

Fill in this information to identify the case:Debtor Wellmade Industries MFR. N.A LLCUnited States Bankruptcy Court for the: Northern District of Georgia
(State)Case number 25-58760**Modified Official Form 410
Proof of Claim****04/25**

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies or any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. **Do not send original documents;** they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

Part 1: Identify the Claim

1. Who is the current creditor?	Anthony Davis Name of the current creditor (the person or entity to be paid for this claim) Other names the creditor used with the debtor	
2. Has this claim been acquired from someone else?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. From whom?	
3. Where should notices and payments to the creditor be sent?	Where should notices to the creditor be sent? See summary page Federal Rule of Bankruptcy Procedure (FRBP) 2002(g) Contact phone <u>4046925711</u> Contact email <u>See summary page</u> (see summary page for notice party information) Uniform claim identifier (if you use one): 	Where should payments to the creditor be sent? (if different) Contact phone Contact email
4. Does this claim amend one already filed?	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes. Claim number on court claims registry (if known) <u>I believe 4</u> Filed on <u>9/3/2025</u> MM / DD / YYYY	
5. Do you know if anyone else has filed a proof of claim for this claim?	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes. Who made the earlier filing? <u>My firm, this is an e filing for a previously filed claim b</u>	



Part 2: Give Information About the Claim as of the Date the Case Was Filed

6. Do you have any number you use to identify the debtor?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: __ __ __ __
7. How much is the claim?	\$ <u>3,000,000</u> Does this amount include interest or other charges? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).
8. What is the basis of the claim?	<p>Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card. Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c). Limit disclosing information that is entitled to privacy, such as health care information.</p> <p><u>Employment Related Lawsuit/Claim NDGA 4:25-cv-00030-WMR-JHR</u></p>
9. Is all or part of the claim secured?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. The claim is secured by a lien on property. Nature or property: <input type="checkbox"/> Real estate: If the claim is secured by the debtor's principle residence, file a <i>Mortgage Proof of Claim Attachment</i> (Official Form 410-A) with this <i>Proof of Claim</i> . <input type="checkbox"/> Motor vehicle <input type="checkbox"/> Other. Describe: _____ Basis for perfection: _____ Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.) Value of property: \$ _____ Amount of the claim that is secured: \$ _____ Amount of the claim that is unsecured: \$ _____ (The sum of the secured and unsecured amount should match the amount in line 7.) Amount necessary to cure any default as of the date of the petition: \$ _____ Annual Interest Rate (when case was filed) _____ % <input type="checkbox"/> Fixed <input type="checkbox"/> Variable
10. Is this claim based on a lease?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Amount necessary to cure any default as of the date of the petition. \$ _____
11. Is this claim subject to a right of setoff?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Identify the property: _____



12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?

A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.

☒ No

☐ Yes. Check all that apply:

☐ Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).

Amount entitled to priority

\$ _____

☐ Up to \$3,800* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).

\$ _____

☐ Wages, salaries, or commissions (up to \$17,150*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4).

\$ _____

☐ Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).

\$ _____

☐ Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).

\$ _____

☐ Other. Specify subsection of 11 U.S.C. § 507(a)() that applies.

\$ _____

* Amounts are subject to adjustment on 4/01/28 and every 3 years after that for cases begun on or after the date of adjustment.

13. Is all or part of the claim entitled to administrative priority pursuant to 11 U.S.C. § 503(b)(9)?

☒ No

☐ Yes. Indicate the amount of your claim arising from the value of any goods received by the debtor within 20 days before the date of commencement of the above case, in which the goods have been sold to the Debtor in the ordinary course of such Debtor's business. Attach documentation supporting such claim.

\$ _____

Part 3: Sign Below

The person completing this proof of claim must sign and date it. FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(3) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:

☐ I am the creditor.

☒ I am the creditor's attorney or authorized agent.

☐ I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.

