

IN THE STATE COURT OF GWINNETT COUNTY
STATE OF GEORGIA

NAOMI BLACK

Plaintiff,

vs.

**NORDSTROM, INC., STEPHANIE
COLE, ABC Corporation; JANE DOE 1;
JANE DOE 2; JANE DOE 3,**

Defendants.

**JURY TRIAL DEMANDED
CIVIL ACTION FILE NO.**

26-C-08095-S1

COMPLAINT FOR DAMAGES

COMES NOW Plaintiff Naomi Black, and files this Complaint for Damages against Defendants Nordstrom, Inc., Stephanie Cole, ABC Corporation, Jane Doe 1, Jane Doe 2, and Jane Doe 3, and shows the Court as follows:

This action arises from Plaintiff's unlawful detention at the Nordstrom retail store located at Perimeter Mall in DeKalb County, Georgia, and from Defendants' negligence, negligent training, supervision, and monitoring, false imprisonment, improper merchant detention, and related tortious conduct.

PRELIMINARY STATEMENT

1. Nordstrom, Inc is a leading American luxury fashion retailer recognized for its emphasis on customer service and premium brands.
2. This case arises from Nordstrom's failure to train, supervise, and control its employees in the lawful detention of customers.
3. As a result of those failures, Plaintiff Dr. Naomi Black—an innocent customer—was unlawfully detained while shopping at Nordstrom's Perimeter Mall location on July 19, 2025.

4. Without probable cause, reasonable suspicion, or lawful justification, Nordstrom employees blocked Dr. Black's exit, seized and searched her belongings, forcefully pushed her, and paraded her through multiple levels of Nordstrom to a store office, all while refusing to explain why she was being detained.
5. The detention was deliberate and intimidating, not brief or accidental, and Dr. Black was surrounded by employees and confronted with visible handcuffs that reinforced the threat of physical restraint.
6. Only after detaining and searching Dr. Black did Nordstrom's employees admit that they had "mistaken her for someone else"—an admission confirming that no lawful basis for the detention existed at any point.
7. At all relevant times, the Nordstrom Perimeter Mall store operated under the supervision of Store Manager Stephanie Cole, and Nordstrom's liability arises not only from its employees' conduct but from its systemic failure—through store management and corporate oversight—to properly train, supervise, and control its workforce.
8. As a direct and proximate result of Defendants' conduct, Dr. Black suffered an unlawful loss of liberty, fear, humiliation, and emotional distress, and this action seeks redress for that unlawful detention and for Nordstrom's failure to prevent it.

JURISDICTION AND VENUE

9. This Court has subject matter jurisdiction over this civil action pursuant to the Constitution and laws of the State of Georgia.
10. Plaintiff's claims arise under Georgia statutory and common law, including claims for negligence, negligent training, supervision, and monitoring, false imprisonment, and improper merchant detention.

11. This Court has personal jurisdiction over Defendant Nordstrom, Inc. because Nordstrom is a foreign corporation authorized to transact business in the State of Georgia and conducts business within this State.
12. Venue is proper in Gwinnett County, Georgia, pursuant to O.C.G.A. § 14-2-510, because Defendant Nordstrom, Inc. maintains its registered agent for service of process in Gwinnett County.
13. Venue is further proper in Gwinnett County as to Defendant Stephanie Cole, a citizen of the State of Georgia, because she is properly joined as a defendant and venue is proper as to all defendants where venue is proper as to one defendant.
14. Venue is proper in Gwinnett County as to Defendants Jane Doe 1, Jane Doe 2, and Jane Doe 3 pursuant to O.C.G.A. § 9-10-31, because venue is proper as to Defendant Nordstrom, Inc., and each Doe Defendant is jointly liable with Nordstrom, Inc. for the acts and omissions alleged herein.
15. Venue is proper in Gwinnett County as to Defendant ABC Corporation pursuant to O.C.G.A. § 9-10-31, because venue is proper as to Nordstrom, Inc., and ABC Corporation is jointly liable for the acts and omissions alleged herein.
16. Accordingly, jurisdiction and venue are proper in the State Court of Gwinnett County, Georgia.

PARTIES

17. Plaintiff Dr. Naomi Black is an adult resident of the State of Georgia and was lawfully present at the Nordstrom retail store located at Perimeter Mall in DeKalb County, Georgia at all times relevant to this action.

