



1 **I. Preliminary Statement**

2 1. Elliot A. Snell openly supported Barak Obama for President at his workplace. He  
3 voted for Barak Obama for President. Fourteen days later, after an open threat to anyone who  
4 voted for Barak Obama, he was terminated for that patriotic support. In the United States of  
5 America a person has the absolute right to vote for the candidate of his or her choice without  
6 fearing reprisal.

7 2. Plaintiff has attempted to resolve this dispute absent a lawsuit, but to no avail. Plaintiff  
8 has been damaged from these acts and seeks back pay, front pay, compensatory damages,  
9 punitive damages, pre- and post- judgment interest, full reinstatement, and attorney fees in  
10 excess of \$1,200,000.

11 3. The court has personal jurisdiction over the parties.

12 4. Venue in this Court is pursuant to K.S.A. § 60-603.

13 **III. Parties and General Allegations**

14 5. Plaintiff was at all times material hereto, a resident of Kansas.

15 6. Defendant is a Kansas Corporation doing business in the state of Kansas. Many of the  
16 circumstances giving rise to this cause of action occurred in Kansas City, KS as well as a few  
17 in Kansas City, MO.

18 **IV. General Allegations**

19 7. Plaintiff adopts and incorporates the preceding paragraphs by reference.

20 8. Mr. Snell began working for KK Office Solutions on May 19, 2008. He was employed  
21 as a Sales Representative and promised a position as a Sales Director. This promise was not  
22 fulfilled.

23 9. On its website, KK Office Solutions touts that its operations began in the basement of  
24 President Matthew Brandt's home. Unfortunately, even though Mr. Brandt's business rose from  
25 the depths of the basement, the company's mentality, particularly that of President Matthew  
26 Brandt did not follow.

1           10.       On October 29, 2008, Mr. Brandt sent an email clearly warning his employees  
2 not to vote for Barak Obama. Indeed, as evidenced by an uncontroverted email, Mr. Brandt  
3 threatened to terminate anyone who voted for Barak Obama on November 4, 2008. The email  
4 reads as follows:

5                   **From:** Matt Brandt

6                   **Sent:**    Wednesday,   October   29,   2008    8:48    AM  
7                   **To:**    Amy Beauchesne; Arnold Snell; Ashley Liby; Bobby Desjardins;  
8                   Dennis Kramer; Judy Callstrom; Julie Ross; Justin Anderson; Kathleen  
9                   Joseph; Kaysue Ellerman; Kevin Easterwood; Lori Mitchell; Michelle  
10                   McCoskey; Mike Murphy; Ray Stasieczko; Travis Crank; Ty Lyons; Tim  
11                   Barney

12                   **Subject:** Notice

13                   **Notice to All Employees**

14                   As of November 5, 2008, IF President Obama is  
15                   officially elected into office, our company will  
16                   instill a few new policies which are in keeping with  
17                   his new, inspiring issues of change and fairness:

18                   1. All salespeople will be pooling their sales  
19                   commissions into a common pool that will be divided  
20                   equally between all of you. This will serve to give  
21                   those of you who are underachieving a "fair shake."

22                   2. All hourly employees will be pooling their wages,  
23                   including overtime, into a common pool, dividing it  
24                   equally amongst yourselves. This will help those  
25                   who are "too busy for overtime" to reap the rewards  
26                   from those who have more spare time and can work  
                  extra hours.

                  3. All top management will now be referred to as  
                  "the government." We will not participate in this  
                  "pooling" experience because the law doesn't apply  
                  to us.

                  4. The "government" will give eloquent speeches to  
                  all employees every week, encouraging its workers to  
                  continue to work hard "for the good of all."

                  5. The employees will be thrilled with these new  
                  policies because it's "good to spread the wealth."  
                  Those of you who have underachieved will finally get  
                  an opportunity; those of you who have worked hard  
                  and had success will feel more "patriotic."

6. The last few people who were hired should clean

1            out their desks. Don't feel bad though, because  
2            President Obama will give you free healthcare, free  
3            handouts, free oil for heating your home, free food  
4            stamps, and he'll let you stay in your home for as  
5            long as you want even if you can't pay your  
6            mortgage. If you appeal directly to our democratic  
7            congress, you might even get a free flat screen TV  
8            and a coupon for free haircuts (shouldn't all  
9            Americans be entitled to nice looking hair?) !!!

10           If for any reason you are not happy with the new  
11           policies, you may want to rethink your vote  
12           on November 4th.