☐ I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgement that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date 10/22/2025
MM / DD / YYYY

/s//s Patrick Reid
Signature

Print the name of the person who is completing and signing this claim:

Name /s Patrick Reid
First name Middle name Last name

Title Attorney

Company The Workers Firm of Georgia
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address _____

Contact phone _____ Email _____



Verita (KCC) ePOC Electronic Claim Filing Summary

For phone assistance: Domestic (866) 812-2297 | International (781) 575-4050

Debtor: 25-58760 - Wellmade Industries MFR. N.A LLC District: Northern District of Georgia, Atlanta Division		
Creditor: Anthony Davis Severin Roberts and Patrick Reid, The Workers Firm of Georgia 7000 Central Parkway Suite 1100 Office 23 Atlanta, GA, 30328 USA Phone: 4046925711 Phone 2: 4043829660 #808 Fax: Email: patrick@theworkersfirm.com; severin@theworkersfirm.com	Has Supporting Documentation: Yes, supporting documentation successfully uploaded Related Document Statement:	
	Has Related Claim: Yes Related Claim Filed By: My firm, this is an e filing for a previously filed claim by my firm out of precaution	
	Filing Party: Authorized agent	
Disbursement/Notice Parties: The Workers Firm of Georgia 7000 Central Parkway Suite 1100 Office 23 Atlanta, GA, 30328 USA Phone: 404 382-9660 #808 Phone 2: Fax: E-mail: roberts@theworkersfirm.com		
Other Names Used with Debtor:	Amends Claim: Yes - I believe 4, 9/3/2025 Acquired Claim: No	
Basis of Claim: Employment Related Lawsuit/Claim NDGA 4:25-cv-00030-WMR-JHR	Last 4 Digits: No	Uniform Claim Identifier:
Total Amount of Claim: 3,000,000	Includes Interest or Charges: No	
Has Priority Claim: No	Priority Under:	
Has Secured Claim: No Amount of 503(b)(9): No Based on Lease: No Subject to Right of Setoff: No	Nature of Secured Amount: Value of Property: Annual Interest Rate: Arrearage Amount: Basis for Perfection: Amount Unsecured:	

Submitted By:

/s Patrick Reid on 22-Oct-2025 10:31:13 a.m. Pacific Time

Title:

Attorney

Company:

The Workers Flrm of Georgia

Fill in this information to identify the case:

Debtor 1 Wellmade Industries MFR. N.A LLC

Debtor 2 _____
(Spouse, if filing)

United States Bankruptcy Court for the: Northern District of Georgia

Case number 25-58760-sms; docket on 25-58764-sr

Official Form 410**Proof of Claim****04/25**

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. **Do not send original documents;** they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

Part 1: Identify the Claim

1. Who is the current creditor?	<u>Anthony Davis</u> Name of the current creditor (the person or entity to be paid for this claim) Other names the creditor used with the debtor _____	
2. Has this claim been acquired from someone else?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. From whom? _____	
3. Where should notices and payments to the creditor be sent? Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	Where should notices to the creditor be sent? <u>The Workers Firm of Georgia</u> Name <u>7000 Central Parkway , Suite 1100, Office 23</u> Number Street <u>Atlanta</u> <u>GA</u> <u>30328</u> City State ZIP Code Contact phone <u>(404) 692-5711</u> Contact email <u>roberts@theworkersfirm.com</u> Uniform claim identifier (if you use one): _____	Where should payments to the creditor be sent? (if different) <u>The Workers Firm of Georgia</u> Name <u>7000 Central Parkway , Suite 1100, Office 23</u> Number Street <u>Atlanta</u> <u>GA</u> <u>30328</u> City State ZIP Code Contact phone <u>(404) 692-5711</u> Contact email <u>roberts@theworkersfirm.com</u>
4. Does this claim amend one already filed?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Claim number on court claims registry (if known) _____ Filed on _____ MM / DD / YYYY	
5. Do you know if anyone else has filed a proof of claim for this claim?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Who made the earlier filing? _____	

Part 2: Give Information About the Claim as of the Date the Case Was Filed

6. Do you have any number you use to identify the debtor? ☒ No
☐ Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: ____ _

7. How much is the claim? \$ 3,000,000.00 Does this amount include interest or other charges?
☒ No
☐ Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).

