states that gusty winds could blow around unsecured objects, tree limbs could be blown down, and a few power outages may occur. The advisory states that strong winds will be along and just behind an arctic cold frontal boundary late that morning into the afternoon hours. The advisory states to use extra caution when driving, especially if operating a high-profile vehicle and secure outdoor objects.
22. Video footage shows that red neon block lettered lights appear to be flickering (0.11 of the footage). At 0.40 of the footage, you can see two computer terminals with a blue screen that are in the process of restarting. The Complainants disputed that the lights were flickering. An employee can be heard telling the Complainants that the lights were flickering and just came back on. You can also see the red neon block lettered lights near the server station flickering. The employee again informs them that everything was just coming back on. As the Complainants leave the restaurant, loud winds can be heard in the background of the video. After leaving the restaurant, Kirnon stated, "we got to the first door and the lady ran to the second door and said we can't take any order right now because the lights are flickering."
23. The video footage however shows food on the back counter that appears to have just been prepared and ready to take to customers, indicating the kitchen was operable.
24. The video footage shows customers with food at their tables indicating that in the time prior to Complainant's arrival the restaurant was operating.
25. The video footage shows a male Caucasian at the register area, either checking out or waiting to be seated.
26. The statement from Wright admits Austin told her to "stop them before they come in." This is inconsistent with Co-respondent's version that they only told Complainants there would be a delay as there would be no reason to stop them before they entered the

restaurant and could have relayed this information when they approached the hostess for seating. This explanation also is not consistent with the other witness accounts that they were told they could not come in. Austin's statement provides contradictory information stating he only told staff to tell customers they could be accommodated but there would be a delay. It would not be necessary to stop customers at the door to inform them of a possible delay.

27. To note, the video footage shows no patrons of color in the restaurant at that time.

VI. DETERMINATION

A. Service Denied due to Race – Denny's Inc. et al

WHEREFORE, based on the evidence described above, the Pennsylvania Human Relations Commission concludes that there **is insufficient evidence to establish probable cause** to believe that Respondent, **Denny's Inc. et al**, discriminated against Complainants, Aminique Kirnon, Daniella Bonhomme, Tatiana Poulard, Selina Sacasa, and Quantavia Grant, on the basis of race, in violation of Section **5(i)1** and **5(h)1** of the Pennsylvania Human Relations Act.

B. Service Denied due to Race – Gils Bloomsburg, Inc. d/b/a Denny's

WHEREFORE, based on the evidence described above, the Pennsylvania Human Relations Commission concludes that there **is probable cause** to believe that Respondent **Gils Bloomsburg, Inc. d/b/a Denny's**, discriminated against Complainants, Aminique Kirnon, Daniella Bonhomme, Tatiana Poulard, Selina Sacasa, and Quantavia Grant, on the basis of race, in violation of Section **5(i)1** and **5(h)1** of the Pennsylvania Human Relations Act.

PENNSYLVANIA HUMAN RELATIONS COMMISSION

By: *I'Janaya Young*
I'Janaya Young, Human Relations Representative II

TERMS OF ADJUSTMENT

1. Respondent shall cease and desist from unlawfully discriminating against individuals based on their race or any other protected class covered under the Pennsylvania Human Relations Act and/or any other applicable Federal discrimination laws.
2. Respondent shall fully comply with all provisions found in the Pennsylvania Human Relations Act and shall post and exhibit prominently the Pennsylvania Human Relations Commission's public accommodations practices poster.
3. Respondent shall pay actual damages, including damages caused by embarrassment and humiliation, to Complainants.
4. Respondent shall pay a civil penalty in an amount not exceeding ten thousand dollars (\$10,000.00) if Respondent has not been adjudged to have committed any prior discriminatory practice or in an amount not exceeding twenty-five thousand dollars (\$25,000.00) if Respondent has been adjudged to have committed one other discriminatory practice during the five-year period ending on the date of the order.
5. Respondent shall reimburse the Complainants for any certifiable travel expenses incurred in matters involving the complaint; compensate the Complainants for any loss of work incurred in matters involving the complaint; and reimburse the Complainants for any other verifiable, reasonable out-of-pocket expenses caused by the allegedly unlawful discriminatory practices for which probable cause has been found to exist.
6. Respondent shall provide training to all of its employees, paid or unpaid, that is designed to educate the employees regarding the right of all persons to be treated in a non-discriminatory manner irrespective of their race or any other protected class.



