

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
KNOXVILLE DIVISION

TAMMY DAWN WALLER,

Plaintiff,

v.

Civil Action No. _____

JURY TRIAL DEMANDED

COPPER CELLAR CORPORATION and

MICHAEL CHASE, individually and in his official capacity

as President, and Owner of Copper Cellar Corporation,

Defendants.

COMPLAINT

Tammy Dawn Waller ("Plaintiff"), by and through undersigned counsel, and for her Complaint against Copper Cellar Corporation ("Defendant" or "the Company") and Defendant OWNER MICHAEL CHASE, individually and in his official capacity as President, and Owner of Copper Cellar Corporation ("Defendant OWNER MICHAEL CHASE") (collectively, "Defendants"), states and alleges as follows:

I. NATURE OF THE ACTION

1. This is a civil action for damages brought by Plaintiff, a biracial (Black/Brown) female against Defendant Copper Cellar, and Defendant Michael Chase arising from a racially hostile work environment and race discrimination in the making, performance,

modification of her employment contract and in the terms, conditions, and privileges of that employment relationship, in violation of 42 U.S.C. § 1981, as amended by the Civil Rights Act of 1991, and the Tennessee Human Rights Act, Tenn. Code Ann. § 4-21-101, et seq. ("THRA").

2. Plaintiff dedicated approximately forty (40) years of her career to Defendant Copper Cellar Corporation. On or about September 22, 2025, Defendant OWNER MICHAEL CHASE, the President, Chief Executive Officer, and Owner of Defendant Copper Cellar, a white male, verbally accosted Plaintiff in front of numerous co-workers and subordinates, making explicitly race-based statements, including telling Plaintiff that other employees or patrons "don't like you here, you're black," immediately followed by a demand that Plaintiff be taken "off my payroll," and further followed by demeaning remarks about Plaintiff's weight and her husband's weight.
3. This conduct, committed personally by Defendant OWNER MICHAEL CHASE, the highest-ranking officer and owner of the Company, was severe and pervasive, was based on Plaintiff's race and color, unreasonably interfered with Plaintiff's ability to perform her job, and altered the terms and conditions of her employment, causing Plaintiff to leave the workplace in humiliation and distress. Defendant OWNER MICHAEL CHASE is sued individually because he personally and intentionally engaged in the discriminatory conduct described herein and is properly held liable in his individual capacity under 42 U.S.C. § 1981, in addition to Defendant Copper Cellar's liability for his conduct.

II. JURISDICTION AND VENUE

4. This Court has federal question jurisdiction over Plaintiff's 42 U.S.C. § 1981 claim pursuant to 28 U.S.C. §§ 1331 and 1343(a)(4).
5. This Court has supplemental jurisdiction over Plaintiff's state-law claim under the Tennessee Human Rights Act pursuant to 28 U.S.C. § 1367(a), Intentional Infliction of Emotional Distress and Negligent Infliction of Emotional Distress because those claims arise from the same case or controversy and the same common nucleus of operative fact as Plaintiff's federal claim.
6. Venue is proper in this District pursuant to 28 U.S.C. § 1391(b) because Defendant Copper Cellar conducts business within the Eastern District of Tennessee where it owns and operates approximately 21 companies under the Copper Cellar Corporation umbrella, and a substantial part of the events or omissions giving rise to Plaintiff's claims occurred within this District, including in Knox County, Tennessee.

III. PARTIES

7. Plaintiff, Tammy Dawn Waller, is a natural person and a citizen and resident of Knoxville, Tennessee, within this District. At all times relevant to this Complaint, Plaintiff was an employee of Defendant employer (Copper Cellar Corporation) within the meaning of 42 U.S.C. § 1981 and the THRA.
8. Defendant Copper Cellar Corporation is a for profit corporation authorized to do and doing business in the State of Tennessee, with operations including at least one restaurant location in Knoxville, Tennessee, within this District. At all times relevant to this Complaint,

Defendant Copper Cellar employed more than five hundred (500) employees and was Plaintiff's Copper Cellar employer within the meaning of 42 U.S.C. § 1981 and the THRA. The principal address for Defendant Copper Cellar Corporation is in Tennessee and is located at 3001 Industrial Parkway E., Knoxville, TN 37921. The registered agent for Defendant Copper Cellar Corporation is Michael Chase, 3001 Industrial Parkway E., Knoxville, TN 37921.