8. What is the basis of the claim? Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card.
Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c).
Limit disclosing information that is entitled to privacy, such as health care information.
Employment Related Lawsuit/Claim (NDGA 4:25-cv-00030-WMR-JH)

9. Is all or part of the claim secured? ☒ No
☐ Yes. The claim is secured by a lien on property.
Nature of property:
☐ Real estate. If the claim is secured by the debtor's principal residence, file a *Mortgage Proof of Claim Attachment* (Official Form 410-A) with this *Proof of Claim*.
☐ Motor vehicle
☐ Other. Describe: _____
Basis for perfection: _____
Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)
Value of property: \$ _____
Amount of the claim that is secured: \$ _____
Amount of the claim that is unsecured: \$ _____ (The sum of the secured and unsecured amounts should match the amount in line 7.)
Amount necessary to cure any default as of the date of the petition: \$ _____
Annual Interest Rate (when case was filed) _____ %
☐ Fixed
☐ Variable

10. Is this claim based on a lease? ☒ No
☐ Yes. Amount necessary to cure any default as of the date of the petition. \$ _____

11. Is this claim subject to a right of setoff? ☒ No
☐ Yes. Identify the property: _____

12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?

A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.

☒ No

☐ Yes. Check one:

☐ Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).

Amount entitled to priority

\$ _____

☐ Up to \$3,800* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).

\$ _____

☐ Wages, salaries, or commissions (up to \$17,150*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4).

\$ _____

☐ Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).

\$ _____

☐ Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).

\$ _____

☐ Other. Specify subsection of 11 U.S.C. § 507(a)() that applies.

\$ _____

* Amounts are subject to adjustment on 4/01/28 and every 3 years after that for cases begun on or after the date of adjustment.

Part 3: Sign Below

The person completing this proof of claim must sign and date it. FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(3) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:

☐ I am the creditor.

☒ I am the creditor's attorney or authorized agent.

☐ I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.

☐ I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date 08/28/2025
MM / DD / YYYY



Signature

Print the name of the person who is completing and signing this claim:

Name	Patrick	James	Reid
	First name	Middle name	Last name
Title	Associate		
Company	The Workers Firm of Georgia		
	Identify the corporate servicer as the company if the authorized agent is a servicer.		
Address	7000 Central Parkway, Suite 1100 Office 23		
	Number	Street	
	Atlanta	GA	30328
	City	State	ZIP Code
Contact phone	(404) 692-5711		Email patrick@theworkersfirm.com

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ROME DIVISION

ANTHONY DAVIS,

Plaintiff,

v.

WELLMACED INDUSTRIES MFR.
N.A., LLC AND ZHU CHEN,

Defendants.

Civil Action No.
4:25-CV-00030-WMR-WEJ

JURY TRIAL DEMANDED

AMENDED COMPLAINT FOR DAMAGES

COMES NOW, Plaintiff Anthony Davis (“Plaintiff”), by and through their undersigned counsel, and under Federal Rule of Civil Procedure 15(a)(1)(B) files this, their Amended Complaint for Damages, and shows the Court as follows:

NATURE OF COMPLAINT

1.

Plaintiff brings this action for damages, and reasonable attorneys’ fees against Defendant Wellmade Industries, MFR. N.A., LLC (“Wellmade”) and Defendant Zhu Chen (“Defendant Chen”) for violations of his rights under 42 U.S.C. § 1981.

JURISDICTION AND VENUE

2.

Plaintiff invokes the jurisdiction of this court pursuant to 28 U.S.C. § 1331 and 28 U.S.C. § 1343.

3.

The unlawful employment practices and alleged in this Complaint were committed within this district. In accordance with 28 U.S.C. § 1391, venue is appropriate in this Court.

PARTIES

4.

Plaintiff is a Caucasian citizen of the United States of America and is subject to the jurisdiction of this Court.

5.

