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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

CHARLES W. GOODREAU,

Plaintiff,

v.

BRIDGESTONE / FIRESTONE NORTH AMERICAN
TIRE, LLC,

Defendant.

Civil Action No. 3 05-0252

JURY DEMAND

JUDGE HAYNES

COMPLAINT

Plaintiff, Charles W. Goodreau ("Goodreau"), by the undersigned attorneys, makes the following averments:

1. This is a civil action brought pursuant to the Uniformed Services Employment and Reemployment Rights Act of 1994, 38 U.S.C. §§ 4301 - 4333 ("USERRA").

JURISDICTION AND VENUE

2. This Court has jurisdiction over the subject matter of this action pursuant to 38 U.S.C. § 4323(b).

3. Venue is proper in this district under 38 U.S.C. § 4323(c)(2) and 28 U.S.C. § 1391(b) because Defendant, Bridgestone / Firestone North American Tire, LLC ("Bridgestone"), maintains a place of business in this judicial district.

PARTIES

4. Goodreau resides at 241A Blue Hill Drive, Nashville, Tennessee 37214, within the jurisdiction of this Court.

5. Bridgestone maintains a place of business at 535 Marriott Drive, Nashville, Tennessee 37214. Nashville is in Davidson County. Bridgestone also maintains a place of business at its plant in Clarksville, Tennessee. Clarksville is in Montgomery County. Both Davidson County and Montgomery County are within the jurisdiction of this Court.

CLAIM FOR RELIEF

6. Goodreau enlisted in the United States Army in 1980. He was honorably discharged in 1992. On August 5, 2000, Goodreau joined the Army National Guard.

7. On May 29, 2002 Goodreau commenced employment for Bridgestone at its plant in Clarksville, Tennessee, as an Operator Banbury.

8. Bridgestone has a progressive pay schedule which is a step rate compensation system based on time at work. Bridgestone has the following progressive pay schedule for employees such as Goodreau: 70% for 1-179 days; 75% on and after 180 days; 80% on and after 360 days; 85% on and after 540 days; 90% on and after 720 days; 95% on and after 900 days; and 100% on and after 1,080 days.

9. Goodreau was hired at a pay rate of \$16.14 per hour, or 70% of the applicable wage rate, on Bridgestone's progressive pay schedule. Goodreau was moved to \$17.44 per hour, or 75% of the applicable wage rate, on November 24, 2002.

10. Goodreau was activated as a member of the Army National Guard under Operation Enduring Freedom / Iraqi Freedom from December 27, 2002 to March 24, 2004, for a total of approximately 453 days.

11. Upon his return to Bridgestone from service, in late March 2004, Goodreau was paid the same pay rate of \$17.44 per hour that he was receiving when he went on active duty. Goodreau was moved to \$18.60 per hour, or 80% of the applicable wage rate, on August 17, 2004.

12. Bridgestone violated Section 4316 of USERRA, among other ways, by denying Goodreau an advancement of approximately 453 days on its progressive pay schedule and other employment benefits due to his membership in, or obligation to perform service in, the uniformed services.

13. As a result of Bridgestone's unlawful denial of advancement to Goodreau on Bridgestone's progressive pay schedule, Goodreau has suffered loss of earnings and other benefits of employment.

PRAYER FOR RELIEF

WHEREFORE, Goodreau prays that the Court enter judgment against Bridgestone, its officers, agents, employees, successors and all persons in active concert or participation with it, as follows:

14. Declare that Bridgestone's denial of advancement to Goodreau on its progressive pay schedule was unlawful and in violation of USERRA;

15. Require that Bridgestone fully comply with the provisions of USERRA by reinstating Goodreau at the level of seniority, status and compensation that he would have enjoyed had he remained employed continuously with Bridgestone, and by paying Goodreau for his loss of wages and other benefits suffered by reason of Bridgestone's failure or refusal to comply with the provisions of this law;

16. Enjoin Bridgestone from taking any action against Goodreau that fails to comply with the provisions of USERRA;

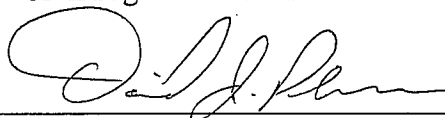
17. Award Goodreau prejudgment interest on the amount of lost wages found due;
and

18. Grant such other and further relief as may be just and proper.

ALBERTO R. GONZALES
Attorney General

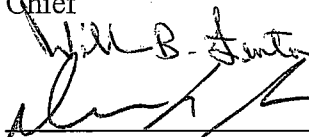
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