9. Defendant OWNER MICHAEL CHASE (aka Mike Chase), a white male, is, upon information and belief, a citizen and resident of Tennessee, and at all times relevant to this Complaint was the President, Chief Executive Officer, and Owner of Defendant Copper Cellar Corporation. He also works for the Copper Cellar Corporation. Defendant OWNER MICHAEL CHASE exercised final authority and control over Plaintiff's employment, including the terms and conditions thereof, and personally participated in, directed, and committed the discriminatory conduct alleged in this Complaint. Defendant OWNER MICHAEL CHASE is sued individually and in his official capacity. He can be served at his address as the registered agent for Defendant Copper Cellar Corporation at, 3001 Industrial Parkway E., Knoxville, TN 37921.

IV. PROCEDURAL PREREQUISITES

10. Plaintiff's claim under 42 U.S.C. § 1981 does not require exhaustion of administrative remedies and is independently timely under the applicable four-year statute of limitations. Plaintiff's THRA claim is timely filed within one (1) year of the last discriminatory act described herein, as extended by any applicable dual-filing or tolling provisions.

11. There are no perquisite filing requirements for Plaintiff's Intentional Infliction of Emotional Distress claim.
12. There are no perquisite filing requirements for Plaintiff's Negligent Infliction of Emotional Distress claim.

V. FACTUAL ALLEGATIONS

13. Plaintiff was employed by Defendant Copper Cellar Corporation, or a predecessor operating under the same corporate ownership and control, for approximately forty (40) years, during which time she served in positions including General Manager of one of Defendant Copper Cellar's flagship restaurant locations in Knoxville, Tennessee, and, more recently, Assistant General Manager at another of Defendant Copper Cellar's locations.
14. On or about Monday, September 22, 2025, at approximately 2:00 p.m., Plaintiff reports to work at one of Defendant Copper Cellar's Knox County restaurant locations. Shortly after arriving, a co-worker (whom Plaintiff supervises) asks Plaintiff for assistance with a customer's check. While assisting the co-worker, Plaintiff observes Defendant OWNER MICHAEL CHASE seated at the bar area.
15. After Plaintiff finishes assisting the co-worker, she turns to find Defendant OWNER MICHAEL CHASE standing in a doorway glaring at her. Defendant OWNER MICHAEL CHASE asks Plaintiff, "What are you doing here?" Plaintiff responds that she was working.
16. Defendant OWNER MICHAEL CHASE then says to Plaintiff, in substance, "They don't like you here, you're black!" Plaintiff responds that she is bi-racial, and further states that she must be liked there because she had been asked to come work at that location.

17. Defendant OWNER MICHAEL CHASE then tells Plaintiff, "Well I need you off my payroll." As Plaintiff attempts to step away, Defendant OWNER MICHAEL CHASE continues, telling Plaintiff, "you're fat, you need to get some weight off you." Plaintiff responds that her husband likes her the way she is. Defendant OWNER MICHAEL CHASE then makes a demeaning remark about the weight of Plaintiff's husband, asking rhetorically whether he needed to lose "25, 50, 100 pounds."
18. This entire exchange occurred in the presence of, and was witnessed by, approximately five to six of Defendant Copper Cellar Corporation other employees, several of whom Plaintiff supervised. Defendant Michael Chase's conduct was directed at Plaintiff openly in front of management and other employees of the Employer Copper Cellar Corporation Defendant. Defendant Chase's outrageous conduct created a hostile work environment.
19. Following the exchange, several witnessing co-workers approached Plaintiff and expressed that she should not have to tolerate such treatment. Plaintiff, attempting to de-escalate the situation, told her co-workers that it was "okay," although she was visibly upset and humiliated.
20. Plaintiff attempts to compose herself and returns to the service area to check on her staff. Defendant OWNER MICHAEL CHASE thereafter approaches Plaintiff again and asks her how long she had worked for him. When Plaintiff responded, "40 years," Defendant OWNER MICHAEL CHASE states, in substance, that he was about to meet with an attorney and might have that attorney speak with Plaintiff.
21. Feeling humiliated, intimidated, and fearing further confrontation, Plaintiff had a co-worker retrieve her purse, and Plaintiff left the workplace. From her vehicle, Plaintiff

contacted, by text message, an Area Director and a General Manager of Defendant Copper Cellar Corporation who were in the office at the time, and reported Defendant OWNER MICHAEL CHASE's conduct and that she was unable to continue working that shift.