At all times relevant, Wellmade was qualified and licensed to do business in Georgia, and at all times material hereto has conducted business within this District.

6.

Wellmade may be served with process by delivering a copy of the summons and complaint to its Registered Agent, Jake Evans, located at 3333 Piedmont Road NE, Ste 2500, Atlanta, GA, 30305.

7.

Defendant Chen resides in this district and is subject to the jurisdiction of this Court.

FACTUAL ALLEGATIONS

8.

Wellmade hired Plaintiff as a Customer Quality Engineer, on or about September 30, 2024.

9.

Plaintiff was told by John Bradford, Chief Operations Officer, and others, that Plaintiff would be promoted to Quality Director after stating his interest in obtaining the role.

10.

Plaintiff is white.

11.

Wellmade is, in origin, a Chinese company, and opened manufacturing operations in the United States during the COVID-19 pandemic.

12.

When Plaintiff joined Wellmade, he immediately noticed that most management level employees were Chinese.

13.

Plaintiff then began to notice that as soon as a management level position became open, there would be no job posting, and a Chinese individual would simply show up and start performing the role.

14.

The Quality Director role became available, on or about January 1, 2025.

15.

However, on or about January 3, 2025, a Chinese employee, Helen Zhang, told Plaintiff that she was over everyone in the Quality Department because she was now the Director.

16.

An employee asked if Zhang had any background in quality and Zhang responded she did not.

17.

Plaintiff has twenty years of related experience.

18.

Plaintiff reported to Bradford that he believed Zhang's promotion was racially discriminatory and that Defendant had a discriminatory practice of hiring employees because they were Chinese.

19.

That same day, Plaintiff then reported to Waleska White, Human Resources Director, that the hiring of Zhang was racial discrimination and reported that he had routinely seen Chinese employees fill management roles for which non-Chinese individuals were not given an opportunity to compete.

20.

Plaintiff also reported that Chinese employees would routinely scream at, be aggressive with, and generally harass non-Chinese employees.

21.

Later that day, Plaintiff sent white an email complaining, among other things, that he had experienced some racist situations with Chinese managers screaming and yelling at him, that it seemed like there were racial issues with hiring, that he had submitted an inquiry with the Equal Employment Opportunity Commission, and that he was making an official report of discrimination.

22.

The next day, Plaintiff was called into the office by White and had a conversation with her about what was occurring.

23.

Plaintiff recorded this conversation.

24.

During the conversation, White told Plaintiff that Zhang was in the position in a temporary capacity and that another Chinese individual would be permanently taking over the position soon.

25.

During the conversation, White continuously made statements inquiring as to how Plaintiff could be happy or successful with Wellmade and asking him if he felt

he could be happy or successful in his position or if he really wanted to be employed by Wellmade after his complaints of racial discrimination.

26.

During the conversation, White also told Plaintiff if he didn't want to be at Wellmade anymore, she was planning on working out a deal with Defendant Chen, Wellmade's President, and that she could give Plaintiff a couple months pay.

27.

During the conversation, Plaintiff told White he was not quitting, reiterated his complaints of racial discrimination, and said that federal law protected him from complaining of racial discrimination and retaliation.

28.

During the conversation, White told Plaintiff the situation was unfortunate because she thought Plaintiff was a good person and did good things at Wellmade.

29.

Plaintiff responded by telling White he had not done anything wrong and asked why it had to be "unfortunate" for him because he had complained about Wellmade not treating employees fairly.

30.

White then responded by telling Plaintiff she understood his position but said “these things are not good.”

31.

During the conversation, White told Plaintiff that he fit the mold for the Director position, that “we,” meaning non-Chinese management, wanted to see Plaintiff in the position. She then said that that was why “we,” again referring to non-Chinese Management, had to teach the Chinese Management that “this is, you know, U.S. soil” and that Wellmade had to do things the right way.

32.

During the conversation, in response to Plaintiff asking if Defendant Chen wanted to fire him, Waleska said she didn’t know and then said that Plaintiff had wrote things that affected “the fact of even you as an employee here” and asked Plaintiff how he would even perform knowing that.