13           *Matt Brandt*  
14           President/CEO  
15           KK Office Solutions Inc  
16           [matth@kkofficesolutions.com](mailto:matth@kkofficesolutions.com)

17           (color in original, emphasis added)

18           11.           Exhibit A is a true and correct copy of an email sent by Matt Brandt.

19           12.           Indeed, Barak Obama was elected on November 5, 2008. Fifteen days later,  
20           Mr. Snell was terminated on November 20, 2009 as promised.

21           13.           Mr. Snell was qualified for his position. In his short time with the company, he  
22           was toward the top of all salespersons. In fact, Mr. Snell acquired over \$300,000 in accounts  
23           within six months. Therefore, any contention otherwise would be a pretextual issue.

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**V. First Cause of Action**  
**Wrongful Termination-Public Policy Violation**

14. Plaintiff adopts and incorporates the preceding paragraphs as fully set forth herein.

15. Defendant has wrongfully terminated plaintiff. Mr. Snell was terminated for voting for his presidential candidate of choice. Voting for a president is acting in a manner that public policy would encourage as it is similar to civic duties/opportunities such as performing jury duty, seeking public office, or joining a labor union. The exclusive and sole reason that Mr. Snell was terminated was because he was acting in a manner that public policy of Kansas promotes. There is no alternative remedy for this termination. As a result of defendant's illegal actions, plaintiff lost wages through compensation. Additionally, plaintiff has suffered pain, suffering and other compensatory damages. These damages are continuing.

**Count II: Breach of Contract**

16. Plaintiff adopts and incorporates the preceding paragraphs as fully set forth herein.

17. There was a contract between the parties;

18. There was sufficient consideration to support the contract;

19. The plaintiff performed and was willing to perform in compliance with the contract;

20. The defendant breached the contract and prevented plaintiff from performing;  
and

21. The plaintiff was damaged by the breach of contract.

**Count III: Violation of Good Faith and Fair Dealing**

22. Plaintiff adopts and incorporates by reference all of the preceding paragraphs as if fully set forth herein.

23. Defendant breached its duty of good faith and fair dealing.

1 24. Defendant intentionally and purposely prevented plaintiff from carrying out her  
2 part of the agreements.

3 25. As a direct and proximate result of these violations, plaintiff suffered damages,  
4 including, but not limited to, lost benefits, consequential damages, and emotional distress as  
5 well as humiliation, embarrassment, emotional and physical distress, and mental anguish.  
6 These damages are continuing and should be awarded in an amount to be determined at trial.

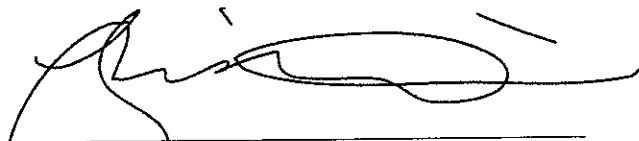
7 **VI. PRAYER FOR RELIEF**

8 WHEREFORE, Plaintiff prays for an order of this Court granting judgment against defendant  
9 for a sum in excess of SEVENTY-FIVE THOUSAND DOLLARS (\$75,000.00), the costs of  
10 this action, attorneys' fees, and for such further relief as this Court deems just and proper  
11 including but not limited to:

- 12 a. plaintiff's back pay and front in excess of \$500,000;
- 13 b. compensatory damages in the excess of \$700,000 for plaintiff's humiliation, pain  
14 and suffering;
- 15 c. immediate reinstatement with retroactive seniority, including all benefits, or in the  
16 alternative, front pay;
- 17 d. judgment ordering defendant, its agents and employees to refrain from retaliating  
18 against Mr. Clark for protecting his civil rights; and
- 19 e. for his costs, attorney fees, and such further relief as the Court deems just and  
20 equitable.

21 DATED: October 2, 2009.

22 Respectfully submitted,

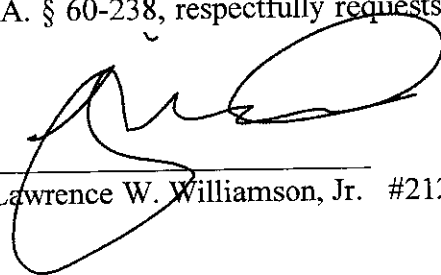
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25 **Lawrence W. Williamson, Jr. #21282**  
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**Attorney and Counselor at Law**  
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4 E: l.williamson@williamsonfirm.com  
5 *Attorneys for Plaintiff*

6 **REQUEST FOR JURY TRIAL**

7 COMES NOW plaintiff and pursuant to K.S.A. § 60-238, respectfully requests a trial  
8 by jury on all issues presented herein.

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11 Lawrence W. Williamson, Jr. #21282  
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