22. As Plaintiff prepared to leave the parking lot, another co-worker approached her vehicle, apologized for what the co-worker had witnessed, and told Plaintiff, "I've got your back if you need me." Plaintiff is well regarded among Defendant Copper Cellar Corporation's management and non-management Tammy Dawn Waller, having trained and worked alongside many of them over her decades of service.
23. Plaintiff thereafter telephoned a member of Defendant Copper Cellar's finance department, a personal friend and colleague, who was likewise upset upon learning of the incident and apologized to Plaintiff.
24. As a direct and proximate result of Defendant OWNER MICHAEL CHASE's conduct on September 22, 2025, Plaintiff suffered humiliation, intimidation, embarrassment in front of employees she supervised, and severe emotional distress, and experienced a betrayal of trust after having dedicated her entire adult working career to Defendant Copper Cellar and Defendant Mike Chase.
25. The conduct described above was not an isolated instance of a personality conflict but was a racially motivated act by the individual holding ultimate authority over Plaintiff's employment — the President, OWNER MICHAEL CHASE, and Owner of Defendant Copper Cellar — such that Defendant Copper Cellar Corporation is directly and vicariously liable for his conduct.

26. The hostile work environment created by Defendant OWNER MICHAEL CHASE's conduct was sufficiently severe that it altered the terms, conditions, and privileges of Plaintiff's employment, unreasonably interfered with Plaintiff's ability to do her job, and would have been objectively hostile or abusive to a reasonable person in Plaintiff's position, and was subjectively hostile and abusive to Plaintiff.
27. Upon information and belief, Defendant Copper Cellar Corporation's management, including the Area Director and General Manager whom Plaintiff contacted immediately after the incident, were made aware of Defendant OWNER MICHAEL CHASE's conduct on or about the date it occurred, yet, upon information and belief, Defendant Copper Cellar failed to take prompt and adequate remedial action reasonably calculated to end the harassment and to prevent its recurrence.
28. Defendant MICHAEL CHASE had a habit and routine practice of creating a hostile work environment. Defendant MICHAEL CHASE previously, before harassing the Plaintiff on September 22, 2025, and after the date Plaintiff was harassed; harassed other Copper Cellar Corporation employees. Habitually and routinely Defendant MICHAEL CHASE's pattern was the same: he would get intoxicated, harass or assault one of his employees, proclaim he was the owner of the Copper Cellar Corporation and either expressly state or intimate that there was nothing anyone could do to him because he was the owner and as a result either the Copper Cellar Corporation antidiscrimination policy and as a result; either the Copper Cellar Corporation antidiscrimination policy would not be enforced against him or, alternatively, it would be ineffectively enforced. There have been prior lawsuits and complaints against Michael Chase and the Copper Cellar Corporation for the harassing conduct and hostile work environment caused by Michael Chase's conduct and there has

been a failure to properly stop this conduct. Upper-level managers of the Copper Cellar Corporation have stated although they are aware of inappropriate conduct by Michael Chase, they don't have the ability to do anything about Michael Chase's conduct because he is the owner. Upper-level managers at the Copper Cellar Corporation have admitted that Michael Chase had been advised not to come into some of the Copper Cellar Corporation locations but that he is the owner so he can go into those locations if he chooses and there's nothing they can do. Other specific hostile work environment situations created by Michael Chase which Plaintiff was aware of include but are not limited to:

a. Before September 22, 2025, when Mike Chase racially harassed Plaintiff, in a separate incident, Mike Chase was heard using the N-word while discussing Black People with a white guest (while in a Copper Cellar Corporation restaurant). Upon receiving that report from a Copper Cellar Corporation white employee, the Plaintiff immediately called Rick Eldridge, the Director of Human Resources, and reported it to him. Plaintiff never received any follow up from Mr. Eldridge regarding this incident. Accordingly, Plaintiff alleges either the HR Director failed to enforce the Copper Cellar Corporation anti-discrimination policy or any enforcement of that policy was ineffective. The Copper Cellar Corporation employee who reported the N-Word incident to Plaintiff was a female employee who Mike Chase had repeatedly commented to her about her weight and offered to pay for weight-loss treatment.

