

**IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA  
CIVIL DIVISION**

**COVER SHEET**

<p>Plaintiff(s) <b>Niyah Witherspoon</b></p> <p style="text-align: center;">Vs</p> <p>Defendant(s) <b>Amazon.com, Inc.</b> <b>Allegheny Direct Logistics, LLC</b></p>						
	Case Number : <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"><tr><td style="width: 30%; height: 25px;"></td><td style="width: 10%; text-align: center;">-</td><td style="width: 30%; height: 25px;"></td><td style="width: 10%; text-align: center;">-</td><td style="width: 19%; height: 25px;"></td></tr></table>		-		-	
		-		-		
	Type of pleading : <b>Class Complaint in Civil Action</b>					
	Code and Classification : _____					
	Filed on behalf of <b>Niyah Witherspoon</b>					
	(Name of the filing party)					
	<input checked="" type="checkbox"/> Counsel of Record <input type="checkbox"/> Individual, If Pro Se					
	Required Information: Name: <b>Mart Harris, Esq.</b> Address: <b>428 Forbes Avenue, Suite 1700</b> <b>Pittsburgh PA 15219</b> Phone Number: <b>4125880030</b> Email Address: <b>MH@TLawF.com</b>					
	Attorney's State ID : <b>319504</b>					
Attorney's Firm ID : _____						

1  
2           **IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA**

3                           **CIVIL DIVISION- GENERAL DOCKET**

4 **NIYAH WITHERSPOON**, individually and  
5 on behalf of the Proposed Class

6                           Plaintiff,

7 vs.

8 **AMAZON.COM, INC.**; and **ALLEGHENY**  
9 **DIRECT LOGISTICS, LLC**

10                           Defendant.

Case No.

**CLASS COMPLAINT IN CIVIL ACTION**

Filed on Behalf of:

**NIYAH WITHERSPOON**, Plaintiff

Filed by:

**THE TRIAL LAW FIRM, LLC**

Mart Harris, Esquire

Pa. Id. No. 319504

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428 Forbes Avenue, Suite 1700

Pittsburgh Pennsylvania 15219

**JURY TRIAL DEMANDED**

1 **NOTICE TO DEFEND**

2 **YOU HAVE BEEN SUED IN COURT.** If you wish to defend against the claims set  
3 forth in the following papers, you must take action within TWENTY (20) days  
4 after the Complaint and Notice are served by entering a written appearance  
5 personally or by an attorney and filing in writing with the Court your  
6 defenses or objections to the claims set forth against you. You are warned  
7 that if you fail to do so, the case may proceed without you and a judgment  
8 may be entered against you by the Court without further notice for any money  
9 claimed in the Complaint or for any claims or relief requested by the  
10 Plaintiff. You may lose money or property or other rights important to you.  
11

12 **YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE.** If you do not have a  
13 lawyer, go to or telephone the office set forth below. This office can  
14 provide you with information about hiring a lawyer. **IF YOU CANNOT AFFORD TO**  
15 **HIRE A LAWYER,** this office may be able to provide you with information about  
16 agencies that may offer legal service to eligible persons at a reduced fee  
17 or no fee.

18 LAWYER REFERRAL SERVICE  
19 The Allegheny County Bar Association  
20 11<sup>th</sup> Floor Koppers Building  
436 Seventh Avenue, Pittsburgh Pennsylvania 15219  
TELEPHONE: 412.261.5555

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**CLASS COMPLAINT IN CIVIL ACTION**

10   **CLASS COMPLAINT**

11                   NOW COMES, the Plaintiff, Niyah Witherspoon, by and through her  
12 lawyers, and files the within Complaint in Civil Action, and in support  
13 thereof, avers as follows:

14 **Parties, Jurisdiction, and Venue**

15                   1.       The Plaintiff is Niyah Witherspoon ("Ms. Witherspoon"). Ms.  
16 Witherspoon is an adult individual who resides in Allegheny County  
17 Pennsylvania and is a Citizen of the Commonwealth of Pennsylvania.

