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COMMONWEALTH OF MASSACHUSETTS
BRISTOL SUPERIOR COURT

BRISTOL, SS SUPERIOR COURT
FILED

Bristol, SS.

JUL 18 2022

_____)
JONATHAN SOUZA,)
on his own behalf and on behalf of)
all others similarly situated,)
)
Plaintiff)
)
v.)
)
SOUTHCOAST HEALTH SYSTEM, INC.,)
)
Defendant)
 _____)

No.: 2273CV 00496A

CLASS ACTION COMPLAINT
PARTIES

- Jonathan Souza is an individual who resides in Fall River, Bristol County, Massachusetts. He was employed by Southcoast Health System, Inc., working as a Registered Nurse at Southcoast's Fall River location.
- Defendant Southcoast Health System, Inc., is a nonprofit corporation, operating hospitals throughout southeastern Massachusetts and Rhode Island, with a principal office of 101 Page Street in New Bedford, Massachusetts.

JURISDICTION AND VENUE

- This is a class action lawsuit against the Defendant for religious discrimination under Title VII of the Civil Rights Act and G.L. c. 151B.
- Plaintiff resides in Bristol County and defendant's principal office is located in Bristol County, therefore venue is proper in accordance with G.L. c. 223 § 1.

5. Plaintiff has obtained a “Notice of Right to Sue” from the U.S. Equal Employment Opportunity Commission, which allows this Court jurisdiction over the Religious Discrimination claims.

STATEMENT OF FACTS

6. In mid-July of 2021, defendant announced a mandatory COVID-19 vaccination policy wherein all Southcoast employees were required to be fully vaccinated against COVID-19.
7. Employees who did not receive either two Pfizer or Moderna, or one Johnson & Johnson vaccine by November 15 of 2021, and who did not receive an approved medical or religious exemption would be considered “involuntarily terminated for failure to comply with this important Southcoast Health policy.”
8. Defendant, in a letter to its employees dated October 4, 2021, stated that medical and religious exemptions would be granted “only in limited circumstances.” (Exhibit A).
9. Plaintiff and numerous other employees submitted requests for religious accommodation to the defendant using the defendant’s online “service portal” for vaccine exemptions, detailing his sincerely held religious beliefs that preclude them from taking any of the three available COVID-19 vaccines.
10. On this service portal, defendant required its employees to explain their religious beliefs in a text box that limited visibility to only two lines of text.
11. By comparison, the instructions for explaining the requester’s religious beliefs contained seven lines of text.

12. In other words, the online form was designed in such a way as to discourage employees from inputting detailed explanations of their religious beliefs and encourage employees to write as little as possible.
13. In order to submit exemptions using this portal, employees were required to check two boxes as confirmation of twelve different attestations listed by defendant on the portal, including that the employees understand “that a religious exemption that is granted may be revoked, at any time, by SHS in its sole discretion.”
14. Plaintiff, along with numerous other employees, were given the option to be placed on unpaid leave on November 15, 2021, to obtain a first dose of a COVID-19 vaccine by November 26, 2021 in order to keep their positions, or simply turn in their badge by November 15, 2021.
15. Plaintiff and numerous other employees were terminated due to their not receiving any of the COVID-19 vaccines based upon their sincerely held religious objections.

**Plaintiff's Sincerely Held
Religious Beliefs**

16. Plaintiff has a sincerely held religious belief that precludes him from complying with the mandatory COVID-19 Vaccination Policy because of the connection between all three COVID-19 vaccines (in their origination, production, development, or testing), and the cell lines of aborted fetuses.

17. A fundamental component of plaintiff's sincerely held religious beliefs is that all life is sacred, from the moment of conception to natural death, and that abortion is a grave sin against God and the murder of an innocent life.
18. These beliefs are rooted in the Bible's teachings that "all Scripture is given by inspiration of God, and is profitable for doctrine, for reproof, for correction, [and] for instruction in righteousness." *2 Timothy* 3:16 (KJV).
19. Plaintiff therefore believes that he must conform his life to the commands and teachings of Scripture, including decisions regarding medical care.
20. Plaintiff further seeks God's will in his life through prayer, which forms the basis of his religious and moral conscience.
21. It is through prayer and reading the Bible that plaintiff receives revelation from the Holy Spirit as he attempts to live out God's will for his life, a sincerely held religious belief also rooted in the Bible's teachings: "[f]or all who are being led by the Spirit of God, these are sons of God." *Romans* 8:14 (KJV), and "[i]f you love me, you will keep my commandments." *John* 14:15.
22. Plaintiff's sincerely held religious beliefs on abortion are rooted in Biblical teachings¹, in that God forms children from the womb, personally knows them prior to their birth, and that therefore all life is sacred from the moment of conception:
- a. "Thou shalt not kill²." *Exodus* 20:13 (KJV);

¹ See: <https://www.gotquestions.org/abortion-Bible.html>

² *Exodus* 21:22-25 explains that this includes babies inside of the womb.

