

Exhibit B

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Chris Daniel - District Clerk Harris County
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2017-00569 / Court: 165

CAUSE NO. _____

RICK BIENZ	§	IN THE DISTRICT COURT OF
	§	
VS.	§	HARRIS COUNTY, TEXAS
	§	
UNITED AIRLINES, INC.	§	_____ JUDICIAL DISTRICT

PLAINTIFFS' ORIGINAL PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

COME NOW, **RICK BIENZ**, hereinafter referred to as Plaintiff, complaining of and against **UNITED AIRLINES, INC.**, hereinafter referred to as Defendant, and for cause of action would show this Court as follows:

I.

Pursuant to Rule 190 of the Texas Rules of Civil Procedure, Plaintiffs would designate this as a Level 3 case.

II.

Plaintiff **RICK BIENZ** resides at 4239 Elm Lane, Spring, Texas 77289. Pursuant to the Texas CIVIL PRACTICE & REMEDIES CODE §30.014, the Court and parties are hereby advised that the last three numbers of Mr. Bienz's Texas driver's license are 168 ; the last three numbers of his social security number are 585.

III.

Defendant, **UNITED AIRLINES, INC.** is a Delaware Corporation duly authorized and qualified to do business in the State of Texas. Defendant may be served with citation by serving its registered agent for service, CT Corporation System, 1999 Bryan St. #900, Dallas, Texas,

75201, or at any other location where they may be found.

IV.

Venue is proper in Harris County, Texas, as the event which forms the basis of this lawsuit occurred in Harris County, Texas.

V.

Mr. Bienz worked for Defendant for approximately twenty five years. Once Joseph Peloquin became the managing director over the section Plaintiff worked, older managers were let go and younger ones brought in to work. There were jokes about old people that told and nothing was done to prevent them. Mr. Peloquin made it clear to Mr. Binz that there was a problem with the seniority system that in place. Unfortunately, the Plaintiff was one of the most senior employees working for Mr. Peloquin. On March 8, 2016 Mr. Bienz put up an email at his desk to remind him to get an exception before going outside his scheduled hours. A month later there was a sticky note posted on the email indicating "is this necessary." Mr. Bienz was terminated on April 16, 2016 regarding the email even though he was not told specifically to take it down. Plaintiff believes that he was replaced with a younger employee.

VI.

The actions of Defendant as indicated above constitute age discrimination against Plaintiff, **RICK BIENZ**. As a result of the occurrences in question, Plaintiff, **RICK BIENZ** has suffered damages and seeks compensation for said actual damages. Said injuries have caused mental anguish in the past and will likely cause mental anguish in the future. Accordingly, **RICK BIENZ** advances his claim for the following: (1) past and future mental anguish; (2) compensatory damages, (3) lost income and benefits in the past and in the future and (4) reasonable attorney fees. retained Brian Cepak.

VII.

The actions of Defendant were outrageous, malicious, and/or otherwise morally culpable as indicated above and therefore. Plaintiff pleads for exemplary damages.

WHEREFORE, PREMISES CONSIDERED, Plaintiff, **RICK BIENZ**, prays that upon trial of this cause that he have judgment against the Defendant, **UNITED AIRLINES, INC.**; that he recover actual damages in an amount that greatly exceeds the jurisdictional amounts of this honorable Court; that he have pre-judgment interest at the maximum legal rate and post-judgment interest at the maximum legal rate; that he recover his costs of Court in this action expended; and that he have such other relief, both special and general, at law and in equity, to which he may show himself justly entitled.

Respectfully submitted,

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