18                   2.       The First Defendant is Amazon.com, Inc. ("Amazon"). Amazon is a  
19 for-profit corporation organized under the laws of the State of Washington.  
20 Amazon is headquartered at 410 Terry Avenue, North, Seattle Washington,  
21 98109-5210. Upon information and belief, Amazon has one or more regular  
22 places of business in Allegheny County Pennsylvania, including but not  
23 limited to 2250 Roswell Drive, Pittsburgh PA 15205.

24                   3.       The Second Defendant is Allegheny Direct Logistics, LLC  
25 ("Allegheny Direct"). Allegheny Direct is a for-profit limited liability  
26 company organized under the laws of the Commonwealth of Pennsylvania.  
27 Allegheny Direct has a regular place of business at 803 Park Plaza, Wexford  
28 Pennsylvania 15090.

1           4.       This court has personal jurisdiction over the Parties, because  
2 Ms. Witherspoon avails herself to same, and because the Defendants operate  
3 one or more business locations in Allegheny County, Pennsylvania. See 42  
4 Pa.C.S.A. § 5322(a) (1).

5           5.       This court has subject-matter jurisdiction as this lawsuit is  
6 brought pursuant to the Pennsylvania Criminal Record Information Act, 18  
7 Pa.C.S. § 9101 *et seq.* See 42 Pa.C.S. § 931(a).

8           6.       Federal subject matter jurisdiction is lacking because no  
9 federal claims are being asserted and complete diversity does not exist  
10 among the parties. Moreover, the complaint cannot be removed to federal  
11 court pursuant to the Class Action Fairness Act of 2005 because, *inter alia*,  
12 greater than two-thirds of the members of the proposed class in the  
13 aggregate and the defendant are citizens of Pennsylvania.

14           7.       This civil action is a class action, thus within the  
15 jurisdiction of the Commerce and Complex Litigation Center pursuant to  
16 Allegheny County Local Rule 249(1). Pursuant to Allegheny County Local Rule  
17 249(3), this case must be assigned to the Class Action Judge in accordance  
18 with Pa.R.Civ.P. 1701 *et seq.*

19           8.       The damages alleged in this Complaint exceed the Arbitration  
20 Limits set by the Allegheny County Court of Common Pleas.

21 **Facts**

22           9.       All other paragraphs of this lawsuit are incorporated.

23           10.      The well-established law and public policy in Pennsylvania, as  
24 provided in the Criminal History Records Information Act ("CHRIA"), is that  
25 criminal history record information related to arrests that have not  
26 resulted in a misdemeanor or felony conviction cannot be considered in  
27 assessing the qualifications of persons for employment. 18 Pa. Cons. St. §  
28 9125(b). Defendants consciously disregards this mandate. Defendants

1 routinely as a matter of practice and procedure, requests and considers  
2 criminal history records information about prospective or current employees  
3 that contains arrest related information that has not, and cannot result in  
4 a conviction of a felony or a misdemeanor, in clear violation of  
5 Pennsylvania law.

6 11. Ms. Witherspoon was victimized by Defendants' illegal practices.  
7 Defendants refused to employ Ms. Witherspoon based upon a record of an  
8 arrest that resulted in charges being dismissed. Ms. Witherspoon thus  
9 demands a declaration that her rights under CHRIA have been violated,  
10 preliminary and final injunctive relief prohibiting Defendants from using  
11 criminal history records of arrests that have not resulted in conviction in  
12 assessing prospective or current employees for employment and requiring  
13 Defendants to provide written notice of a decision not to hire an applicant  
14 based in whole or in part on criminal history record information, damages  
15 and/or actual and real damages of not less than \$100, statutory damages,  
16 punitive damages, attorneys' fees, and costs pursuant to 18 Pa. Cons. St. §  
17 9183(b).

18 12. It is the public policy in Pennsylvania, as embodied in §  
19 9125(b) of CHRIA, 18 Pa. Cons. St. § 9125(b), that only records related to  
20 felony and misdemeanor convictions can be considered for employment  
21 application purposes and only to the extent they relate to the applicant's  
22 suitability for the position for which he applied.

