

2020-002358-1
NO. _____

MELINDA HAMILTON,	§	IN THE COUNTY COURT
	§	
Plaintiff,	§	
	§	
VS.	§	NO. _____
	§	
MIKE BLOOMBERG 2020 INC.	§	
	§	
Defendant.	§	TARRANT COUNTY, TEXAS

PLAINTIFF'S ORIGINAL PETITION AND REQUEST FOR DISCLOSURE

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW Melinda Hamilton, Plaintiff herein, and files this her Original Petition and Request for Disclosure complaining of the Mike Bloomberg 2020 Inc., Defendant herein, and for cause of action, would show the following:

1.

Pursuant to Rule 190 of the Texas Rules of Civil Procedure, Plaintiff alleges that discovery is to be conducted under Level 2.

2.

Plaintiff is an individual residing in Tarrant County, Texas.

Defendant, Mike Bloomberg 2020 Inc. may be served with process, by serving Mike Bloomberg at 229 W. 43rd Street, 8th Floor, New York, New York 10036.

3.

Venue is proper in Tarrant County pursuant to § 15.002 of the Texas Civil Practice and Remedies Code because all or a substantial part of Plaintiff's cause of action arose in Tarrant County.

4.

FACTS

Plaintiff is a capable employee with a history of involvement in political campaigns. Defendant recruited Plaintiff to work for his campaign for the 2020 Democratic Presidential nomination. Defendant touted to the media and Democratic Party voters that it had built a formidable campaign team made up of Plaintiff and others.

Defendant promised Plaintiff and others that even if Mike Bloomberg withdrew from his campaign, Defendant would continue to employ and pay Plaintiff through the November election “no matter what.” Defendant guaranteed Plaintiff a job through the November election. Plaintiff relied on this representation to her detriment, leaving other employment and forgoing other employment opportunities. Plaintiff provided sufficient consideration to support this oral contract.

Plaintiff also relied on these representations when she signed an agreement. Plaintiff agreed to not disparage Mike Bloomberg during or after her employment with Defendant. If Plaintiff knew that Mike Bloomberg would go back on his word much in the style of Donald Trump, she never would have agreed to not to bad mouth Bloomberg.

Defendant promised to pay Plaintiff \$6,000 per month through the election plus provide employment benefits like paid leave during the COVID-19 crisis and health insurance.

Plaintiff is due \$42,000 in wages plus lost health insurance benefits.

5.

ORAL CONTRACT

Defendant and Plaintiff entered into an oral contract performable within one year.

6.

FRAUD

Defendant committed fraud against Plaintiff

7.

PROMISSORY ESTOPPEL

Defendant made a promise upon which Plaintiff reasonably relied upon to her detriment.

8.

UNJUST ENRICHMENT

Defendant benefited from hiring and touting that it had built a campaign team made up of Plaintiff and others and was unjustly enriched at Plaintiff's expense.

9.

DAMAGES

As a result of Defendant's actions, Plaintiff has suffered in the past, and in all reasonable likelihood, will suffer in the future, damages including, lost wages, lost earning capacity, mental anguish, emotional pain and suffering, lost employment benefits, inconvenience, loss of enjoyment of life, damage to professional reputation, and other damages.

Pursuant to Tex. R. Civ. P. 47, Plaintiff seeks only monetary relief of \$75,000 or less, including damages of any kind, penalties, costs, expenses, pre-judgment interest, and attorney fees.

10.

Plaintiff is entitled to attorney's fees pursuant to Chapter 38 of the Texas Civil Practices and Remedies Code.

11.

REQUEST FOR DISCLOSURE

Under the authority of Texas Rules of Civil Procedure 194, Plaintiff requests that Defendant Bloomberg disclose within fifty (50) days of service of this request, the information or material described in Rules 194.2 and 194.3 and 194.5.

12.

NOTICE OF INTENT TO USE DOCUMENTS

Pursuant to Tex. R. Civ. P. 193.7, Plaintiff, by and through the undersigned attorneys, notifies Defendant of Plaintiff's intention to use, any pretrial proceeding or at trial, any documents produced by Defendant in response to Plaintiff's written discovery.

13.

CIVIL PRACTICES AND REMEDIES CODE § 30.014

Pursuant to the Civil Practices and Remedies Code § 30.014, the last three digits of Plaintiff's Driver's License number are #394.

14.

DESIGNATED E-SERVICE MAIL ADDRESS

The following is the undersigned attorney's designation of electronic service email address for all electronically served documents and notices, filed and unfiled, pursuant to Tex.R.Civ.P. 21(f)(2) & 21(a). (courtfilings@letsgotocourt.com). This is the undersigned's ONLY electronic service email address, and service through any other email address will be considered invalid.

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that the Defendant be cited to appear and answer herein; and upon final hearing, the Court award damages, costs of court, interest, and reasonable attorney's fees and other amounts not to exceed \$75,000.00.

Respectfully submitted,

/s/ JASON C.N. SMITH
JASON C.N. SMITH
State Bar No. 00784999

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