July 14, 2025

Aminique Kirnon
Elefterakis, Elefterakis, & Panek
80 Pine St, 38th Floor
New York, NY 10055

RE: Aminique Kirnon vs. Denny's Inc. et al.
PHRC Case No. 202400382

Dear Aminique,

It has been at least one year since you filed your complaint with the Pennsylvania Human Relations Commission. This is to notify you that you now have the right to bring an action in the appropriate Pennsylvania Court of Common Pleas based on the alleged violations of the PHRAct contained in your Commission complaint. This right is provided under Section 12(c) of the Human Relations Act, 43, P.S. § 962(c).

Please be advised that you are not required to file such an action in the State Court of Common Pleas. The Commission is continuing to process your case, and we will make every effort to resolve it as soon as possible. If we are not notified otherwise, we will assume that you want the Commission to continue handling your case.

If you do file a complaint in a Court of Common Pleas, the Commission will dismiss your complaint. This means that you will be unable to have the Commission decide your case even if your complaint is dismissed in State Court because of a procedural error. Procedural errors may include filing the complaint in State Court in the wrong county or filing in State Court after your time to file has expired. For this reason, you should make every effort to assure that any complaint you file in State Court will be properly filed before you file it.

If you believe you might want to take your case to State Court, we suggest that you consult a private attorney about representing you in that action. This should be done before you file the complaint so that your attorney may advise you on the best course of action for you to take.

Should you file a complaint in State Court, you are required by Section 12(c)(2) of the Pennsylvania Human Relations Act to serve the Human Relations Commission with a copy of the Court complaint. This copy must be served on the Commission at the same time you file it in Court. The copy is to be sent to the investigator assigned to your case.

If you have any questions concerning this matter, please feel free to contact the investigator who is handling your case.

Sincerely,
Enforcement Division
PA Human Relations Commission

cc: Jacqueline Carranza, ESQ
Elefterakis, Elefterakis, & Panek
80 Pine St, 38th Floor
New York, NY 10055



July 14, 2025

Daniella Bonhomme
Elefterakis, Elefterakis, & Panek
80 Pine St, 38th Floor
New York, NY 10055

RE: Daniella Bonhomme vs. Denny's Inc. et al.
PHRC Case No. 202400383

Dear Daniella,

It has been at least one year since you filed your complaint with the Pennsylvania Human Relations Commission. This is to notify you that you now have the right to bring an action in the appropriate Pennsylvania Court of Common Pleas based on the alleged violations of the PHRAAct contained in your Commission complaint. This right is provided under Section 12(c) of the Human Relations Act, 43, P.S. § 962(c).

Please be advised that you are not required to file such an action in the State Court of Common Pleas. The Commission is continuing to process your case, and we will make every effort to resolve it as soon as possible. If we are not notified otherwise, we will assume that you want the Commission to continue handling your case.

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If you have any questions concerning this matter, please feel free to contact the investigator who is handling your case.

Sincerely,
Enforcement Division
PA Human Relations Commission

cc: Jacqueline Carranza, ESQ
Elefterakis, Elefterakis, & Panek
80 Pine St, 38th Floor
New York, NY 10055



July 14, 2025

Quantavia Grant
Elefterakis, Elefterakis, & Panek
80 Pine St, 38th Floor
New York, NY 10055

RE: Quantavia Grant vs. Denny's Inc. et al.
PHRC Case No. 202400386

Dear Quantavia,

It has been at least one year since you filed your complaint with the Pennsylvania Human Relations Commission. This is to notify you that you now have the right to bring an action in the appropriate Pennsylvania Court of Common Pleas based on the alleged violations of the PHRA Act contained in your Commission complaint. This right is provided under Section 12(c) of the Human Relations Act, 43, P.S. § 962(c).

Please be advised that you are not required to file such an action in the State Court of Common Pleas. The Commission is continuing to process your case, and we will make every effort to resolve it as soon as possible. If we are not notified otherwise, we will assume that you want the Commission to continue handling your case.

If you do file a complaint in a Court of Common Pleas, the Commission will dismiss your complaint. This means that you will be unable to have the Commission decide your case even if your complaint is dismissed in State Court because of a procedural error. Procedural errors may include filing the complaint in State Court in the wrong county or filing in State Court after your time to file has expired. For this reason, you should make every effort to assure that any complaint you file in State Court will be properly filed before you file it.