23 13. CHRIA prohibits employers in Pennsylvania from using certain  
24 arrest related information in considering employment applications. CHRIA  
25 specifically provides as follows:

- 26 a. **(a) General rule.**--Whenever an employer is in receipt of  
27 information which is part of an employment applicant's criminal  
28 history record information file, it may use that information for

1 the purpose of deciding whether or not to hire the applicant,  
2 **only in accordance with this section.**

3 b. **(b) Use of information.**--Felony and misdemeanor convictions may  
4 be considered by the employer only to the extent to which they  
5 relate to the applicant's suitability for employment in the  
6 position for which he has applied.

7 18 Pa. Cons. St. § 9125 (emphasis added).

8 14. Pennsylvania courts construe this provision to mean that an  
9 individual's experience with the criminal justice system that falls short of  
10 a conviction for a felony or a misdemeanor cannot be the subject of  
11 consideration by a private employer in Pennsylvania considering the  
12 employment application of that individual.

13 15. When Pennsylvania residents seeking employment with Defendants  
14 are interviewed, the potential applicant is asked if they have any criminal  
15 history, regardless of whether the person has been convicted of anything.

16 16. Defendants could readily and easily limit its consideration to  
17 criminal history records of felony and misdemeanor *convictions*.

18 17. Whenever Defendants obtain criminal records history information  
19 about Pennsylvania resident applicants, they do not have a procedure  
20 designed to exclude from consideration criminal history information about  
21 arrests that did not result in conviction as required by § 9125(b) of CHRIA.

22 18. Ms. Witherspoon applied for a position with the Defendants on or  
23 about December 15, 2020.

24 19. The position for which Ms. Witherspoon applied would have paid  
25 at least \$15.00 per hour as a Delivery Driver.

26 20. Ms. Witherspoon's application was processed by Diane Gregory  
27 ("Ms. Gregory"), an employee of Allegheny Direct.

1           21.    On or about December 21, 2020, Ms. Gregory asked Ms. Witherspoon  
2 if Ms. Witherspoon had a criminal record.

3           22.    Ms. Witherspoon informed Ms. Gregory that she had been arrested  
4 in the summer of 2020, but that the charges against her were dismissed and  
5 that she was not convicted of the misdemeanor charge.

6           23.    Ms. Gregory replied that Ms. Witherspoon could not be hired,  
7 because "any misdemeanors or felonies will disqualify [Ms. Witherspoon] from  
8 working [for Defendants]."

9           24.    Ms. Gregory further clarified the policy, informing Ms.  
10 Witherspoon that even though the charges were dropped, and she was not  
11 convicted, since the charges were reported, Ms. Witherspoon would not be  
12 able to work for Defendants.

13           25.    On or about December 22, 2020, Ms. Witherspoon protested that  
14 Allegheny Direct's policy was unfair, to be disqualified by "any  
15 misdemeanor, especially if its dropped."

16           26.    Ms. Gregory informed Ms. Witherspoon that the policy was not  
17 that of Allegheny Direct, but that of Amazon.

18           27.    Ms. Witherspoon was not convicted of a felony or misdemeanor or  
19 summary offense.

20           28.    Ms. Witherspoon has not pled guilty to a felony or misdemeanor  
21 or summary offense.

22           29.    Ms. Witherspoon has not plead *nolo contendere* to a felony or  
23 misdemeanor or summary offense.

24           30.    PNC knew or should have known about its legal obligations under  
25 CHRIA. These obligations are well established under the statute.

26           31.    Amazon is a large and sophisticated corporation with operations  
27 all over the planet Earth.



1           32. Amazon employs numerous lawyers and law firms, and further,  
2 directly employees a number of "in-house" counsel, including senior  
3 attorneys specifically dedicated to employment law. Examples of such law  
4 firms who have appeared on behalf of Amazon claims are: Gibson Dunn &  
5 Crutcher in Washington, D.C., Conrad O'Brien, P.C. in Philadelphia  
6 Pennsylvania, and others.