- b. "Ye have heard that it was said of them of old time, Thou shalt not kill; and whosoever shall kill shall be in danger of the judgment..."
Matthew 5:21 (KJV);
- c. "Before I formed thee in the belly I knew thee; and before thou camest forth out of the womb I sanctified thee..." *Jeremiah 1:5 (KJV);*
- d. "I was cast upon thee from the womb: thou art my God from my mother's belly." *Psalms 22:10 (KJV);*
- e. "For thou has possessed my reins: thou has covered me in my mother's womb. I will praise thee; for I am fearfully and wonderfully made: marvelous are thy works; and that my soul knoweth right well." *Psalms 139:13-14 (KJV);*
- f. "Thine eyes did see my substance, yet being unperfect; and in thy book all my members were written, which in continuance were fashioned, when as yet there was none of them." *Psalms 139:16 (KJV);*
- g. "The Lord that made thee, and formed thee from the womb..." *Isaiah 44:2 (KJV);*
- h. "Thus saith the Lord, thy redeemer, and he that formed thee from the womb, I am the Lord that maketh all things." *Isaiah 44:24 (KJV);*
- i. "The Lord hath called me from the womb; from the bowels of my mother hath he made mention of my name." *Isaiah 49:1 (KJV);*
- j. "The Lord that formed me from the womb to be his servant." *Isaiah 49:5 (KJV);*

k. "Let us make man in our image, after our likeness... So God created man in His own image; in the image of God created He him; male and female created he them." *Genesis* 1:26-17 (KJV);

23. Plaintiff believes, therefore, that taking these precious lives through the practice of abortion is akin to murder of an innocent human expressly forbidden in the Bible. *See, e.g. Exodus* 20:13; ("Thou shalt not kill." (KJV)); *Exodus* 21:22-23 (setting the penalty as death for even the accidental killing of an unborn child); *Exodus* 23:7 ("the innocent and righteous slay thou not, for I will not justify the wicked." (KJV)); *Genesis* 9:6 ("Whoso sheddeth a man's blood, by man shall his blood be shed: for in the image of God made he man." (KJV)); *Deuteronomy* 27:25 ("Cursed be he that taketh reward to slay an innocent person." (KJV)); *Proverbs* 6:16-17 ("These six things doth the Lord hate: yea, seven are an abomination to him . . . hands that shed innocent blood." (KJV)).

24. Plaintiff's sincerely held religious beliefs, rooted in the Biblical Scriptures above, considers anything that supports, justifies, condones or benefits from the practice of abortion, which takes an innocent life, to be sinful and in complete opposition to the Bible, from which he must abstain and avoid completely.

25. Plaintiff's sincerely held religious belief, rooted in the Scriptures above, is that it is an affront to the Bible's teaching that all life is sacred for him to use a product derived from **or connected in any way to abortion.**

26. Plaintiff's sincerely held religious belief, rooted in the Scriptures above, precludes him from accepting any one of the three currently available COVID-19 vaccines, as all three (Pfizer, Moderna, Johnson & Johnson) were derived from, produced, manufactured by, tested on, developed with, or otherwise connected to aborted fetal cell lines.

27. Johnson & Johnson used aborted fetal cell lines to produce and manufacture its vaccines³.

28. Moderna and Pfizer/BioNTech COVID-19 vaccines also trace their origins to research on aborted fetal cells and are ultimately derived from research and testing on aborted fetal cell lines: "Early in the development of mRNA vaccine technology, fetal cells were used for 'proof of concept' (to demonstrate how a cell could take up mRNA and produce the SARS-CoV-2 spike protein) or to characterize the SARS-CoV-2 spike protein." See North Dakota Health, *COVID-19 Vaccines & Fetal Cell Lines* (Apr. 20, 2021) as referenced in Footnote 3.

