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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
KING COUNTY

HASSAN FARAH, an individual, ILEYS  
OMAR, an individual, MARIAN MUMIN, an  
individual, DAHIR JAMA, an individual,  
FOUZIA M. MOHAMUD, an individual,  
MARIAN ALI, an individual, ABDIAZIZ  
ABDULLE, an individual, SAALIM  
ABUKAR, an individual, MOHAMED  
ISMAIL, an individual, SUDI HASHI, an  
individual, HALI ABDULLE, an individual,  
MURAYAD ABDULLAHI, an individual,  
ZAINAB AWEIS, an individual,  
FARDOWSA ADEN, an individual,  
MARYAN MUSE, an individual, ASLI  
MOHAMED, an individual, SAHRA GELLE  
(a/k/a Hani Huseen), an individual, ASHA  
FARAH, an individual, ALI ADAM ABDI, an  
individual, MUNA MOHAMED, an  
individual, FARAH GEEDI, an individual,  
AHMED HASSAN HUSSEIN, an individual,  
IBRAHIM SALAH, an individual, AHMED  
A. HIRSI, an individual, and MOHAMUD A.  
HASSAN, an individual,  
Plaintiffs,

vs.

HERTZ TRANSPORTATION, INC., a  
Delaware corporation, MATT HOEHNE, an  
individual, and TODD HARRIS, an individual,  
Defendants.

Case No.:

**COMPLAINT FOR DAMAGES**

**I. PARTIES**

1  
2 1.1. Plaintiff Hassan Farah resides in King County, Washington, and was  
3 employed by Hertz Transportation, Inc. as a shuttle driver at the Sea-Tac Airport  
4 location until terminated in 2011. Plaintiff is a practicing member of the Muslim  
5 religion. Plaintiff is a person of color who was born in Somalia and who speaks  
6 English with an accent (jointly, the plaintiffs will be referred to as “Hertz Plaintiffs 1-  
7 25”).  
8

9 1.2. Plaintiff Ileys Omar resides in King County, Washington, and was  
10 employed by Hertz Transportation, Inc. as a shuttle driver at the Sea-Tac Airport  
11 location until terminated in 2011. Plaintiff is a practicing member of the Muslim  
12 religion. Plaintiff is a person of color who was born in Somalia and who speaks  
13 English with an accent.  
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15 1.3. Plaintiff Marian Mumin resides in King County, Washington, and was  
16 employed by Hertz Transportation, Inc. as a shuttle driver at the Sea-Tac Airport  
17 location until terminated in 2011. Plaintiff is a practicing member of the Muslim  
18 religion. Plaintiff is a person of color who was born in Somalia and who speaks  
19 English with an accent.  
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21 1.4. Plaintiff Dahir Jama resides in King County, Washington, and was  
22 employed by Hertz Transportation, Inc. as a shuttle driver at the Sea-Tac Airport  
23 location until terminated in 2011. Plaintiff is a practicing member of the Muslim  
24 religion. Plaintiff is a person of color who was born in Somalia and who speaks  
25 English with an accent.

1           1.5. Plaintiff Fouzia M. Mohamud resides in King County, Washington,  
2 and was employed by Hertz Transportation, Inc. as a shuttle driver at the Sea-Tac  
3 Airport location until terminated in 2011. Plaintiff is a practicing member of the  
4 Muslim religion. Plaintiff is a person of color who was born in Somalia and who  
5 speaks English with an accent.

6           1.6. Plaintiff Marian Ali resides in King County, Washington, and was  
7 employed by Hertz Transportation, Inc. as a shuttle driver at the Sea-Tac Airport  
8 location until terminated in 2011. Plaintiff is a practicing member of the Muslim  
9 religion. Plaintiff is a person of color who was born in Somalia and who speaks  
10 English with an accent.

11           1.7. Plaintiff Abdiaziz Abdulle resides in King County, Washington, and  
12 was employed by Hertz Transportation, Inc. as a shuttle driver at the Sea-Tac Airport  
13 location until terminated in 2011. Plaintiff is a practicing member of the Muslim  
14 religion. Plaintiff is a person of color who was born in Somalia and who speaks  
15 English with an accent.