18. Defendant Nordstrom, Inc. is a foreign for-profit corporation authorized to conduct business in the State of Georgia, including operating the Nordstrom retail store located at Perimeter Mall in DeKalb County, Georgia. Nordstrom may be served through its registered agent for service of process with the Complaint and Summons in Georgia at 2 Sun Court, Suite 400, Peachtree Corners, GA 30092, Gwinnett County, Georgia.
19. Defendant Stephanie Cole is an adult resident of the State of Georgia and, at all relevant times, was employed by Nordstrom, Inc. as the Store Manager of the Nordstrom Perimeter Mall location. Defendant may be served with the Complaint and Summons at 5065 Welwyn Ct, Suwanee, GA 30024.
20. At all relevant times, Defendant Stephanie Cole exercised supervisory authority over Nordstrom employees, was responsible for employee training, supervision, and compliance with Georgia law governing merchant detention, and owed Plaintiff a duty to exercise ordinary care in the performance of those responsibilities.
21. Defendant Jane Doe 1 is an adult individual whose identity is currently unknown to Plaintiff. At all relevant times, Jane Doe 1 was an employee, agent, and/or representative of Nordstrom acting within the course and scope of her employment when she blocked Plaintiff's exit and initiated the unlawful detention described herein.
22. Defendant Jane Doe 2 is an adult individual whose identity is currently unknown to Plaintiff. At all relevant times, Jane Doe 2 was an employee, agent, and/or representative of Nordstrom acting within the course and scope of her employment when she seized and searched Plaintiff's personal property without consent or lawful authority and then assisted in the parading of Plaintiff through Nordstrom to the first-level office.

23. Defendant Jane Doe 3 is an adult individual whose identity is currently unknown to Plaintiff. At all relevant times, Jane Doe 3 was an employee, agent, and/or representative of Nordstrom acting within the course and scope of her employment when she positioned herself in front of Plaintiff and participated in the unlawful detention.
24. Defendant ABC Corporation is an entity whose legal name and structure are currently unknown to Plaintiff. Upon information and belief, ABC Corporation provided personnel, supervision, or loss-prevention services at the Nordstrom Perimeter Mall store and participated in the conduct described herein.
25. At all times relevant to this action, each individual Defendant acted individually and/or as an agent, servant, or employee of Nordstrom, Inc. and/or ABC Corporation, and within the course and scope of such agency or employment.
26. Plaintiff will amend this Complaint pursuant to O.C.G.A. § 9-11-15 to substitute the true names of Jane Doe Defendants and ABC Corporation once their identities are learned through discovery. Plaintiff will amend this Complaint pursuant to O.C.G.A. § 9-11-15(c) to substitute the true names of Jane Doe 1, Jane Doe 2, Jane Doe 3, and ABC Corporation once their identities are learned through discovery.

STATEMENT OF FACTS

A. Nordstrom's Public Commitments to the Customers It Serves

27. Since opening its first store in 1901, Defendant Nordstrom, Inc. has publicly held itself out as a company dedicated to treating its customers fairly and with respect.

28. Nordstrom's publicly available Code of Conduct & Ethics identifies a "safe and inclusive environment for everyone who enters our doors"¹ as a core company value.
29. Nordstrom publicly represents that everyone who enters its stores will be welcomed, respected, and appreciated.²
30. Nordstrom publicly represents that it prohibits discrimination based on race, color, or national origin, or any intimidating, hostile, or offensive treatment³.
31. Nordstrom publicly commits to maintaining a safe environment for its customers and states that it does not tolerate violence, threats, or intimidating behavior directed at customers.⁴
32. Nordstrom instructs its employees that the foundation of its culture is a single governing rule: to exercise good judgment in all situations⁵.

B. Nordstrom's Duty and Failure to Train and Supervise

33. Under Georgia law, a merchant may detain a customer suspected of shoplifting only upon reasonable grounds, conducted in a reasonable manner, and limited to a reasonable length of time.
34. Nordstrom had a duty to train and supervise its employees to comply with these limits on merchant detention and with its own stated commitments to its customers.

