





Plaintiff with work restrictions based on his injury(s).

7. Upon Plaintiff informing Defendant of the injury and work restrictions, and filling out Defendant's worker's compensation paperwork, pursuant to South Carolina's Workers' Compensation Law, S.C. Code Ann. § 41-1-80, et. seq., he was terminated from employment with Defendant.

8. Despite knowledge of Plaintiff's workers compensation claim and restrictions associated with such, Defendant allowed Wayne Schleuning to terminate Plaintiff from his employment with Defendant on November 24, 2020 in direct retaliation for filing a workers compensation claim with Defendant.

**FOR A FIRST CAUSE OF ACTION**

***(Violation of S.C. Code Ann. § 41-1-80, et seq. – Workers' Compensation Retaliation)***

9. The Plaintiff re-alleges and incorporates all allegations contained herein as if set forth verbatim.

10. Defendant, through its agents, servants, contractors, and/or employees, terminated Plaintiff from his employment because of his lawful institution of a proceeding under the South Carolina Workers' Compensation Law, the facts of which allegations are articulated above, which is a violation of S.C. Code Ann. § 41-1-80, et seq.

11. As the proximate result of Defendant's willful violation of S.C. Code Ann. § 41-1-80, Plaintiff is entitled to back pay and benefits, as well as reinstatement to his former position; further, if reinstatement is impossible or inappropriate, Plaintiff is entitled to front pay and benefits.

**FOR A SECOND CAUSE OF ACTION**

***(Negligent Hiring, Supervision and/or Retention)***

12. The Plaintiff re-alleges and incorporates all allegations contained herein as if set forth verbatim.

13. The above-described actions by Wayne Schleuning resulted from the carelessness and negligence of Defendant, its agents, servants, employees, or other representatives, in hiring, supervision, retaining, and failing to properly train its staff, including Schleuning.

14. Defendant has notice, or should have known, that its hiring and continued retention and failure to supervise Schleuning would result in foreseeable actual harm to its staff, employees, and other third persons, including Plaintiff.

15. As a direct and proximate result of the above-mentioned carelessness and negligence of Defendant, Plaintiff suffered physical injuries, severe psychological injuries, including, but not limited to, embarrassment, humiliation, ostracism by friends, anxiety, grief, emotional distress, physical stress, and other psychological injuries.

**WHEREFORE**, Plaintiff prays for actual, future, punitive and liquidated damages, reinstatement, interest, attorney's fees, costs, for a trial by jury, and for such other and further relief as this Honorable Court shall deem just and proper.

Plaintiff requests a jury trial on all counts so triable.

**MORRIS LAW, LLC**

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