

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF WAYNE

ROBERT GARZA,

Plaintiff,

-vs-

Case No. 25-
Hon.

-CD

CAMPBELL SOUP COMPANY,
J.D. AUPPERLE, individually,
and MARTIN BALLY, individually,

Defendants.

ZACHARY T. RUNYAN (P83671)

RUNYAN LAW GROUP

Attorneys for Plaintiff

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There is no other civil action between these parties arising out of the same transaction or occurrence as alleged in this Complaint pending in this Court, nor has any such action been previously filed and dismissed or transferred after having been assigned to a judge, nor do I know of any other civil action, not between these parties, arising out of the same transaction or occurrence as alleged in this Complaint that is either pending or was previously filed and dismissed, transferred or otherwise disposed of after having been assigned to a Judge in this Court.

PLAINTIFF'S COMPLAINT

NOW COMES Plaintiff, **ROBERT GARZA**, by and through his attorneys, **Runyan Law Group**, and for his Complaint against the defendants named herein, states as follows:

JURISDICTION AND VENUE

1. Jurisdiction is proper because the amount in controversy exceeds this Court's jurisdictional minimum, not including costs, interests, and attorney fees.

2. Venue is proper because Defendant Martin Bally resides in Wayne County, Michigan and the relevant transactions and occurrences occurred in Wayne County Michigan.

PARTIES

3. Plaintiff, Robert Garza, is a resident of the County of Monroe, State of Michigan.

4. Defendant Campbell Soup Company, (hereinafter “Campbell”) is foreign Corporation with Headquarters in the State of New Jersey.

5. Defendant J.D. Aupperle is a resident of the State of Pennsylvania.

6. Defendant, Martin Bally, is a resident of the City of Canton, County of Wayne, State of Michigan.

FACTUAL ALLEGATIONS

7. In September of 2024, Plaintiff was hired by Defendant Campbell’s as a Cyber Security Analyst.

8. Plaintiff excelled in this role.

9. In or around November 2024, Plaintiff had a meeting with Defendant Bally to discuss Plaintiff’s salary.

10. During the meeting, Defendant Bally made several racist comments that shocked Plaintiff.

11. For example, Defendant Bally stated that Campbell’s is “highly process food” for “poor people.”

12. Defendant Bally also made several racist comments about Indian workers at the company.

13. For example, Defendant Bally claimed that Indian workers were “idiots” and expressed that he disliked working with them.

14. Defendant Bally also disclosed to Plaintiff that he often appeared at work high from marijuana edibles.

15. Following the meeting, Plaintiff was appalled by Defendant Bally's racist comments and reported them to his manager, Defendant Aupperle.

16. On or about January 10, 2025, Plaintiff informed Defendant Aupperle that he wanted to inform Defendant Campebell's Human Resources about the comments.

17. Defendant Aupperle did not encourage Plaintiff to report the comments to Human Resources and failed to provide him any direction on how to proceed.

18. On or about January 30, 2025, Plaintiff was abruptly terminated from employment.

19. Upon information and belief, Defendant Aupperle and Bally were responsible for Plaintiff's termination.

20. Defendants terminated Plaintiff in retaliation for complaining about Defendant Bally's racist behavior.

21. As a result of Defendants' actions, Plaintiff has suffered and will continue to suffer damages including, but not limited to:

- a. Stress;
- b. Humiliation;
- c. Embarrassment;
- d. Outrage;
- e. Mental anguish;
- f. Denial of Social Pleasures
- g. Fear and mortification;
- h. Emotional Damages;

- i. Economic damages;
- j. Non-economic Damages;
- k. Attorney fees and costs;
- l. Other damages to be discovered through the course of litigation

COUNT I
VIOLATION OF MICHIGAN ELLIOT-LARSEN CIVIL RIGHTS ACT
(Retaliation)

22. Plaintiff by reference, incorporates the preceding paragraphs as though fully set forth herein.

23. At all material times, Plaintiff was an employee, and Defendants were his employer, covered by and within the meaning of the Michigan Elliott-Larsen Civil Rights Act, MCL 37.2101, et seq.

24. Defendants retaliated against Plaintiff for reasons including, but not limited to, filing complaints of racial discrimination and racial harassment.

25. Plaintiff was subjected to adverse employment actions, including, but not limited to, termination.

26. Defendants' actions were intentional, with reckless indifference to Plaintiff's rights and sensibilities.

27. As a direct and proximate result of Defendants' actions, Plaintiff has suffered and continue to suffer damages and injuries.

WHEREFORE Plaintiff respectfully requests that this Honorable Court enter judgment on Plaintiff's claims in a sum that the Court or jury find to be fair and just, including attorney fees, costs, and exemplary damages.

COUNT II
VIOLATION OF MICHIGAN ELLIOTT-LARSEN CIVIL RIGHTS ACT
(Hostile Work Environment)

28. Plaintiff by reference, incorporates the preceding paragraphs as though fully set forth herein.

29. At all material times, Plaintiff was an employee, and Defendants were his employer, covered by and within the meaning of the Michigan Elliott-Larsen Civil Rights Act, MCL 37.2101, et seq.

30. Defendants are vicariously liable for the violation of Plaintiff's Civil Rights by its employees and agents under the doctrine of *respondeat superior*.

31. Plaintiff was subjected to unwelcomed conduct based on race.

32. The unwelcomed conduct affected a term or condition of employment and/or had the purpose or effect of unreasonably interfering with Plaintiff's work performance and/or creating an intimidating, hostile or offensive work environment.

33. As a direct and proximate result of Defendants' unlawful actions, Plaintiff has sustained and continues to sustain injuries and damages.

WHEREFORE Plaintiff respectfully requests that this Honorable Court enter judgment on Plaintiff's claims in a sum that the Court or jury find to be fair and just, including attorney fees, costs, and exemplary damages.

Respectfully submitted,

/s/ Zachary T. Runyan

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Dated: November 20, 2025