16           1.8. Plaintiff Saalim Abukar resides in King County, Washington, and was  
17 employed by Hertz Transportation, Inc. as a shuttle driver at the Sea-Tac Airport  
18 location until terminated in 2011. Plaintiff is a practicing member of the Muslim  
19 religion. Plaintiff is a person of color who was born in Somalia and who speaks  
20 English with an accent.

21           1.9. Plaintiff Mohamed Ismail resides in King County, Washington, and  
22 was employed by Hertz Transportation, Inc. as a shuttle driver at the Sea-Tac Airport  
23

1 location until terminated in 2011. Plaintiff is a practicing member of the Muslim  
2 religion. Plaintiff is a person of color who was born in Somalia and who speaks  
3 English with an accent.

4 1.10. Plaintiff Sudi Hashi resides in King County, Washington, and was  
5 employed by Hertz Transportation, Inc. as a shuttle driver at the Sea-Tac Airport  
6 location until terminated in 2011. Plaintiff is a practicing member of the Muslim  
7 religion. Plaintiff is a person of color who was born in Somalia and who speaks  
8 English with an accent.  
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10 1.11. Plaintiff Hali Abdulle resides in King County, Washington, and was  
11 employed by Hertz Transportation, Inc. as a shuttle driver at the Sea-Tac Airport  
12 location until terminated in 2011. Plaintiff is a practicing member of the Muslim  
13 religion. Plaintiff is a person of color who was born in Somalia and who speaks  
14 English with an accent.  
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16 1.12. Plaintiff Murayad Abdullahi resides in King County, Washington, and  
17 was employed by Hertz Transportation, Inc. as a shuttle driver at the Sea-Tac Airport  
18 location until terminated in 2011. Plaintiff is a practicing member of the Muslim  
19 religion. Plaintiff is a person of color who was born in Somalia and who speaks  
20 English with an accent.  
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22 1.13. Plaintiff Zainab Aweis resides in King County, Washington, and was  
23 employed by Hertz Transportation, Inc. as a shuttle driver at the Sea-Tac Airport  
24 location until terminated in 2011. Plaintiff is a practicing member of the Muslim  
25 religion. Plaintiff is a person of color who was born in Somalia and who speaks

1 English with an accent.

2 1.14. Plaintiff Fardowsa Aden resides in King County, Washington, and was  
3 employed by Hertz Transportation, Inc. as a shuttle driver at the Sea-Tac Airport  
4 location until terminated in 2011. Plaintiff is a practicing member of the Muslim  
5 religion. Plaintiff is a person of color who was born in Somalia and who speaks  
6 English with an accent.

7  
8 1.15. Plaintiff Maryan Muse resides in King County, Washington, and was  
9 employed by Hertz Transportation, Inc. as a shuttle driver at the Sea-Tac Airport  
10 location until terminated in 2011. Plaintiff is a practicing member of the Muslim  
11 religion. Plaintiff is a person of color who was born in Somalia and who speaks  
12 English with an accent.

13  
14 1.16. Plaintiff Asli Mohamed resides in King County, Washington, and was  
15 employed by Hertz Transportation, Inc. as a shuttle driver at the Sea-Tac Airport  
16 location until terminated in 2011. Plaintiff is a practicing member of the Muslim  
17 religion. Plaintiff is a person of color who was born in Somalia and who speaks  
18 English with an accent.

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20 1.17. Plaintiff Sahra Gelle (a/k/a Hani Huseen) resides in King County,  
21 Washington, and was employed by Hertz Transportation, Inc. as a shuttle driver at the  
22 Sea-Tac Airport location until terminated in 2011. Plaintiff is a practicing member of  
23 the Muslim religion. Plaintiff is a person of color who was born in Somalia and who  
24 speaks English with an accent.

25 1.18. Plaintiff Asha Farah resides in King County, Washington, and was

1 employed by Hertz Transportation, Inc. as a shuttle driver at the Sea-Tac Airport  
2 location until terminated in 2011. Plaintiff is a practicing member of the Muslim  
3 religion. Plaintiff is a person of color who was born in Somalia and who speaks  
4 English with an accent.