¹ *Nordstrom Code of Conduct & Ethics* 5 (Nordstrom, Inc.), <https://press.nordstrom.com/static-files/952f5e64-473c-47c2-a396-3ddb81b303db>

² *Nordstrom Code of Conduct & Ethics* 5 (Nordstrom, Inc.), <https://press.nordstrom.com/static-files/952f5e64-473c-47c2-a396-3ddb81b303db>

³ *Nordstrom Code of Conduct & Ethics* 23 (Nordstrom, Inc.), <https://press.nordstrom.com/static-files/952f5e64-473c-47c2-a396-3ddb81b303db>

⁴ *Nordstrom Code of Conduct & Ethics* 24 (Nordstrom, Inc.), <https://press.nordstrom.com/static-files/952f5e64-473c-47c2-a396-3ddb81b303db>

⁵ *Nordstrom Code of Conduct & Ethics* 5 (Nordstrom, Inc.), <https://press.nordstrom.com/static-files/952f5e64-473c-47c2-a396-3ddb81b303db>

35. At all relevant times, the Nordstrom Perimeter Mall store operated under the supervision and management of Store Manager Stephanie Cole.
36. Defendant Cole was responsible for the training, supervision, and monitoring of the store's employees, including Defendants Jane Doe 1, Jane Doe 2, and Jane Doe 3.
37. Defendant Cole was responsible for ensuring that employees under her supervision were trained to comply with Georgia law governing merchant detention and customer interactions.
38. Nordstrom and Defendant Cole failed to provide adequate training on the lawful limits of detaining customers.
39. Nordstrom and Defendant Cole failed to supervise and monitor employee conduct during customer detentions.
40. These systemic failures created the conditions that made the unlawful detention of an innocent customer foreseeable and, ultimately, inevitable.
41. What happened to Dr. Black was the direct and predictable consequence of Nordstrom's failure to train, supervise, and control its workforce.

C. The Detention of Dr. Naomi Black

42. On July 19, 2025, Plaintiff Dr. Naomi Black entered the Nordstrom retail store located at Perimeter Mall in DeKalb County, Georgia, during normal business hours.
43. Dr. Black was lawfully present in the store and engaged in ordinary shopping activity, including returning an item and purchasing merchandise.
44. As Dr. Black approached the exit, Defendant Jane Doe 1, a Nordstrom employee, stepped directly in front of her and physically blocked her path.
45. Jane Doe 1 stated words to the effect of, "You cannot leave the store."

46. Jane Doe 1 did not identify any reason for preventing Dr. Black from leaving and did not identify any suspected theft or wrongdoing.
47. Defendant Jane Doe 2, another Nordstrom employee, then approached Dr. Black and seized Dr. Black's personal shopping bag from her hand.
48. Jane Doe 2 stated words to the effect of, "You're going to need to come with us."
49. Jane Doe 2 did not state any reason for the detention and did not identify any merchandise allegedly stolen.
50. During the encounter, a Nordstrom employee forcefully shoved Dr. Black.
51. Jane Doe 1 and Jane Doe 2 positioned themselves on either side of Dr. Black, completing a physical perimeter that restrained her freedom of movement.
52. The combined positioning of Jane Doe 1 and Jane Doe 2 prevented Dr. Black from freely leaving the store and entering the mall.
53. Jane Doe 1 and Jane Doe 2 escorted Dr. Black from the exit to the store's office.
54. Jane Doe 2 searched through Dr. Black's personal property without her consent.
55. When Dr. Black asked why she was being detained, the employees declined to respond.
56. Throughout the encounter, the employees refused to explain why Dr. Black was being detained or what conduct allegedly justified the stop.
57. Defendant Jane Doe 3 entered the office, stood against the wall, and did not identify herself.
58. During the detention, handcuffs were visible within Dr. Black's line of sight.
59. The visible handcuffs escalated the encounter and reinforced the threat of physical restraint, despite the absence of any lawful basis for the detention.
60. The detention was not brief, accidental, or justified; it was deliberate, intimidating, and unsupported by any reasonable suspicion of theft or wrongdoing.

61. No Nordstrom employee informed Dr. Black that she was free to leave.
62. No Nordstrom employee articulated probable cause or reasonable suspicion that Dr. Black had committed or attempted to commit theft.
63. After detaining Dr. Black and searching her belongings, Nordstrom employees admitted that they had “mistaken her for someone else.”
64. Dr. Black was then permitted to leave the store without citation, arrest, or accusation of wrongdoing.
65. The manner in which Nordstrom’s employees detained Dr. Black stood in direct contradiction to Nordstrom’s public commitments to treat every customer with respect and to maintain a safe, welcoming environment free from intimidation.

D. Resulting Harm

66. As a result of being blocked from leaving, surrounded by employees, forcefully shoved, and subjected to a non-consensual search, Dr. Black experienced an involuntary restraint of her freedom of movement.
67. The detention caused Dr. Black fear, humiliation, and emotional distress.
68. Dr. Black continues to experience emotional and psychological effects resulting from the incident.
69. Dr. Black was diagnosed with Acute PTSD.