33.

When Plaintiff said his demeanor would not change, White told Plaintiff that Defendant Chen did not know that.

34.

On January 7, 2025, Plaintiff went to White's office.

35.

Plaintiff recorded this conversation as well.

36.

Plaintiff asked White if Defendant Chen was going to hinder him from being successful with Wellmade, to which White responded "No, he shouldn't."

37.

Defendant Chen entered the room during the conversation.

38.

Defendant Chen told Plaintiff his claim of racial discrimination was not supported and that Wellmade could pay Plaintiff money to settle so they would not fight each other.

39.

Defendnat Chen blamed Plaintiff for creating the situation by reporting racial discrimination.

40.

Defendant Chen told Plaintiff that he was a man and needed some money to better his life.

41.

Defendant Chen then said that Wellmade appreciated Plaintiff's hard work and the fruit of his work, that Plaintiff had good results.

42.

Defendant Chen then told Plaintiff that before his complaints, he was very appreciative of Plaintiff's work, but that there was a misunderstanding that had made Plaintiff unhappy and since it had already happened, he did not want Plaintiff to be unhappy.

43.

When Plaintiff responded by saying he had just brought up his protected rights under federal law and reported problems with equal opportunity, Defendant Chen told Plaintiff he understood that but that Plaintiff had reported something that was untrue.

44.

Defendant Chen then clarified that only if Plaintiff settled with Defendant would they consider hiring Plaintiff as a consultant.

45.

Plaintiff asked if they were talking about settling things so Plaintiff would drop his EEOC claim and complaints, and Defendant Chen nodded.

46.

Later, after Defendant Chen left the conversation, Plaintiff told White that he had only reported what he had personally witnessed and told her that he just wanted equality for everyone at Wellmade, and White told Plaintiff she agreed, but that Defendant Chen now saw Plaintiff differently and that he just wanted to use Plaintiff as a contractor and not an employee.

47.

When Plaintiff was leaving, White told Plaintiff he was being terminated.

48.

Plaintiff asked if she was sure that was what Defendant Chen wanted and White said she would wait to terminate Plaintiff until she checked with Defendant Chen.

49.

As Plaintiff was leaving, White thanked him for all the hard work he had done.

50.

On January 8, 2025, Plaintiff was sent a settlement offer by White, and Plaintiff rejected it and responded by reiterating his complaint of racial discrimination, reporting he was being retaliated against, that he was not quitting, and that he had recorded their earlier conversations.

51.

On January 9, 2025, White gave Plaintiff a settlement offer with a higher monetary payout.

52.

Plaintiff rejected this offer as well, and White told Plaintiff that Respondent would just go ahead and “take it to Court.”

53.

Plaintiff then sent an email to White, Defendant Chen, and Allen Chen, who is in charge of Wellmade’s business in Oregon, and said he would like to continue working for Wellmade, to not retaliate against him during the Equal Employment

Opportunity Commission process, that he had consulted with an attorney, and that he would be back to work on Monday.

54.

On Sunday January 12, 2025, White sent Plaintiff an email telling Plaintiff Wellmade had decided not to allow Plaintiff to return to work to “maintain a stable work environment for all parties involved” and that Wellmade intended to vigorously defend against Plaintiff’s “false accusations.”

55.

At all times relevant, Defendant Chen has been an owner of Wellmade.

56.

At all times relevant, Defendant Chen was Plaintiff’s “employer” under 42 U.S.C. § 1981.

57.

Defendant Chen is involved in the day-to-day operations and has substantial operational control over Wellmade, including, without limitation, the policies governing individuals employed in the same capacity as Plaintiff.

58.

Defendant Chen exerts substantial control over Wellmade's compliance with § 42 U.S.C. 1981

59.

Defendant Chen has the power to hire and fire employees, including, without limitation, individuals employed by Wellmade in the same capacity of Plaintiff.

60.