29. Pfizer and Moderna's use of aborted fetal cells in the "proof of concept" phase of their COVID-19 mRNA vaccine development was also confirmed by the Louisiana Department of Public Health, *You Have Questions, We Have Answers: COVID-19 Vaccine FAQ* (Dec. 12, 2020):

³ See: <https://www.nebraskamed.com/COVID/you-asked-we-answered-do-the-covid-19-vaccines-contain-aborted-fetal-cells>, "For the Johnson & Johnson vaccine, fetal cell lines were used in the production and manufacturing stage. To make the Johnson & Johnson vaccine, scientists infect PER.C6 fetal cell lines to grow the adenovirus vector." See also: https://www.health.nd.gov/sites/www/files/documents/COVID%20Vaccine%20Page/COVID-19_Vaccine_Fetal_Cell_Handout.pdf, and <https://www.science.org/doi/full/10.1126/science.368.6496.1170>

https://ldh.la.gov/assets/oph/Center-PHCH/Center-PH/immunizations/You_Have_Qs_COVID-19_Vaccine_FAQ.pdf

30. In that all three of the subject vaccines are developed and produced from, tested with, researched on, or otherwise connected to aborted fetal cell lines HEK-293 and PER.C6, Plaintiff's sincerely held religious beliefs compel him to abstain from obtaining or injecting any of these products into his body, regardless of the perceived benefit or rationale.

31. While some faith leaders and other adherents whose understanding of Scripture is different, and who may be willing to accept one of the three subject vaccines despite their connection with aborted fetal cell lines, plaintiff's sincerely held religious beliefs compel him to adhere to the truth that the testing, development, production or other connection to aborted fetal cell lines is morally and Scripturally unacceptable and an affront to the Scripture's teachings that God values all human life, and that abortion – in all of its manifestations and with all of its so-called 'benefits' – is a grave sin in which Plaintiff cannot participate.

32. Plaintiff also has a sincerely held religious belief that God is directing him not to take the vaccination based on his God's command, and that to act outside of his faith and God's command would be sin. (Romans 14:23).

33. Plaintiff further sincerely believes that his body belongs to God and is a temple of God's Holy Spirit, (1 Cor. 6:19-20), and that injecting any of the

ingredients contained within the three available COVID-19 vaccines would defile his body and dishonor God.

34. Plaintiff's sincerely held beliefs are fundamental to the practice of his Christian faith.

35. Plaintiff has a sincerely held religious belief that Jesus Christ died on the cross for his sins, was resurrected three days later, and that when He ascended into Heaven, He sent the Holy Spirit to indwell His believers and to guide them in all aspects of their lives. *John* 16:7 ("Nevertheless I tell you the truth, it is expedient for you that I go away: for if I go not away, the Comforter will not come unto you; but if I depart, I will send him unto you." (KJV)); *John* 14:26 ("But the Comforter, which is the Holy Ghost, whom the Father will send in my name, he shall teach you all things, and bring all things to your remembrance, whatsoever I have said unto you." (KJV)).

36. Plaintiff has a sincerely held religious belief that the Holy Spirit was given to him by God to reprove him of righteousness and sin and to guide him into all truth. See *John* 16:8,13 ("And when he is come, he will reprove the world of sin, and of righteousness, and of judgment . . . when he, the Spirit of truth, is come, he will guide you into all truth: for he shall not speak of himself; but whatsoever he shall hear, that shall he speak: and he will shew you things to come." (KJV)).

37. Plaintiff also has a sincerely held religious belief that he shall receive all answers to his questions through prayer and supplication, including for

decisions governing his medical health. See *James* 1:5 (“If any of you lack wisdom, let him ask of God, that giveth to all men liberally, and upbraideth not; and it shall be given him.” (KJV)); *Mark* 11:24 (“Therefore I say unto you, What things soever ye desire, when ye pray, believe that ye receive them, and ye shall have them.” (KJV)); *Philippians* 4:6-7 (“but in everything by prayer and supplication with thanksgiving let your request be made known to God. And the peace of God, which passeth all understanding, shall keep your hearts and minds through Christ Jesus.” (KJV)); *1 John* 4:14-15 (“And this is the confidence we have in him, that, if we ask anything according to his will, he heareth us. And if we know that he hear us, whatsoever we ask, we know that we have the petitions that we desired of him.” (KJV)).

38. Through much prayer and reflection, Plaintiff has sought wisdom, understanding, and guidance on the proper decision to make concerning these COVID-19 vaccines, and has been convicted by the Holy Spirit in his beliefs that accepting any of the three subject vaccines is against the teachings of Scripture and would be a sin.
39. Plaintiff has a sincerely held religious belief that compels him to follow the teachings of the Holy Spirit, who has not given him peace or comfort to accept any of the three currently available COVID-19 vaccines.