5 1.19. Plaintiff Ali Adam Abdi resides in King County, Washington, and was  
6 employed by Hertz Transportation, Inc. as a shuttle driver at the Sea-Tac Airport  
7 location until terminated in 2011. Plaintiff is a practicing member of the Muslim  
8 religion. Plaintiff is a person of color who was born in Somalia and who speaks  
9 English with an accent.  
10

11 1.20. Plaintiff Muna Mohamed resides in King County, Washington, and  
12 was employed by Hertz Transportation, Inc. as a shuttle driver at the Sea-Tac Airport  
13 location until terminated in 2011. Plaintiff is a practicing member of the Muslim  
14 religion. Plaintiff is a person of color who was born in Somalia and who speaks  
15 English with an accent.  
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17 1.21. Plaintiff Farah Geedi resides in King County, Washington, and was  
18 employed by Hertz Transportation, Inc. as a shuttle driver at the Sea-Tac Airport  
19 location until terminated in 2011. Plaintiff is a practicing member of the Muslim  
20 religion. Plaintiff is a person of color who was born in Somalia and who speaks  
21 English with an accent.  
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23 1.22. Plaintiff Ahmed Hassan Hussein resides in King County, Washington,  
24 and was employed by Hertz Transportation, Inc. as a shuttle driver at the Sea-Tac  
25 Airport location until terminated in 2011. Plaintiff is a practicing member of the

1 Muslim religion. Plaintiff is a person of color who was born in Somalia and who  
2 speaks English with an accent.

3 1.23. Plaintiff Ibrahim Salah resides in King County, Washington, and was  
4 employed by Hertz Transportation, Inc. as a shuttle driver at the Sea-Tac Airport  
5 location until terminated in 2011. Plaintiff is a practicing member of the Muslim  
6 religion. Plaintiff is a person of color who was born in Somalia and who speaks  
7 English with an accent.  
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9 1.24. Plaintiff Ahmed A. Hirsi resides in King County, Washington, and was  
10 employed by Hertz Transportation, Inc. as a shuttle driver at the Sea-Tac Airport  
11 location until terminated in 2011. Plaintiff is a practicing member of the Muslim  
12 religion. Plaintiff is a person of color who was born in Somalia and who speaks  
13 English with an accent.  
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15 1.25. Plaintiff Mohamud A. Hassan resides in King County, Washington,  
16 and was employed by Hertz Transportation, Inc. as a shuttle driver at the Sea-Tac  
17 Airport location until terminated in 2011. Plaintiff is a practicing member of the  
18 Muslim religion. Plaintiff is a person of color who was born in Somalia and who  
19 speaks English with an accent.  
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21 1.26. Defendant Hertz Transportation, Inc. (“Hertz”) is a for-profit  
22 corporation organized under the laws of the State of Delaware and doing business in  
23 King County, Washington.

24 1.27. Defendant Matt Hoehne (“Hoehne”) is employed by Hertz as the  
25 Airport Manager. On information and belief, he resides in King County.

1 1.28. Defendant Todd Harris (“Harris”) is employed by Hertz as the Area  
2 Manager. On information and belief, he resides in King County.

3 **II. JURISDICTION AND VENUE**

4 2.1 Jurisdiction is proper in the State of Washington because all parties reside  
5 or transact business here. The Superior Court of King County, State of Washington, has  
6 subject matter jurisdiction over this action pursuant to RCW 2.08.010, RCW 4.28.020,  
7 and RCW 4.28.080.

8 2.2 Venue is proper in and for the County of King, State of Washington,  
9 because Hertz does regular business here, the individual defendants reside in King  
10 County, and the facts surrounding this claim occurred in King County.