7           33. Upon information and belief, Defendants obtained or had  
8 available substantial written materials which apprised it of its duties  
9 under CHRIA.

10           34. Despite knowing of these legal obligations, Defendants acted  
11 consciously in breaching known duties and depriving Ms. Witherspoon and  
12 other members of the class of their rights under CHRIA.

13           35. Amazon has been put on notice on numerous occasions of its  
14 various responsibilities regarding the use of criminal background  
15 information. See e.g., *Feldstein v. Amazon.com, LLC et al.*, 3:15-cv-07322  
16 (2015, D.NJ); *Andrews, et al. v. Amazon, Inc.*, 1884CV03702E (2018, Suffolk  
17 Superior Court for the Commonwealth of Massachusetts).

18           36. It is believed and therefore averred that, in order to avoid  
19 reporting requirements under the Fair Credit Reporting Act, Amazon's new  
20 policy and practice is to immediately disqualify applicants with any kind of  
21 criminal history record information such as arrests or charges.

22           37. As a result of violations of CHRIA, Ms. Witherspoon and the  
23 defined class are entitled to an injunction forbidding Defendants from  
24 considering criminal history record information in employment decisions  
25 where the applicant is not convicted of a felony or misdemeanor.

26           38. Ms. Witherspoon and the defined class are further entitled to  
27 actual damages, punitive damages between \$1,000.00 and \$10,000.00, as well  
28 as reasonable costs of suit and attorney's fees.

1 **Class identification**

2 39. All other paragraphs of this lawsuit are incorporated.

3 40. The CHRIA class action is filed pursuant to Pa.R.Civ.P. 1701 *et*  
4 *seq.* by Ms. Witherspoon, and on behalf of all individuals with the following  
5 characteristics:

- 6 a. Individuals who applied for employment with Amazon within the  
7 statute of limitation applicable to the date of the filing of  
8 his lawsuit, who;
- 9 b. At the time of their applications were residents of the  
10 Commonwealth of Pennsylvania and are residents of the  
11 Commonwealth of Pennsylvania on the date that this lawsuit is  
12 filed, who;
- 13 c. Were arrested or charged with but not convicted of a felony or  
14 misdemeanor, and/or who;
- 15 d. Was disqualified for employment due to the individual's having  
16 been arrested or charged, notwithstanding the lack of a  
17 conviction.

18 **Class pre-requisites, numerosity**

19 41. All other paragraphs of this lawsuit are incorporated.

20 42. The proposed CHRIA class is so numerous that it is impracticable  
21 to bring all persons before the Court.

22 43. The exact number of the class is unknown, however, as of  
23 December 22, 2020, Amazon is actively recruiting for at least one hundred  
24 and seventy-seven positions in the Commonwealth of Pennsylvania. See  
25 **Complaint Exhibit 1**, Amazon Job Postings from Indeed.com, December 22, 2020  
26 at 8:33p.m. (<https://www.indeed.com/jobs?q=Amazon&l=Pennsylvania>). It is  
27 therefore believed that the class includes well over 100 persons.

1           44.    The exact number of the class can only be determined from the  
2 business records maintained by Defendants.

3           45.    Most class members would be unaware that they have cognizable  
4 claims under the law or have too little in the way of damages to justify the  
5 individual prosecution of their claims in court.

6           46.    The aggregate of these small individual damages is large enough  
7 to justify this class action, whereupon the potential exists for  
8 \$1,770,000.00 in punitive damages, exclusive of actual damages to be  
9 determined at trial.

10 **Class pre-requisites, commonality**

11           47.    All other paragraphs of this lawsuit are incorporated.