40. Plaintiff has a sincerely held religious belief that he is being guided and instructed by the Holy Spirit not to accept any of the three subject vaccines and that it would be a sin against God to do so.

41. Plaintiff shared his beliefs with defendant, complying with their policy by providing his beliefs to the best of his ability on defendant's prescribed portal, and has asked defendant for exemption and reasonable accommodation for these beliefs, but defendant has unlawfully refused.

42. Plaintiff can and will comply with all other reasonable alternatives to compliance with COVID-19 Vaccination Policy and to comply with the same alternatives to vaccination that the defendant has provided as accommodations in the past.

Wrongful Denial of Accommodation

43. Defendant's October 4, 2021 letter stated, proactively, that religious and medical exemptions would be given only in limited circumstances.

44. Defendant stated in its October 4, 2021 letter that non-vaccinated individuals are at a higher risk of contracting COVID-19 and unknowingly spreading the virus, and that this would increase community spread and cause staffing shortages.

45. After submitting his request for accommodation, plaintiff received the same boilerplate letter that was sent to nearly every employee who was denied accommodation, stating that the defendant did not make a determination as

to the sincerity of plaintiff's beliefs, but that granting his exemption would pose an undue hardship on Southcoast. (Exhibit B).

46. In the denial letter, it states that "periodic testing, wearing personal protective equipment, and other actions are not sufficient to stop the spread of the virus."

47. Defendant offered no appeal from the decision or any meaningful dialogue.

48. Asymptomatic transmission of COVID-19 is highly unlikely. See Madewell, Z.

J., Yang, Y., Longini, I. M., Halloran, M. E. & Dean, N. E. (2020). *Household transmission of SARS-CoV-2: A systematic review and meta-analysis*. JAMA NETWORK OPEN, 3(12), 1-17.

<https://doi.org/10.1001/jamanetworkopen.2020.31756>; Cao, S., Gan, Y., Wang,

C., Bachmann, M., Wei, S., Gong, J., Huang, Y., Wang, T., Li, L., Lu, K.,

Jiang, H., Gong, Y., Xu, H., Shen, X., Tian, Q., Lv, C., Song, F., Yin, X. & Lu,

Z. (2020). *Post-lockdown SARS-CoV-2 nucleic acid screening in nearly ten*

million residents of Wuhan, China. NATURE COMMUNICATIONS, 11(1),

5917. <https://doi.org/10.1038/s41467-020-19802-w>; Buitrago-Garcia, D., Egli-

Gany, D., Counotte, M. J., Hossmann, S., Imeri, H., Ipekci, A. M., Salanti, G.

& Low, N. (2020). *Occurrence and transmission potential of asymptomatic*

and presymptomatic SARS-CoV-2 infections: A living systematic review and meta-analysis. PLOS MEDICINE, 17(9), e1003346.

<https://doi.org/10.1371/journal.pmed.1003346>; Cevik, M., Tate, M., Lloyd, O.,

Maraolo, A. E., Schafers, J. & Ho, A. (2021). *SARS-CoV-2, SARS-CoV, and*

MERS-CoV viral load dynamics, duration of viral shedding, and infectiousness: A systematic review and meta-analysis. THE LANCET, MICROBE, 2(1), e13-e22. [https://doi.org/10.1016/s2666-5247\(20\)30172-5](https://doi.org/10.1016/s2666-5247(20)30172-5);

Peirlinck, M., Linka, K., Costabal, F. S., Bhattacharya, J., Bendavid, E., Ioannidis, J. P. A. & Kuhl, E. (2020). *Visualizing the invisible: The effect of asymptomatic transmission on the outbreak dynamics of COVID-19.*

COMPUTER METHODS IN APPLIED MECHANICS AND ENGINEERING, 372(1), 113140. <https://doi.org/10.1016/j.cma.2020.113410>.