COUNT I

Negligence

(Against Nordstrom, Inc., Stephanie Cole, Jane Doe 1, Jane Doe 2, Jane Doe 3, and ABC Corporation)

70. Plaintiff realleges and incorporates by reference Paragraphs 1 through 2, 18 through 24, and 32 through 69 of this Complaint as if fully set forth herein.

71. To recover for injuries caused by another's negligence, a plaintiff must establish four elements: "(1) a legal duty; (2) breach of that duty; (3) a causal connection between the defendant's conduct and the plaintiff's injury; and (4) damages." *Johnson v. Am. Nat'l Red Cross*, 276 Ga. 270, 272 (2003). Under O.C.G.A. § 51-1-2, ordinary diligence is the degree of care which is exercised by ordinarily prudent persons under the same or similar circumstances.
72. At all times relevant to this action, Defendants Nordstrom, Inc., Stephanie Cole, and ABC Corporation owed Plaintiff a duty to exercise ordinary diligence in the operation of the Nordstrom Perimeter Mall store and in interactions with customers lawfully present on the premises.
73. That duty included the obligation to ensure that employees interacting with customers were properly trained, supervised, and monitored so as to prevent unlawful detentions, unauthorized searches, and unreasonable restraints on a customer's freedom of movement.
74. Defendant Stephanie Cole, as Store Manager of the Nordstrom Perimeter Mall location, owed Plaintiff a duty under O.C.G.A. §§ 51-1-2 and 51-1-6 to exercise ordinary care in the training, supervision, and monitoring of employees under her authority, including Defendants Jane Doe 1, Jane Doe 2, and Jane Doe 3.
75. Defendants Nordstrom, Inc. and ABC Corporation owed Plaintiff a duty under O.C.G.A. §§ 51-1-2 and 51-1-6 to exercise ordinary care in establishing, implementing, and enforcing policies and practices governing customer interactions and loss-prevention activities.

76. Defendants breached their duties of ordinary care by failing to ensure that employees were adequately trained and supervised to understand and comply with the lawful limits of customer detention.
77. As a result of these breaches, Plaintiff was detained without lawful justification, prevented from leaving the store, and subjected to an unauthorized search of her personal property, as described in the Statement of Facts.
78. The injuries suffered by Plaintiff were the natural and foreseeable consequence of Defendants' failure to exercise ordinary care in the training, supervision, and management of employees tasked with interacting with customers.
79. At all times relevant, Defendants Jane Doe 1, Jane Doe 2, and Jane Doe 3 were acting within the course and scope of their employment and under the supervision and control of Defendants Nordstrom, Inc., Stephanie Cole, and/or ABC Corporation.
80. As a direct and proximate result of Defendants' negligence, Plaintiff suffered loss of liberty, emotional distress, and other damages as alleged herein.
81. Defendants Nordstrom, Inc., Stephanie Cole, Jane Doe 1, Jane Doe 2, Jane Doe and ABC Corporation are liable to Plaintiff for all damages proximately caused by their negligence.

COUNT II

False Imprisonment (Against Jane Doe 1, Jane Doe 2, and Jane Doe 3)

82. Plaintiff realleges and incorporates by reference Paragraphs 19 through 24, 41 through 64, and 66 through 69 of this Complaint as if fully set forth herein.
83. Under O.C.G.A. § 51-7-20, false imprisonment consists of the unlawful detention of the person of another, for any length of time, whereby such person is deprived of her personal

liberty. A detention need not consist of physical restraint; it may arise from words, acts, or gestures that induce a reasonable apprehension that force will be used if the plaintiff does not submit and that operate upon the will of the person threatened. *Kemp v. Rouse-Atlanta, Inc.*, 207 Ga. App. 876; *Wallace v. Stringer*, 250 Ga. App. 850; *Fields v. Kroger Co.*, 202 Ga. App. 475. The only essential elements of the claim are the detention and its unlawfulness; malice and the want of probable cause need not be shown. *Ferrell v. Mikula*, 295 Ga. App. 326.

84. Under O.C.G.A. § 51-7-60, a merchant or merchant's employee may detain a person suspected of shoplifting only when the detention is supported by reasonable grounds, conducted in a reasonable manner, and limited to a reasonable length of time. The merchant's limited privilege to detain derives from O.C.G.A. § 17-4-80, which authorizes a private person who owns or operates a retail establishment to detain an individual only upon reasonable grounds to believe the individual has committed or attempted to commit theft by shoplifting, permits only such force as is reasonable and necessary to effect the detention, and requires that the individual be released or that law enforcement be contacted within a reasonable time.