b. Upon information and belief, in 2024, the Copper Cellar Corporation owner Michael Chase allegedly caused a hostile work environment and allegedly sexually harassed a female Copper Cellar Corporation employee during her employment. The female employee sued the Copper Cellar Corporation and Mike Chase, individually. The

lawsuit was settled before the trial. Furthermore, upon information and belief there have been multiple other female Copper Cellar Corporation employees who have been harassed and forced to work in a hostile work environment because of inappropriate comments and actions by Michael Chase. There have been prior lawsuits and complaints against Michael Chase regarding his harassment of female employees and the Copper Cellar Corporation's failure to properly stop this conduct by enforcing its antidiscrimination policy or by ineffectively enforcing its antidiscrimination policy because it involved the Copper Cellar Corporation owner's misconduct. It is submitted those other acts are probative of, *inter alia*, motive, opportunity, intent, preparation, plan, knowledge, identity, absence of mistake, or lack of accident in Michael Chase's conduct.

c. Upon information and belief there have been additional situations (which will be identified after an opportunity for discovery) where Michael Chase created a hostile work environment when he was intoxicated, harassed and/or assaulted one of his employees, it was reported to management but the Copper Cellar Corporation failed to take prompt corrective action and/or ineffectively enforced the antidiscrimination policy the corporation has on paper but doesn't meaningfully enforce against the owner of the Corporation.

COUNT I

Race Discrimination and Hostile Work Environment in the Making and Enforcement of Contracts

42 U.S.C. § 1981

(Against Defendant Copper Cellar and Defendant OWNER MICHAEL CHASE)

29. Plaintiff re-alleges and incorporates by reference each and every allegation set forth in the preceding paragraphs as though fully set forth herein.
30. Plaintiff, as an employee of Defendant Copper Cellar Corporation, was a party to an employment contract, whether express, implied, or at-will, with Defendant Copper Cellar, entitling her to "make and enforce contracts" on the same terms as similarly situated white employees, as guaranteed by 42 U.S.C. § 1981(a).
31. As amended by the Civil Rights Act of 1991, 42 U.S.C. § 1981(b), the right to "make and enforce contracts" includes "the making, performance, modification, and termination of contracts, and the enjoyment of all benefits, privileges, terms, and conditions of the contractual relationship."
32. Plaintiff is a member of a protected racial and/or ethnic group, being a Black/Brown, bi-racial woman.
33. Defendant Copper Cellar, acting through its President, MICHAEL CHASE, and Owner — its highest-ranking officer and the individual with final authority over Plaintiff's employment — intentionally discriminated against Plaintiff on the basis of her race by, among other things, expressly invoking Plaintiff's race in a demeaning and hostile manner, stating that others "don't like you" because Plaintiff is "black," and immediately thereafter attempting to terminate Plaintiff's employment ("I need you off my payroll").
34. This conduct was undertaken with intentional racial animus and was causally connected to Plaintiff's race; Defendant OWNER MICHAEL CHASE's statements make explicit that

Plaintiff's race, and the reaction of others to her race, motivated his demand that Plaintiff be removed from the payroll.

35. Defendant OWNER MICHAEL CHASE's conduct was severe and, considered together with the pattern of demeaning treatment of Plaintiff (as well as other employees), pervasive, and it unreasonably interfered with Plaintiff's ability to enjoy the benefits, privileges, terms, and conditions of her employment contract with Defendant Copper Cellar, in violation of 42 U.S.C. § 1981.
36. Because the discriminatory and harassing conduct was committed by Defendant Copper Cellar's President and owner, MICHAEL CHASE, acting within, or apparently within, the scope of his authority over Plaintiff's employment, his conduct and racial animus are properly imputed to Defendant Copper Cellar Corporation, and Defendant Copper Cellar Corporation is liable under 42 U.S.C. § 1981 for that conduct.
37. Individuals may be held personally liable under 42 U.S.C. § 1981 where they intentionally cause, participate in, or are personally involved in the deprivation of another's right to make and enforce contracts free from race discrimination, regardless of whether they are the plaintiff's direct employer. Defendant OWNER MICHAEL CHASE is not merely a corporate agent whose conduct is imputed to Defendant Copper Cellar Corporation; Defendant OWNER MICHAEL CHASE personally and intentionally engaged in the race-based conduct described herein, exercised final decision-making authority over Plaintiff's employment, and personally attempted to remove Plaintiff from the payroll because of her race.