If you believe you might want to take your case to State Court, we suggest that you consult a private attorney about representing you in that action. This should be done before you file the complaint so that your attorney may advise you on the best course of action for you to take.

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If you have any questions concerning this matter, please feel free to contact the investigator who is handling your case.

Sincerely,
Enforcement Division
PA Human Relations Commission

cc: Jacqueline Carranza, ESQ
Elefterakis, Elefterakis, & Panek
80 Pine St, 38th Floor
New York, NY 10055



July 14, 2025

Selina Sacasa
Elefterakis, Elefterakis, & Panek
80 Pine St, 38th Floor
New York, NY 10055

RE: Selina Sacasa vs. Denny's Inc. et al.
PHRC Case No. 202400385

Dear Selina,

It has been at least one year since you filed your complaint with the Pennsylvania Human Relations Commission. This is to notify you that you now have the right to bring an action in the appropriate Pennsylvania Court of Common Pleas based on the alleged violations of the PHRA Act contained in your Commission complaint. This right is provided under Section 12(c) of the Human Relations Act, 43, P.S. § 962(c).

Please be advised that you are not required to file such an action in the State Court of Common Pleas. The Commission is continuing to process your case, and we will make every effort to resolve it as soon as possible. If we are not notified otherwise, we will assume that you want the Commission to continue handling your case.

If you do file a complaint in a Court of Common Pleas, the Commission will dismiss your complaint. This means that you will be unable to have the Commission decide your case even if your complaint is dismissed in State Court because of a procedural error. Procedural errors may include filing the complaint in State Court in the wrong county or filing in State Court after your time to file has expired. For this reason, you should make every effort to assure that any complaint you file in State Court will be properly filed before you file it.

If you believe you might want to take your case to State Court, we suggest that you consult a private attorney about representing you in that action. This should be done before you file the complaint so that your attorney may advise you on the best course of action for you to take.

Should you file a complaint in State Court, you are required by Section 12(c)(2) of the Pennsylvania Human Relations Act to serve the Human Relations Commission with a copy of the Court complaint. This copy must be served on the Commission at the same time you file it in Court. The copy is to be sent to the investigator assigned to your case.

If you have any questions concerning this matter, please feel free to contact the investigator who is handling your case.

Sincerely,
Enforcement Division
PA Human Relations Commission

cc: Jacqueline Carranza, ESQ
Elefterakis, Elefterakis, & Panek
80 Pine St, 38th Floor
New York, NY 10055



July 14, 2025

Tatiana Poulard
Elefterakis, Elefterakis, & Panek
80 Pine St, 38th Floor
New York, NY 10055

RE: Tatiana Poulard vs. Denny's Inc. et al.
PHRC Case No. 202400384

Dear Tatiana,

It has been at least one year since you filed your complaint with the Pennsylvania Human Relations Commission. This is to notify you that you now have the right to bring an action in the appropriate Pennsylvania Court of Common Pleas based on the alleged violations of the PHRAAct contained in your Commission complaint. This right is provided under Section 12(c) of the Human Relations Act, 43, P.S. § 962(c).

Please be advised that you are not required to file such an action in the State Court of Common Pleas. The Commission is continuing to process your case, and we will make every effort to resolve it as soon as possible. If we are not notified otherwise, we will assume that you want the Commission to continue handling your case.

If you do file a complaint in a Court of Common Pleas, the Commission will dismiss your complaint. This means that you will be unable to have the Commission decide your case even if your complaint is dismissed in State Court because of a procedural error. Procedural errors may include filing the complaint in State Court in the wrong county or filing in State Court after your time to file has expired. For this reason, you should make every effort to assure that any complaint you file in State Court will be properly filed before you file it.

If you believe you might want to take your case to State Court, we suggest that you consult a private attorney about representing you in that action. This should be done before you file the complaint so that your attorney may advise you on the best course of action for you to take.

Should you file a complaint in State Court, you are required by Section 12(c)(2) of the Pennsylvania Human Relations Act to serve the Human Relations Commission with a copy of the Court complaint. This copy must be served on the Commission at the same time you file it in Court. The copy is to be sent to the investigator assigned to your case.

If you have any questions concerning this matter, please feel free to contact the investigator who is handling your case.

Sincerely,
Enforcement Division
PA Human Relations Commission

cc: Jacqueline Carranza, ESQ
Elefterakis, Elefterakis, & Panek
80 Pine St, 38th Floor
New York, NY 10055