49. Plaintiff's presence at the workplace unvaccinated while wearing a facemask, checking his temperature, monitoring for symptoms, physically distancing from patients and employees when possible not pose a "direct threat" at his place of work. See: Baker, M., Rhee, C., Fiumara, K., Bennett-Rizzo, C., Tucker, R., Williams, S., . . . Klompas, M. (2020). COVID-19 infections among HCWs exposed to a patient with a delayed diagnosis of COVID-19. *Infection Control & Hospital Epidemiology*, 41(9), 1075-1076. <https://doi:10.1017/ice.2020.256> (low infection rate amongst healthcare workers exposed to COVID-19 infected patients); Meghan A Baker, Karen Fiumara, Chanu Rhee, Sarah A Williams, Robert Tucker, Paige Wickner, Andrew Resnick, Michael Klompas, CDC Prevention Epicenters Program, Low Risk of Coronavirus Disease 2019 (COVID-19) Among Patients Exposed to Infected Healthcare Workers, *Clinical Infectious Diseases*, Volume 73, Issue 7, 1 October 2021, Pages e1878–e1880,

<https://doi.org/10.1093/cid/ciaa1269> (low infection rate amongst healthcare workers exposed to COVID-positive patients); Cavanaugh AM, Spicer KB, Thoroughman D, Glick C, Winter K. *Reduced Risk of Reinfection with SARS-CoV-2 After COVID-19 Vaccination — Kentucky, May–June 2021*. MMWR MORB MORTAL WKLY REP 2021;70:1081-1083.

<https://doi.org/10.15585/mmwr.mm7032e1> (vaccinated racetrack worker study showing that vaccinated workers were over two times **more likely** to be reinfected than unvaccinated workers); Vitale, J., Mumoli, N., Clerici, P., de Paschale, M., Evangelista, I., Cei, M. & Mazzone, A. (2021). *Assessment of SARS-CoV-2 reinfection 1 year after primary infection in a population in Lombardy, Italy*. JAMA INTERNAL MEDICINE, 181(10), 1407-1409.

<https://doi.org/10.1001/jamainternmed.2021.2959> (reinfection is incredibly rare); Elijah, S (2022) *On What Basis Did Pfizer Claim 95%*,

<https://brownstone.org/articles/on-what-basis-did-pfizer-claim-95/> (Analysis of publicly-released Pfizer trial data shows **an actual effectiveness of 12%**, compared to Pfizer's claim of 95%).

50. As the science has progressed on the study of COVID-19, studies have shown that there is a very small statistical difference between vaccinated and unvaccinated individuals when it comes to transmission of the virus. See Gunter, Kampf, (November 19, 2021), *The Epidemiological Relevance of the COVID-19-Vaccinated population is increasing*.

<https://doi.org/10.1016/j.lanepi.2021.100272> (39% of infected are fully

vaccinated); Brown CM, Vostok J, Johnson H, et al. *Outbreak of SARS-CoV-2 Infections, Including COVID-19 Vaccine Breakthrough Infections, Associated with Large Public Gatherings* — Barnstable County, Massachusetts, July 2021. MMWR Morb. Mortal Wkly. Rep 2021;70:1059-1062.

https://www.publichealthontario.ca/-/media/documents/ncov/research/2021/08/synopsis-brown-mmwr-breakthrough-infections-large-public-gatherings.pdf?sc_lang=en&hash=5F574064D4A73D8F3317281A26E6E6BE

(Roughly 3/4 of all infected from outbreak of 469 cases were vaccinated)

51. Plaintiff's mask and thermometer are items that he could simply purchase himself for less than \$20, therefore his accommodation would not pose a financial hardship to the defendant.

52. Massachusetts currently has approximately 5,000 vacancies for nurses at hospitals within the Commonwealth⁴.

53. Thus, even if plaintiff or any other employee in his position were to have to quarantine, the loss of staffing for the quarantine period would still prove less than perpetual vacancies due to not allowing vaccinated employees to work at defendant's hospitals.

CLASS ALLEGATIONS

54. Plaintiff brings this action under Mass. R. Civ. P. 23.

⁴ <https://www.statnews.com/2022/07/13/nursing-shortage-massachusetts-hospitals-multimillion-dollar-costs/> (dated July 13, 2022).

55. Through this action, plaintiff seeks to represent a class of all Southcoast employees who have requested or will request religious exemptions and accommodations from its mandatory COVID-19 vaccination policy and who have had those requests unlawfully denied (expressly or constructively).

56. The class is so numerous that joinder of all members is impractical. While the class size is currently 43 employees (all who have obtained a right to sue from the EEOC), defendant's website indicates that Southcoast employs over 7,500 people⁵. The precise number and identification of the class members will be ascertainable from Southcoast's records during discovery.