85. At all times relevant to this action, Defendants Jane Doe 1, Jane Doe 2, and Jane Doe 3 detained Plaintiff and deprived her of her freedom of movement.

86. Defendant Jane Doe 1 detained Plaintiff by physically blocking her exit and preventing her from leaving the store.

87. Defendant Jane Doe 2 detained Plaintiff by seizing Plaintiff's personal property, directing Plaintiff to accompany her, and searching Plaintiff's belongings without consent.

88. Defendant Jane Doe 3 detained Plaintiff by positioning herself against the wall during the search and participating in the physical containment that restrained Plaintiff's movement.
89. Defendants lacked reasonable grounds to detain Plaintiff, as Plaintiff did not engage in any conduct reasonably suggesting theft or attempted theft.
90. The detention was conducted in an unreasonable manner, including surrounding Plaintiff with multiple employees, refusing to explain the basis for the detention, seizing and searching Plaintiff's personal property, and maintaining a physical perimeter that prevented Plaintiff from leaving. Because no lawful basis for the detention existed, any use of force against Plaintiff was unauthorized, and the forceful shoving of Plaintiff exceeded the reasonable force permitted under O.C.G.A. § 17-4-80 even where a detention is authorized.
91. The detention was not limited to a reasonable length of time, as Plaintiff was restrained until employees completed an unauthorized search and ultimately admitted that Plaintiff had been "mistaken for someone else."
92. Because Defendants failed to satisfy the statutory requirements of reasonable grounds, reasonable manner, and reasonable duration, the detention was unlawful.
93. Plaintiff was aware of the detention, did not consent to it, and reasonably believed she was not free to leave.
94. As a direct and proximate result of Defendants' unlawful detention, Plaintiff suffered loss of liberty, fear, humiliation, and emotional distress.
95. Defendants Jane Doe 1, Jane Doe 2, and Jane Doe 3 are liable to Plaintiff for false imprisonment under Georgia law.

COUNT III

Negligent Training, Supervision, and Monitoring (Against Nordstrom, Inc., Stephanie Cole, and ABC Corporation)

96. Plaintiff realleges and incorporates by reference Paragraphs 1 through 3, 18 through 24, and 26 through 69 of this Complaint as if fully set forth herein.
97. Nordstrom's own publicly stated values and Code of Conduct & Ethics—including its commitments to treat every customer with respect, to maintain a safe and welcoming environment for everyone who enters its stores, and to prohibit intimidating conduct toward customers—reflect the standard of care Nordstrom held itself out as meeting and underscore Nordstrom's duty to train and supervise its employees in the lawful treatment and detention of customers.
98. Under O.C.G.A. §§ 51-1-2 and 51-1-6, Defendants owed Plaintiff a duty to exercise ordinary care in the training, supervision, and monitoring of employees assigned to interact with customers and to engage in loss-prevention activities. Georgia law recognizes that an employer may be liable for negligent supervision and training when it knew, or in the exercise of ordinary care should have known, of the need to control or properly supervise its employees to prevent the type of harm suffered by Plaintiff. *Munroe v. Universal Health Servs., Inc.*, 277 Ga. 861, 863–64.
99. Defendant Nordstrom, Inc. had a duty to establish and enforce reasonable policies and procedures governing customer detention and to ensure that employees were trained to comply with Georgia law.
100. Defendant Stephanie Cole, as Store Manager of the Nordstrom Perimeter Mall location, had direct responsibility for the training, supervision, and monitoring of employees under her authority, including Defendants Jane Doe 1, Jane Doe 2, and Jane Doe 3.

101. Defendant ABC Corporation, to the extent it provided personnel, supervision, or loss-prevention services at the Nordstrom Perimeter Mall store, likewise owed Plaintiff a duty to exercise ordinary care in the training and supervision of its agents and employees.
102. Defendants breached their duties by failing to adequately train employees regarding the lawful limits of customer detention and by failing to supervise and monitor employee conduct during customer encounters.
103. As a result of these failures, Defendants Jane Doe 1, Jane Doe 2, and Jane Doe 3 detained Plaintiff without lawful justification, restrained her freedom of movement, and searched her personal property without consent, as described in the Statement of Facts.
104. Defendants knew or, in the exercise of ordinary care, should have known that inadequate training and supervision of employees tasked with loss-prevention and customer interactions would likely result in unlawful detentions and harm to customers.
105. The harm suffered by Plaintiff was a foreseeable result of Defendants' negligent training, supervision, and monitoring of employees.
106. At all times relevant, Defendants Jane Doe 1, Jane Doe 2, and Jane Doe 3 were acting within the course and scope of their employment and under the supervision and control of Defendants Nordstrom, Inc., Stephanie Cole, and/or ABC Corporation.
107. As a direct and proximate result of Defendants' negligent training, supervision, and monitoring, Plaintiff suffered loss of liberty, emotional distress, and other damages as alleged herein.
108. Defendants Nordstrom, Inc., Stephanie Cole, and ABC Corporation are liable to Plaintiff for all damages proximately caused by their negligent training, supervision, and monitoring.