Although Defendants may purport to provide a legitimate non-discriminatory reason for the adverse actions, such reason(s) are pre-text for unlawful retaliation in response to Plaintiff's protected activity. As a result of Defendant's unlawful retaliation, Plaintiff has suffered damages, including lost wages and emotional distress.

COUNT I: RETALIATION IN VIOLATION OF 42 U.S.C. § 1981

61.

Plaintiff re-alleges paragraphs 8-60 as if set forth fully herein.

62.

Plaintiff reported that Defendants were racially discriminating against non-Chinese employees in hiring and promotions.

63.

Plaintiff also reported that Chinese Management routinely harassed non-Chinese employees.

64.

Plaintiff had an employment agreement with Defendants within the meaning of 42 U.S.C. § 1981, under which, *inter alia*, Plaintiff worked for Defendants, and Defendants compensated Plaintiff for work.

65.

Plaintiff performed his contractual obligations.

66.

42 U.S.C. § 1981 prohibits Defendants from retaliating against Plaintiff for engaging in protected activity under 42 U.S.C. § 1981..

67.

Plaintiff engaged in protected activity under 42 U.S.C. § 1981 by, *inter alia*, reporting in good faith that racial discrimination occurring at Wellmade.

68.

Plaintiff was then terminated because he engaged in protected activity under 42 U.S.C. § 1981.

69.

Defendants violated Plaintiff's rights under 42 U.S.C. § 1981.

70.

Defendants have willfully and wantonly disregarded Plaintiff's rights, and Defendants' retaliation against Plaintiff was undertaken in bad faith. Plaintiff is entitled to punitive damages.

71.

As a direct and proximate result of Defendant's violations of 42 U.S.C. § 1981, Plaintiff has been made the victim of acts that have adversely affected his psychological and physical well-being.

72.

As a direct and proximate result of Defendant's violations of 42 U.S.C. § 1981, Plaintiff has suffered lost wages.

73.

Accordingly, Defendants are liable for the damages Plaintiff has sustained as a result of Defendant's unlawful retaliation.

74.

Defendants acted with malice and in reckless indifference to Plaintiff's federally protected rights. Plaintiff is entitled to punitive damages.

75.

Defendants intentionally retaliated against Plaintiff because he engaged in protected activity under 42 U.S.C. § 1981.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that this Court:

- (A) Grant Plaintiff a trial by jury as to all triable issues of fact;
- (B) Grant Plaintiff damages for lost wages and benefits and prejudgment interest thereon;
- (C) Grant Plaintiff damages for emotional distress;
- (D) Grant declaratory judgment declaring that Plaintiffs' rights have been violated;
- (E) Grant Plaintiff reasonable attorneys' fees and expenses of litigation;

(F) Grant injunctive relief of reinstatement, or front pay in lieu thereof, and prohibiting Defendants from further unlawful conduct of the type described herein; and

(G) Award Plaintiff such further and additional relief as may be just and appropriate.

This 28th day of April, 2025.

THE WORKERS' FIRM

/s/ V. Severin Roberts, Esq
V. Severin Roberts
Georgia Bar No. 940504
Patrick Reid
Georgia Bar No. 888769
The Workers' Firm
2 20th St. North Suite 900
Birmingham, AL 35203
(404)-382-9660
severin@theworkersfirm.com
patrick@theworkersfirm.com

Counsel for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ROME DIVISION

ANTHONY DAVIS,

Plaintiff,

v.

WELLMADE INDUSTRIES MFR.
N.A., LLC AND ZHU CHEN,

Defendants.

Civil Action No.

4:25-CV-00030-WMR-WEJ

JURY TRIAL DEMANDED

CERTIFICATE OF SERVICE

I hereby certify that on this day, I electronically filed the foregoing *Amended Complaint for Damages* with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to all attorneys of record.

Respectfully submitted this 28th day of April, 2025.

THE WORKERS FIRM

s/ V. Severin Roberts

V. Severin Roberts

Georgia Bar No. 940504

Attorney for Plaintiff