38. By reason of the foregoing, Defendant OWNER MICHAEL CHASE is personally and individually liable to Plaintiff under 42 U.S.C. § 1981, independent of, and in addition to, the liability of Defendant Copper Cellar Corporation.
39. As a direct and proximate result of Defendants' violation of 42 U.S.C. § 1981, Plaintiff has suffered and continues to suffer damages, including but not limited to emotional distress, humiliation, embarrassment, loss of professional standing, and other compensable harm, for which Defendant Copper Cellar and Defendant OWNER MICHAEL CHASE are jointly and severally liable.
40. The conduct of Defendant Copper Cellar Corporation and Defendant OWNER MICHAEL CHASE was willful, malicious, and/or undertaken with reckless indifference to Plaintiff's federally protected rights, entitling Plaintiff to an award of punitive damages pursuant to 42 U.S.C. § 1981a, for which Defendant Copper Cellar and Defendant OWNER MICHAEL CHASE are jointly and severally liable.

COUNT II

Race Discrimination and Hostile Work Environment

Tennessee Human Rights Act, Tenn. Code Ann. § 4-21-101, et seq.

(Against Defendant Copper Cellar)

41. Plaintiff re-alleges and incorporates by reference each and every allegation set forth in the preceding paragraphs as though fully set forth herein.

42. The THRA makes it a discriminatory practice for an employer to discriminate against an employee with respect to compensation, terms, conditions, or privileges of employment because of such employee's race or color. Tenn. Code Ann. § 4-21-401(a)(1).
43. At all relevant times, Defendant Copper Cellar was an "employer" and Plaintiff was an "employee" within the meaning of the THRA, Tenn. Code Ann. § 4-21-102.
44. The conduct of Defendant Copper Cellar's President and Owner described herein, including his explicit invocation of Plaintiff's race, his demeaning remarks, and his attempt to have Plaintiff removed from the payroll because of her race, constituted intentional race discrimination and created a racially hostile work environment in violation of the THRA.
45. The harassment to which Plaintiff was subjected was unwelcome, was based on Plaintiff's race, was sufficiently severe or pervasive to alter the terms and conditions of Plaintiff's employment and create an abusive working environment, and is properly imputable to Defendant Copper Cellar because it was committed by Defendant Copper Cellar's highest-ranking officer and owner.
46. As a direct and proximate result of Defendant Copper Cellar Corporation's violations of the THRA, Plaintiff has suffered and continues to suffer damages, including but not limited to emotional distress, humiliation, embarrassment, loss of professional standing, and other compensable harm.
47. Defendant Copper Cellar's conduct was undertaken with malice, or with reckless disregard for Plaintiff's rights under the THRA, entitling Plaintiff to an award of punitive damages under Tennessee common law and the THRA.

COUNT III

Intentional Infliction of Emotional Distress

(Tennessee Common Law)

(Against Defendant Copper Cellar and Defendant OWNER MICHAEL CHASE)

48. Plaintiff re-alleges and incorporates by reference each and every allegation set forth in the preceding paragraphs as though fully set forth herein.
49. Under Tennessee common law, a claim for intentional infliction of emotional distress requires proof that the defendant's conduct was (1) intentional or reckless; (2) so outrageous that it is not tolerated by civilized society; and (3) resulted in serious mental injury to the plaintiff.
50. Defendant OWNER MICHAEL CHASE's conduct, as described herein, was extreme and outrageous, exceeding all possible bounds of decency and utterly intolerable in a civilized community. Defendant OWNER MICHAEL CHASE, the highest-ranking officer, President, and Owner of Defendant Copper Cellar Corporation, exploited his position of absolute authority over Plaintiff's forty-year livelihood to publicly demean her on the basis of her race and physical appearance, in front of numerous subordinates and coworkers whom Plaintiff supervised, immediately coupling those remarks with an abrupt demand that Plaintiff be removed from the payroll and a veiled threat involving legal counsel.
51. Defendant OWNER MICHAEL CHASE's conduct was intentional, or, at a minimum, undertaken with reckless disregard of the high probability that such conduct would cause Plaintiff severe emotional distress, given Defendant OWNER MICHAEL CHASE's actual

knowledge of Plaintiff's decades of loyal service, his deliberate choice to confront and demean Plaintiff in the presence of her own subordinates, and his habit and routine practice of similar conduct toward other employees (emphasis added), as alleged in paragraph 28 above.