COUNT IV

*Vicarious Liability/Respondeat Superior
(Against Nordstrom, Inc. and ABC Corporation)*

109. Plaintiff realleges and incorporates by reference Paragraphs 1 through 2, 18 through 24, and 41 through 64 of this Complaint as if fully set forth herein.
110. At all times relevant to this action, Defendants Jane Doe 1, Jane Doe 2, and Jane Doe 3 were employees, agents, and/or representatives of Defendant Nordstrom, Inc. and/or Defendant ABC Corporation.
111. At all times relevant, Defendants Jane Doe 1, Jane Doe 2, and Jane Doe 3 were acting within the course and scope of their employment and in furtherance of the business of Nordstrom, Inc. and/or ABC Corporation.
112. The acts and omissions of Defendants Jane Doe 1, Jane Doe 2, and Jane Doe 3 described herein—including blocking Plaintiff’s exit, detaining Plaintiff without lawful justification, seizing and searching Plaintiff’s personal property, and preventing Plaintiff from leaving—were undertaken while performing job-related duties assigned by their employers.
113. Defendant Stephanie Cole, as Store Manager of the Nordstrom Perimeter Mall location, exercised supervisory authority over Defendants Jane Doe 1, Jane Doe 2, and Jane Doe 3 at all relevant times.
114. Under O.C.G.A. § 51-2-2, an employer is liable for the tortious acts of its employees committed within the course and scope of their employment. To establish respondeat superior liability, the employee must have been acting both in furtherance of the employer’s business and within the scope of employment. *Piedmont Hosp., Inc. v. Palladino*, 276 Ga. 612, 613 (2003).

115. Accordingly, Defendant Nordstrom, Inc. is vicariously liable for the acts and omissions of Defendants Jane Doe 1, Jane Doe 2, and Jane Doe 3.

116. Defendant ABC Corporation is likewise vicariously liable for the acts and omissions of its agents, servants, and/or employees who participated in or contributed to the unlawful detention of Plaintiff.

117. As a direct and proximate result of the conduct of Defendants Jane Doe 1, Jane Doe 2, and Jane Doe 3, for which Nordstrom, Inc. and ABC Corporation are legally responsible, Plaintiff suffered loss of liberty, emotional distress, and other damages as alleged herein.

COUNT V

Improper Merchant Detention (Against Nordstrom, Inc. and ABC Corporation)

118. Plaintiff realleges and incorporates by reference Paragraphs 16, 19 through 24, and 32 through 69 of this Complaint as if fully set forth herein.

119. Under O.C.G.A. § 51-7-60, a merchant or merchant's employee is permitted to detain a person suspected of shoplifting only when all of the following conditions are satisfied:

- a. The detention is supported by reasonable grounds;
- b. The detention is conducted in a reasonable manner; and
- c. The detention is limited to a reasonable length of time.

120. Defendant Nordstrom, Inc., through its employees and agents, detained Plaintiff while she was lawfully present in its Perimeter Mall store.

121. Defendant ABC Corporation, to the extent it provided personnel, supervision, or loss-prevention services at the Nordstrom Perimeter Mall location, participated in or contributed to the detention of Plaintiff through its agents and employees.