11 **III. FACTS**

12 3.1. At Sea-Tac airport, most of Hertz Plaintiffs 1-25 shuttle rental cars for  
13 cleaning and refueling during the work day. Some of Hertz Plaintiffs 1-25 are leads.  
14 Leads drive the vans that carry the workers to and from the car transport locations.  
15

16 3.2. For approximately 15 years, employees of Hertz who follow Islam, and  
17 who work for Hertz at Sea-Tac, have been permitted to stop work to pray briefly  
18 during the work day without clocking out.  
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20 3.3. Sea-Tac has numerous employees from different companies who  
21 follow Islam and who pray during the work day without clocking out.  
22

23 3.4. Muslim men and women sometimes pray separately from each other.

24 3.5. At Sea-Tac, there is a designated area set up for Muslim men to pray,  
25 which has existed since 1998 (“Men’s Mosque”). There are partitions separating the

1 Men's Mosque from the floor and providing privacy to the workers who pray.

2 3.6. At Sea-Tac, there is a designated area set up for Muslim women to  
3 pray, which has existed for the past several years ("Women's Mosque"). There are  
4 partitions separating the Women's Mosque from the floor and providing privacy to the  
5 workers who pray.

6 3.7. Typically, Hertz Plaintiffs 1-25 would pray two-times during a work  
7 day, and the prayer would last from 3-5 minutes.

8 3.8. Hertz Plaintiffs 1-25 prayed while at work until on or about September  
9 30, 2011, at which time Defendants Hertz, Hoehne, and Harris changed that practice  
10 and implemented discipline and then termination of Hertz Plaintiffs 1-25 allegedly for  
11 praying at work without clocking out. Religious, race, and national origin were  
12 substantial factors in the decision to discipline and terminate Hertz Plaintiffs 1-25 in  
13 October 2011.

14 3.9. Hertz Plaintiffs 1-25 are Teamsters, and the contract between Hertz and  
15 the Teamsters does not require employees to clock out before prayer. The contract  
16 between Hertz and the Teamsters, which applied to Hertz Plaintiffs 1-25 in September  
17 2011, had been signed months earlier by the parties and was in effect at the time.

18 3.10. For approximately the last 15 years, Hertz employees working at Sea-  
19 Tac have not been required to clock out for bathroom breaks or smoke breaks.

20 3.11. One or more Hertz Plaintiffs 1-25 leads have been removed from their  
21 positions and demoted without cause prior to their suspension and termination from  
22 Hertz. Religious, race, and national origin were substantial factors in the decision to  
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1 remove one or more Hertz Plaintiffs 1-25 from the lead position.

2 3.12. In 2007, some of Hertz Plaintiffs 1-25 filed discrimination claims with  
3 the EEOC, which resulted in a settlement on or about May 20, 2009. Retaliation for  
4 opposing discrimination was a substantial factor in the decision to terminate Hertz  
5 Plaintiffs 1-25 in October 2011.

6 3.13. Defendants Hertz, Harris, and Hoehne have created a hostile work  
7 environment that began prior to the EEOC filings and continued through 2011. Some  
8 of their actions include: not calling Hertz Plaintiffs 1-25 by name; using a harsh tone  
9 when speaking to Hertz Plaintiffs 1-25; putting some of Hertz Plaintiffs 1-25 in unsafe  
10 situations; peering into the Women's Mosque for no reason, repeatedly, with  
11 knowledge of its impropriety; entering the Women's Mosque for no reason; publicly  
12 and falsely accusing Hertz Plaintiffs 1-25 of not being clocked out for lunch without  
13 checking time cards first; publicly embarrassing Hertz Plaintiffs 1-25 in front of co-  
14 workers and customers by counseling them on false claims of work performance  
15 deficiencies; banging on the women's bathroom door and yelling through the door;  
16 falsely accusing some of Hertz Plaintiffs 1-25 of stealing keys; and giving disciplinary  
17 points to Hertz Plaintiffs 1-25 without cause.

18 3.14. Hertz is liable for the actions of its agents under the doctrine of  
19 respondeat superior.

#### 20 **IV. CAUSES OF ACTION**

21 4.1. Plaintiffs re-allege the facts set forth in paragraphs 3.1 – 3.14 above  
22 and incorporate same by reference.  
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