12           48.    The questions of fact and law common to the CHRIA claims of each  
13 class member overwhelmingly predominate over any question of law or fact  
14 affecting only individual class members. Such questions include but are not  
15 necessarily limited to the following:

- 16           a. Do Defendants understand and consider the requirements of the  
17           CHRIA in the creation, maintenance, promulgation, training, and  
18           enforcement of its guidelines relating to the evaluation of  
19           applicants with criminal history record information?
- 20           b. Whether Defendants' policy and practice to exclude job  
21           applicants based on their criminal history record information is  
22           job-related and consistent with their stated business necessity?
- 23           c. Whether there was a less discriminatory policy and practice that  
24           would have met Defendants' legitimate needs?
- 25           d. What equitable and injunctive relief for the class is warranted?
- 26           e. Did the Defendants act willfully?

27 **Class pre-requisites, typicality**

28           49.    All other paragraphs of this lawsuit are incorporated.

1           50. Ms. Witherspoon's claims are typical of the class claims because  
2 at all times relevant to the allegations of this lawsuit, Defendants  
3 illegally considered information contained in class member's criminal  
4 history record information.

5           51. Ms. Witherspoon is entitled to the same injunctive relief as the  
6 rest of the class.

7           52. As did Ms. Witherspoon, each class plaintiff:

8           a. Was arrested and/or charged with a misdemeanor or felony;

9           b. Was not convicted of, nor did they plead guilty or *nolo*  
10           *contendre* to, any misdemeanors or felonies;

11           c. Applied for a job with Amazon having not been convicted of their  
12           criminal charges;

13           d. Was subject to the same policy which automatically disqualified  
14           anyone who was charged with any misdemeanor or felony,  
15           notwithstanding that the applicant was not convicted of any  
16           misdemeanor or felony; and

17           e. Was therefore denied employment.

18           53. It is believed and therefore averred that prior and subsequent  
19 to Ms. Witherspoon's application for and rejection from employment by Amazon  
20 based on her criminal history record information which did not include  
21 conviction or plea of guilty or *nolo contendere* plea, that Amazon has  
22 rejected dozens, if not thousands of individuals, and will continue to do so  
23 indefinitely into the future without intervention of the Court on a class  
24 basis.

25 **Class pre-requisites, adequacy of representation**

26           54. All other paragraphs of this lawsuit are incorporated.

27           55. Ms. Witherspoon will assure the adequate representation of all  
28 the members of the class. Her claims are typical of the class members'

1 claims. She has no conflict with the class members in the maintenance of  
2 this action, and her interest in this action is in opposition to Defendants'  
3 interests.

4 56. Ms. Witherspoon's interests in this action are aligned with and  
5 not in opposition to absent class members' interests because by providing  
6 her individually asserted claims as alleged in this lawsuit, she will  
7 simultaneously prove Defendants' liability to the class members' claims.

8 57. Ms. Witherspoon is fully aware of and determined to faithfully  
9 discharge her fiduciary duties to the absent class members. She will  
10 zealously pursue the claims of the class. Ms. Witherspoon has and/or can  
11 acquire the financial resources necessary to litigate this action.

12 58. Undersigned counsel has nearly five years' experience litigating  
13 employment discrimination lawsuits on behalf of plaintiffs in the Court of  
14 Common Pleas of Pennsylvania, the United States District Courts of  
15 Pennsylvania, the Eastern District of Washington, the Northern District of  
16 Indiana, the Central District of California, and the Superior Court of  
17 Maricopa County, Arizona. Additionally, the undersigned counsel has further  
18 experience litigating civil rights cases in the United States District  
19 Courts for the Northern, Western, and Eastern Districts of Texas, the  
20 Southern District of Indiana, and the Northern District of Ohio.

21 59. Undersigned counsel has personally litigated and been involved  
22 in hundreds of employment discrimination lawsuits, including numerous CHRIA  
23 claims, most recently on a class action basis in this Court. Undersigned  
24 counsel has also litigated class action claims in federal court, and  
25 practices criminal defense law, and is uniquely positioned to interrogate  
26 Defendants' policies at issue in this case.

1           60.   Undersigned counsel took this case on a contingency basis and  
2 will receive compensation for services rendered as awarded by this court  
3 upon success at trial, or settlement of the lawsuit.

4 **Class pre-requisites, fairness and efficiency**

5           61.   All other paragraphs of this lawsuit are incorporated.