57. There are questions of law and fact common to all members of the class.

Those common questions include, but are not limited to, the following:

- a. Did Southcoast comply with federal and state law when it denied religious accommodation requests across the board?
- b. Did Southcoast comply with federal and state law when it informed plaintiff and other employees that it would be an undue hardship to let them keep their current positions, regardless of any alternative safety measures that these employees were willing to abide by, and that other healthcare employers within the Commonwealth and throughout the country allow their employees to abide by?

⁵ <https://www.southcoast.org/careers/>

- c. Did Southcoast violate federal and state law by granting exemption requests and providing reasonable accommodations to other employees while denying plaintiff and other employees their similar requests?
- d. Did Southcoast comply with its Title VII obligation to engage in the interactive process when responding to each of its exemption requests?
- e. Did Southcoast violate federal and state law in creating a policy that only provided accommodation in limited circumstances that could be revoked in its sole discretion?

58. Plaintiff's claims are typical of the claims of the class because he, like the class members, requested exemption and accommodation from the COVID-19 vaccination policy and Southcoast denied those requests.

59. For the same reason, plaintiff will fairly and adequately protect the interests of the class.

60. The question of law or fact common to the members of the class predominate over any questions affecting only individual members, and a class action is superior to other available methods for fairly and efficiently adjudicating plaintiffs' claims. Joinder of all members is impracticable.

COUNT I
(Title VII Violation)
42 U.S.C. § 2000e, et seq.

61. Plaintiff realleges and adopts each and every allegation in paragraphs 1-60 as if fully set forth herein.

62. Title VII of the Civil Rights Act prohibits Defendant from discriminating against its employees on the basis of their sincerely held religious beliefs.
63. Plaintiff holds a sincere religious belief that precludes him from receiving a COVID-19 vaccine.
64. Plaintiff informed Defendant of those beliefs and requested a religious exemption and reasonable accommodation from the vaccine policy.
65. Defendant failed to engage in a meaningful interactive process with Plaintiff regarding his religious accommodation request.
66. Irrespective of the interactive process, Defendant failed to provide Plaintiff with a religious exemption and reasonable accommodation, thereby discriminating against Plaintiff because of his religious beliefs.
67. Defendant's failure to provide religious exemption and accommodation to Plaintiff has caused him harm.
68. Once an employee demonstrates that their religious belief conflicts with an employment condition, "the burden then shifts to the employer to show that it offered a reasonable accommodation or, if it did not offer an accommodation, that doing so would have resulted in undue hardship. *Cloutier v. Costco Wholesale Corp.*, 390 F.3d 126, 133 (1st Cir. 2004).
69. Defendants did not demonstrate that accommodating Plaintiff's religious beliefs would have resulted in undue hardship.
70. By failing to engage in a meaningful interactive process, offer any reasonable accommodation, or demonstrate an undue hardship, Defendant's

discriminatory actions were intentional and/or reckless and in violation of Title VII.

Wherefore, Plaintiff requests relief against Defendant as set forth in his prayer for relief.

COUNT II
(Religious Discrimination)
M.G.L. c. 151B

71. Plaintiff realleges and adopts each and every allegation in paragraphs 1-70 as if fully set forth herein.

72. G.L. c. 151B §4 prohibits Defendant from discriminating against their employees on the basis of their sincerely held religious beliefs.

73. Plaintiff holds a sincere religious belief that precludes him from receiving a COVID-19 vaccine.

74. Plaintiff informed Defendants of those beliefs and requested a religious exemption and reasonable accommodation from the vaccine policy.

75. Defendants failed to engage in a meaningful interactive process with Plaintiff regarding his religious accommodation request.

76. Irrespective of the interactive process, Defendants failed to provide Plaintiff with a religious exemption and reasonable accommodation, thereby discriminating against Plaintiff because of his religious beliefs.

77. Defendants' failure to provide religious exemption and accommodation to Plaintiff has caused Plaintiff harm.

78. By failing to engage in a meaningful interactive process, offer any reasonable accommodation, or demonstrate an undue hardship, Defendant's discriminatory actions were intentional and/or reckless and in violation of G.L. c. 151B.

Wherefore, Plaintiff requests relief against Defendant as set forth in his prayer for relief.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff requests that this Court:

79. Certify this action as a class action under Mass. R. Civ. P. 23.

80. Award money damages, punitive damages, costs and attorney fees to plaintiff and others similarly situated to be proven at trial.

81. Award any other relief this Court deems equitable and just.

**Plaintiff, individually and on behalf of all others similarly situated,
demands a trial by jury.**

Plaintiff, by his attorney,

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