52. As a direct and proximate result of Defendant OWNER MICHAEL CHASE's extreme and outrageous conduct, Plaintiff suffered severe emotional distress, including humiliation, intimidation, embarrassment in front of Tammy Dawn Waller she supervised, mental anguish, and a betrayal of trust of a nature and severity that no reasonable person could be expected to endure.
53. Because Defendant OWNER MICHAEL CHASE's outrageous conduct was committed by Defendant Copper Cellar's President and Owner, Michael Chase, acting within, or apparently within, the scope of his authority over Plaintiff's employment, his conduct is properly imputed to Defendant Copper Cellar Corporation, rendering Defendant Copper Cellar Corporation directly and vicariously liable for that conduct. Defendant Copper Cellar is further independently liable because, upon information and belief, its management was notified of Defendant OWNER MICHAEL CHASE's conduct on the date it occurred and failed to take prompt and adequate remedial action, and because Defendant Copper Cellar knew or should have known of Defendant OWNER MICHAEL CHASE's habit and routine practice of subjecting Tammy Dawn Waller (as well as other employees) to similarly outrageous treatment, as alleged in paragraph 28 above, yet permitted him to retain unchecked authority over Plaintiff and other Tammy Dawn Waller.

54. The conduct of Defendant Copper Cellar Corporation and Defendant OWNER MICHAEL CHASE was willful, malicious, and/or undertaken with reckless disregard for Plaintiff's rights, entitling Plaintiff to an award of punitive damages, for which Defendant Copper Cellar and Defendant OWNER MICHAEL CHASE are jointly and severally liable.

COUNT IV

Negligent Infliction of Emotional Distress

(Tennessee Common Law)

(Against Defendant Copper Cellar and Defendant OWNER MICHAEL CHASE, Pled in the Alternative)

55. Plaintiff re-alleges and incorporates by reference each and every allegation set forth in the preceding paragraphs as though fully set forth herein.
56. Plaintiff pleads this Count in the alternative to Count III, pursuant to Rule 8(d) of the Federal Rules of Civil Procedure, to the extent the trier of fact does not find that the conduct described herein was intentional or reckless.
57. Under Tennessee law, a claim for negligent infliction of emotional distress requires proof of the elements of a general negligence claim — namely, duty, breach of duty, injury or loss, causation in fact, and proximate or legal cause — together with material evidence, generally in the form of expert medical or scientific proof, establishing that the plaintiff suffered a serious or severe emotional injury, except where the claim accompanies a physical injury or arises from circumstances that guarantee the claimed emotional distress is not spurious.

58. Defendant OWNER MICHAEL CHASE owed Plaintiff, a long-tenured employee subject to his direct authority and control, a duty to exercise reasonable care in his conduct and communications toward her so as not to cause her foreseeable emotional harm.
59. To the extent Defendant OWNER MICHAEL CHASE's conduct toward Plaintiff on September 22, 2025, is found not to have been intentional or reckless, Defendant OWNER MICHAEL CHASE breached that duty of reasonable care by negligently confronting, berating, and demeaning Plaintiff in front of her subordinates and coworkers regarding her race and physical appearance and by negligently threatening her continued employment, without regard for the reasonably foreseeable emotional harm such conduct would cause.
60. Defendant Copper Cellar Corporation owed Plaintiff a separate duty to exercise reasonable care in maintaining a workplace free of foreseeable emotional harm, including a duty to reasonably train, supervise, and control Defendant OWNER MICHAEL CHASE. Defendant Copper Cellar knew or should have known of Defendant OWNER MICHAEL CHASE's habit and routine practice of creating a hostile work environment, as alleged in paragraph 28 above, and breached its duty of reasonable care by negligently retaining, training, and supervising Defendant OWNER MICHAEL CHASE and by failing to take prompt and adequate remedial action after being notified of his conduct toward Plaintiff on the date it occurred.
61. As a direct and proximate result of Defendants' negligence, Plaintiff suffered a serious and severe emotional injury, including humiliation, mental anguish, embarrassment, and other damages alleged herein, the genuineness and severity of which Plaintiff will establish, to

the extent required, through expert medical or scientific proof and/or the objective circumstances surrounding Defendant OWNER MICHAEL CHASE's conduct.

PUNITIVE DAMAGES AGAINST ALL DEFENDANTS

62. Plaintiff re-alleges and incorporates by reference each and every allegation set forth in the preceding paragraphs as though fully set forth herein.