6           62.   A class action provides for a fair and efficient method of  
7 adjudicating the CHRIA controversy. The common questions of law and fact  
8 predominate over any question affecting the individual class members. Those  
9 convicted of a felony or misdemeanor are not included in the class. As such,  
10 there is no need to litigate individual underlying circumstances of criminal  
11 history record information.

12          63.   Ms. Witherspoon's substantive claims will require the same  
13 evidence and proofs of the class she seeks to represent and consists of the  
14 same applications of law to fact since Defendants have acted substantially  
15 similarly to all members of the class.

16          64.   A class action is superior to other available methods for fair  
17 and efficient adjudication of the controversy. The damages sought by each  
18 member are such that individual prosecution would prove burdensome and  
19 expensive. While the litigation and discovery work necessary to prove Ms.  
20 Witherspoon and the classes' claims will be extensive, it is not  
21 particularly complex. This increases the burden on an individual's pursuit  
22 of claims that would otherwise be included in the class, and each being  
23 required to conduct extensive discovery, where the relative simplicity of  
24 the information sought and needed to prove the claims can be consolidated,  
25 thereby preventing a needless flooding of the court with identical  
26 litigation. Furthermore, the potential for inconsistent or contradictory  
27 judgments and increased delays and expenses to all parties and the court  
28 system would be entirely avoided by a class action lawsuit.

1 65. A preliminary and final injunction is appropriate with respect  
2 to such claims as advanced on behalf of Ms. Witherspoon and the class.

3 **COUNT I**

4 **18 Pa.C.S. § 9125**

5 **Failure to Hire**

6 66. All other paragraphs of this lawsuit are incorporated.

7 67. Pa.C.S. § 9125 permits employers to use information contained in  
8 an applicant's criminal history record information to make hiring decisions  
9 only when the applicant has been convicted of a felony or misdemeanor.

10 68. Defendants considered information contained in Ms. Witherspoon's  
11 criminal history record information during their hiring process.

12 69. Ms. Witherspoon was not convicted of, nor did she plead guilty  
13 to *nolo contendere* to any felonies.

14 70. Ms. Witherspoon was not convicted of, nor did she plead guilty  
15 to *nolo contendere* to any misdemeanors.

16 71. Whenever Defendants obtain criminal history records information  
17 that is likely to have an adverse effect on an applicant's ability to obtain  
18 employment, Defendants do not have a procedure designed to exclude or delete  
19 information that is prohibited from use or consideration by § 9125(b) of  
20 CHRIA. In Pennsylvania, Defendants routinely obtain and consider for  
21 employment purposes records of arrests, or findings of summary offenses,  
22 which are not limited only to matters resulting in convictions for felonies  
23 or misdemeanors.

24 72. By virtue of actions, policies, and procedures, Ms. Witherspoon  
25 and the class are entitled to injunctive, declaratory and equitable relief  
26 pursuant to 18 P.S. Pa. Cons. Stat. § 9183(b).

27 73. Defendants willfully violated § 9125(b) of CHRIA entitling the  
28 class to damages under 18 Pa. Cons. Stat. § 9183(b)(1) and/or statutory

1 damages under 18 Pa. Cons. Stat. § 9183(b)(2). Ms. Witherspoon and the class  
2 members have been aggrieved as a result of the CHRIA violations by  
3 Defendants.

4 74. Injunctive relief is the only means of securing complete and  
5 adequate relief for these claims as asserted. Plaintiffs are now suffering  
6 and will continue to suffer irreparable injury from Defendants'  
7 discriminatory acts and omissions.

8 75. Defendants' conduct has caused and will continue to cause the  
9 class substantial losses in earnings and other employment benefits.