122. The detention of Plaintiff was not supported by reasonable grounds, as Plaintiff did not engage in any conduct reasonably suggesting shoplifting or attempted shoplifting. No anti-shoplifting or inventory-control device was activated by Plaintiff's exit from the store or from any protected area within it, and therefore no statutory basis for reasonable cause to detain arose under O.C.G.A. § 51-7-61.
123. The detention of Plaintiff was not conducted in a reasonable manner, including but not limited to blocking Plaintiff's exit, surrounding her with multiple employees, seizing and searching her personal property without explanation, and preventing her from leaving the store.
124. The detention of Plaintiff was not limited to a reasonable length of time, as Plaintiff was restrained until employees completed an unauthorized search of her belongings and admitted that Plaintiff had been "mistaken for someone else."
125. Because Defendants failed to satisfy the statutory requirements of reasonable grounds, reasonable manner, and reasonable duration, the detention of Plaintiff was unlawful under O.C.G.A. § 51-7-60. Although O.C.G.A. § 51-7-60 is framed in the disjunctive, it is construed in the conjunctive, so that a merchant invoking its protection must establish both that the initial decision to detain was supported by reasonable grounds and that the manner and length of the detention were reasonable; because Defendants can establish neither, they are not entitled to the qualified immunity the statute affords. *K Mart Corp. v. Adamson*, 192 Ga. App. 884; *Carnegay v. WalMart Stores, Inc.*, 353 Ga. App. 656.
126. As a direct and proximate result of Defendants' violation of Georgia's merchant-detention statute, Plaintiff suffered loss of liberty, emotional distress, and other damages as alleged herein.

127. Defendants Nordstrom, Inc. and ABC Corporation are liable to Plaintiff for damages resulting from the improper merchant detention.

COUNT VI
Punitive Damages
(Against All Defendants)

128. Plaintiff realleges and incorporates by reference Paragraphs 1 through 7, 16 through 25, and 26 through 69 of this Complaint as if fully set forth herein.

129. Under O.C.G.A. § 51-12-5.1, punitive damages may be awarded in tort actions where the defendant's actions show willful misconduct, malice, fraud, wantonness, oppression, or an entire want of care that raises the presumption of conscious indifference to consequences.

130. The conduct of Defendants Jane Doe 1, Jane Doe 2, and Jane Doe 3 in detaining Plaintiff without reasonable grounds, in an unreasonable manner, and for an unreasonable length of time demonstrates an entire want of care and a conscious indifference to Plaintiff's rights and freedom of movement.

131. Defendants Nordstrom, Inc. and ABC Corporation, through their agents and employees and through the training, supervision, and monitoring practices described herein, authorized, tolerated, or allowed the conduct giving rise to Plaintiff's unlawful detention.

132. Defendant Stephanie Cole, as Store Manager, exercised responsibility over employee training, supervision, and monitoring and failed to prevent the conduct that resulted in Plaintiff's unlawful detention.

133. The detention of Plaintiff, followed by the admission that she had been "mistaken for someone else," reflects conduct undertaken without regard to the foreseeable consequences to an innocent customer.

134. The conduct described herein was not the result of mere negligence, but reflects willful misconduct, wantonness, oppression, or an entire want of care sufficient to support an award of punitive damages.

135. An award of punitive damages is necessary and appropriate to punish Defendants for their conduct and to deter similar misconduct in the future.

136. Plaintiff seeks punitive damages in an amount to be determined by the enlightened conscience of a fair and impartial jury, consistent with O.C.G.A. § 51-12-5.1.

COUNT VII

Attorney's Fees and Expenses

(O.C.G.A. § 13-6-11 — Against All Defendants)

137. Plaintiff realleges and incorporates by reference Paragraphs 1 through 137 of this Complaint as if fully set forth herein.

138. Defendants acted in bad faith by unlawfully detaining Plaintiff without reasonable grounds, in an unreasonable manner, and for an unreasonable length of time, as described herein.

139. Defendants have been stubbornly litigious by failing to acknowledge responsibility for the unlawful detention and by forcing Plaintiff to pursue this action to obtain redress for clear violations of her rights.

140. Defendants have caused Plaintiff unnecessary trouble and expense by subjecting her to an unlawful detention and compelling her to incur attorney's fees and litigation costs to vindicate her rights.

141. Plaintiff is entitled to recover her reasonable attorney's fees and expenses of litigation incurred in prosecuting this action pursuant to O.C.G.A. § 13-6-11.

DAMAGES

142. Plaintiff realleges and incorporates by reference Paragraphs 1 through 143 of this Complaint as if fully set forth herein.

A. Loss of Liberty

143. The deprivation of Plaintiff's liberty, even for a short period of time, constitutes a compensable injury under Georgia law and entitles her to damages for the wrongful restraint of her physical freedom.

B. Emotional and Psychological Damages

144. As a direct and proximate result of the unlawful detention, Plaintiff suffered emotional distress, including fear, humiliation, anxiety, and emotional upset.

145. The emotional harm suffered by Plaintiff was a foreseeable consequence of being unlawfully detained, physically constrained, and subjected to an unauthorized search of her personal property.

146. Plaintiff has suffered continued anxiety, emotional vulnerability, loss of confidence in her personal safety, and diminished comfort in public retail environments as a result of Defendants' conduct.