63. The action of the Defendants as outlined in this Complaint were intentional or reckless. Those reckless or intentional actions of the Defendants as outlined and detailed in the allegations in the Complaint above have caused the damages to be suffered by the Plaintiff as outlined in this Complaint. Punitive damages are therefore appropriate in this case in order to punish the Defendants for their reckless and intentional conduct, which legally and proximately caused the foreseeable injuries to the Plaintiff. Further, the Defendants are jointly and severally liable for these damages to the Plaintiff.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that this Court enter judgment in her favor and against Defendant Copper Cellar Corporation and Defendant OWNER MICHAEL CHASE, and award the following relief:

- a. A declaration that the conduct of Defendant Copper Cellar Corporation and Defendant OWNER MICHAEL CHASE, as alleged herein, violated 42 U.S.C. § 1981, that the conduct of Defendant Copper Cellar Corporation, as alleged herein, violated the Tennessee Human Rights Act, Tenn. Code Ann. § 4-21-101, et seq., and that the conduct of Defendant Copper Cellar and Defendant OWNER MICHAEL CHASE, as alleged

herein, constituted intentional and/or negligent infliction of emotional distress under Tennessee common law;

- b. An award of compensatory damages, against each Defendant, including but not limited to damages for emotional distress, humiliation, embarrassment, mental anguish, and loss of enjoyment of life, against Defendant Copper Cellar and Defendant OWNER MICHAEL CHASE, jointly and severally, in an amount to be determined at trial but not to exceed One Million Two Hundred Thousand Dollars (\$1,200,000.00) each;
- c. An award of punitive damages, against each Defendant, against Defendant Copper Cellar and Defendant OWNER MICHAEL CHASE, jointly and severally, in an amount to be determined at trial but not to exceed Three Million Dollars (\$3,000,000.00), each, based on Defendants' malicious, willful, and/or recklessly indifferent conduct;
- d. An award of back pay, front pay, and lost benefits, together with pre-judgment and post-judgment interest, to the extent supported by the evidence at trial;
- e. An award of Plaintiff's reasonable attorneys' fees, expert witness fees, and costs of this action, pursuant to 42 U.S.C. § 1988 and/or the Tennessee Human Rights Act, Tenn. Code Ann. § 4-21-306;
- f. Appropriate equitable and injunctive relief, including an order requiring Defendant Copper Cellar Corporation to adopt and enforce effective anti-discrimination and anti-harassment policies and training; and Plaintiff also seeks equitable relief in the form of a protective order and the enjoinder of Defendant Michael Chase. Further, an injunction is sought under Tennessee Rule of Civil Procedure 65. This includes a request for an

order of the Court that enjoins (temporarily and permanently) Defendant Michael Chase requiring him to stay at least 1000 feet away from the Plaintiff the rest of his life. Further, the Plaintiff requests that the Court enjoin Defendant Michael Chase from contacting Plaintiff, and from trying to contact any family members of the Plaintiff.

- g. That the Defendants be found to be jointly and severally liable for all damages in this case. Defendant employer Copper Cellar Corporation knew about, created and supported the environment for all of the actions of serial harasser Defendant Michael Chase outlined in the Complaint against the Plaintiff (and others) and is therefore jointly and severally liable for this conduct.
- h. Such other and further at law and in equity relief as this Court deems just and proper.

DEMAND FOR JURY TRIAL

Plaintiff hereby demands a trial by jury on all issues so triable in this action.

Respectfully submitted,

/s/ George T. Underwood, Jr.

BPR no. 013077

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Attorney for Plaintiff

OATH

STATE OF TENNESSEE)

COUNTY OF KNOX)

Tammy Dawn Waller, having been duly sworn according to the law, makes oath that she has read the foregoing **Complaint / Amended Complaint**, and that the facts set forth therein are true to the best of her knowledge, information and belief, and are not made out of levity or by collusion with the Defendant(s), but in sincerity and truth for the causes set forth in said **Pleading**.



Tammy Dawn Waller



Sworn to and subscribed to before me this 14th day of September 2026.



NOTARY PUBLIC

My Commission expires: 04/02/2028

CERTIFICATE OF SERVICE

I hereby certify that I filed the foregoing Pleading with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to the counsel of record this 15th day of September 2026. [Alternatively, a copy of this pleading has been served with summons on the Defendants]

/s/ George T. Underwood, Jr.
GEORGE T. UNDERWOOD, Jr.