10 WHEREFORE, Plaintiff Niyah Witherspoon respectfully requests on her  
11 own behalf and on behalf of the class she represents, that this honorable  
12 court certify the class identified in ¶ 28 of this lawsuit, with Ms.  
13 Witherspoon as the representative of the class, and enter the following on  
14 the docket:

- 15 a. A declaration that Allegheny Direct Logistics' enforcement of  
16 Amazon.com, Inc.'s policy against employing anyone with a  
17 felony or misdemeanor on their record notwithstanding the  
18 existence of a conviction violates CHRIA;
- 19 b. A declaration that Amazon.com, Inc.'s policy against  
20 employing anyone with a felony or misdemeanor on their record  
21 notwithstanding the existence of a conviction violates CHRIA;
- 22 c. A preliminary injunction against Defendants continued  
23 enforcement of its policy against employing anyone with a  
24 felony or misdemeanor on their record notwithstanding the  
25 existence of a conviction violates CHRIA;
- 26 d. An entry of judgment on liability against Defendants to each  
27 class member for damages pursuant to 18 Pa.C.S. § 9183(b)(1)  
28 and/or actual real damages of at least \$100.00 for each



1 violation and for at least 1,000.00 but not more than  
2 \$10,000.00 for each willful violation pursuant to 18 Pa.C.S.  
3 § 9183(b) (2);

4 e. Pre and post-judgment interest on actual damages at the  
5 prevailing rate at the time of judgment;

6 f. Reasonable costs of litigation and Reasonable attorney's fees  
7 pursuant to 18 Pa.C.S. § 9183(b) (2) .

8 g. Any further relief the court deems to be proper.

9 h. Ms. Witherspoon demands a trial by jury.

10 Dated this 7<sup>th</sup> day of January 2021,

11 **THE TRIAL LAW FIRM, LLC**

12 

13 \_\_\_\_\_  
14 Mart Harris, Esquire  
15 *Trial Lawyer for Niyah Witherspoon*

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8 Defendant.

Case No.

**VERIFICATION FOR CLASS COMPLAINT IN**  
**CIVIL ACTION**

9 VERIFICATION

10 I hereby certify that the statements made in the above complaint are  
11 true and correct to the best of my knowledge and that I am aware that false  
12 statements may be punishable as unsworn falsifications to authorities under  
13 Pennsylvania law.

14 Dated on the \_\_\_ day of January, 2021

15  
16 \_\_\_\_\_  
17 *Niyah Witherspoon*

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Case No.

**CERTIFICATE OF COMPLIANCE FOR CLASS  
COMPLAINT IN CIVIL ACTION**

10   **CERTIFICATE**

11                   The undersigned hereby certifies that the within complies with the  
12 *Public Access Policy of the Unified Judicial System of Pennsylvania: Case*  
13 *Records of the Appellate and Trial Courts* regarding confidential information  
14 and documents.

15 Dated this 7<sup>th</sup> day of January 2021

16   **THE TRIAL LAW FIRM, LLC**

17 

18   \_\_\_\_\_  
19 Mart Harris, Esquire  
20 *Trial Lawyer for Niyah Witherspoon*

**EXHIBIT 1**

Find jobs

Find salaries

Company Reviews

Upload your resume  
Employers / Post Job

Sign in

Amazon

Where Pennsylvania

Find jobs

Advanced J

& Logistics > ... > ... > ... > Warehouse Pickers & Packers

- d ▾
- Remote ▾
- Salary Estimate ▾
- Job Type ▾
- Occupation ▾
- Shifts & Schedules ▾
- Location ▾
- Comp
- Level ▾



Amazon.com

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### Warehouse Team Member

Amazon Workforce Staffing 3.6

Imperial, PA 15126

**\$15 an hour**

- Benefits: Our range of benefits can include health care starting on day one, employee discounts, 401(k) savings plans, paid time off and more!

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### Amazon - Picker Packer - Immediate Hire (Imperial)

Amazon Workforce Staffing 3.6

Imperial, PA 15126

**\$15.00 - \$16.15 an hour**

- Full-Time Warehouse Team Member.
- Overnight, Early Morning, Day, Evening, Weekend.
- From flexible part-time roles to full-time set schedules with health care...