C. General Damages

147. Plaintiff is entitled to recover general damages for the mental pain and suffering, humiliation, embarrassment, and loss of dignity caused by Defendants' conduct.

148. Plaintiff's damages include compensation for the natural and probable consequences of the unlawful detention, as determined by the enlightened conscience of a fair and impartial jury.

D. Special and Future Damages

149. Plaintiff has incurred, and may continue to incur, special damages, including expenses related to counseling, therapy, or other treatment necessitated by the emotional harm caused by the incident.

150. Plaintiff is entitled to recover future damages for emotional distress and mental anguish that she is reasonably certain to experience as a result of Defendants' conduct.

E. Loss of Enjoyment of Life

151. Plaintiff is further entitled to damages for loss of enjoyment of life, including the reduced ability to feel safe and secure in public spaces and retail establishments.

F. Punitive Damages

152. Plaintiff seeks punitive damages as set forth in Count VI, to punish Defendants for their conduct and to deter similar misconduct in the future, pursuant to O.C.G.A. § 51-12-5.1.

G. All Damages Permitted by Law

153. Plaintiff seeks recovery of all damages permitted under Georgia law arising from Defendants' negligence, negligent training and supervision, false imprisonment, and improper merchant detention.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff Dr. Naomi Black respectfully requests that this Court enter judgment in her favor and against Defendants, and that the Court award the following relief:

- a. Trial by Jury. That all issues so triable be submitted to a jury of her peers;
- b. General Damages. That Plaintiff be awarded general damages in an amount to be determined by the enlightened conscience of a fair and impartial jury for the loss of liberty, emotional pain, suffering, humiliation, mental anguish, and loss of enjoyment of life described in Paragraphs 145–154;
- c. Special Damages. That Plaintiff be awarded special damages, including but not limited to costs of psychological counseling, therapy, and related medical expenses proximately caused by Defendants' conduct;
- d. Future Damages. That Plaintiff be allowed to recover all future damages reasonably certain to be incurred as a result of Defendants' wrongful actions;
- e. Statutory Damages. That Plaintiff be awarded damages available under Georgia's improper merchant detention statute, O.C.G.A. § 51-7-60 et seq.;
- f. Punitive Damages. That Plaintiff be awarded punitive damages pursuant to O.C.G.A. § 51-12-5.1, in an amount sufficient to punish Defendants and deter similar misconduct in the future;
- g. Attorney's Fees and Expenses. That Plaintiff be awarded attorney's fees and expenses of litigation pursuant to O.C.G.A. § 13-6-11 due to Defendants' bad faith, stubborn litigiousness, and unnecessary trouble and expense caused to Plaintiff;
- h. Costs. That all costs of this action be taxed to Defendants; and

- i. Such Other Relief. That Plaintiff be awarded such other and further relief as the Court deems just and proper under the laws of the State of Georgia.

Respectfully submitted this 17th day of July, 2026.

/s/ Mawuli M. Davis
MAWULI M. DAVIS
Georgia Bar No. 212029
CANDACE L. ATLAS
Georgia Bar No. 631740
Attorneys for Plaintiff

DAVIS BOZEMAN LAW FIRM, P.C.
4153 – C Flat Shoals Parkway, Suite 332
Decatur, Georgia 30034
(404) 244-2004 – Office
(404) 244-2020 – Facsimile
mdavis@davisbozemanlaw.com
catlas@davisbozemanlaw.com

**IN THE STATE COURT OF GWINNETT COUNTY
STATE OF GEORGIA**

NAOMI BLACK

Plaintiff,

vs.

**NORDSTROM, INC., STEPHANIE
COLE, ABC Corporation; JANE DOE 1;
JANE DOE 2; JANE DOE 3,**

Defendants.

**JURY TRIAL DEMANDED
CIVIL ACTION FILE NO.**

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this date, I electronically filed the foregoing COMPLAINT FOR DAMAGES with the Clerk of Court using the CM/ECF system, which will automatically send e-mail notification of such filing to the attorneys of record and/or by mailing true and correct copies thereof to all parties, in envelopes properly addressed and adequate postage affixed, upon the following:

Respectfully submitted this 17th day of July, 2026.

/s/ Mawuli M. Davis
MAWULI M. DAVIS
Georgia Bar No. 212029
CANDACE L. ATLAS
Georgia Bar No.: 631740
Attorneys for Plaintiff

DAVIS BOZEMAN LAW FIRM, P.C.
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Decatur, Georgia 30034
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