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**Amazon - Picker Packer - Immediate Hire (Pittsburgh)**

Amazon Workforce Staffing 3.6

Pittsburgh, PA 15283

**\$15 an hour**

- Benefits: Our range of benefits can include health care starting on day one, employee discounts, 401(k) savings plans, paid time off and more!

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**Amazon Picker/Packer - Morning Shift - Earn up to \$15.00/hr**

Amazon Workforce Staffing 3.6

Imperial, PA 15126

**Up to \$15 an hour**

- Benefits: Our range of benefits can include health care starting on day one, employee discounts, 401(k) savings plans, paid time off and more!

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**Warehouse Team Member - Morning Sort - Earn up to \$15.00/hr!**

Amazon Workforce Staffing 3.6

Pittsburgh, PA 15203 (Southside Slopes area)

**\$15 an hour**

- Benefits: Our range of benefits can include health care starting on day one, employee discounts, 401(k) savings plans, paid time off and more!

2 days ago · [Save job](#)**Amazon Full Time Warehouse Team Member-Up to \$688 per week**

Amazon 3.6

Easton, PA 18045

**\$17.20 an hour**

- Warehouse Team Member (Full-Time).
- The base pay for this role is \$16.05/hr.
- Get full healthcare and benefits Day 1.
- Work a set, full-time schedule.

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### **Full-Time Amazon Warehouse Team Member-Up to \$688 per week**

Amazon 3.6

Allentown, PA 18104

**\$17.20 an hour**

- Warehouse Team Member (Full-Time).
- The base pay for this role is \$16.05/hr.
- Get full healthcare and benefits Day 1.
- Work a set, full-time schedule.

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### **Order Picker/Packer - Earn \$764 a week - Immediate Hire**

Amazon Workforce Staffing 3.6

Philadelphia, PA 19102 (City Center West area)

**\$764 a week**

- You'll be on the move for your whole shift.
- You'll also learn about important safety rules and even how to do basic maintenance on some of the machines.

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### **Amazon Picker/Packer - Earn up to \$19.60/hr!**

Amazon Workforce Staffing 3.6

Philadelphia, PA 19139 (Haddington-Carroll Park area)

**Up to \$19.60 an hour**

- You'll be on the move for your whole shift.
- You'll also learn about important safety rules and even how to do basic maintenance on some of the machines.

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## Amazon Seasonal Warehouse Team Member

Amazon 3.6

Allentown, PA 18104

**\$16.70 an hour**

- Warehouse Team Member (Seasonal, Full-Time).
- From flexible part-time roles to full-time set schedules with health care benefits, Amazon has a variety of jobs.

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## Full-Time Amazon Lift Operator-Up to \$688 per week

Amazon 3.6

Breinigsville, PA 18031

**\$17.20 an hour**

- Warehouse Team Member (Full-Time).
- The base pay for this role is \$16.05/hr.
- Get full healthcare and benefits Day 1.
- Work a set, full-time schedule.

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## Amazon - Picker Packer - Immediate Hire (Burlington)

Amazon Workforce Staffing 3.6

Levittown, PA 19056

**\$16.10 an hour**

- You'll be on the move for your whole shift.
- You'll also learn about important safety rules and even how to do basic maintenance on some of the machines.

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## Amazon Warehouse Worker - Night Shifts Available - Immediate...

Amazon Workforce Staffing 3.6



Philadelphia, PA 19134 (Richmond area)

**\$16.10 an hour**

- You'll be on the move for your whole shift.
- You'll also learn about important safety rules and even how to do basic maintenance on some of the machines.

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### Warehouse/Shopper Team Member

Amazon HVH 3.6

Philadelphia, PA

- Shifts: Overnight, Sunrise, Day, Evening, Weekend.
- From flexible part-time roles to full-time set schedules with health care benefits, Amazon has a variety of...

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### Amazon Order Filler - Earn up to \$76 week!

Amazon Workforce Staffing 3.6

Fairless Hills, PA 19030

**\$16.10 an hour**

- You'll be on the move for your whole shift.
- You'll also learn about important safety rules and even how to do basic maintenance on some of the machines.

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