

**STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF WAYNE**

MOHAMAD BAZZI, **NO**
Individually and on behalf of all others similarly situated,
Plaintiff,

vs.

**LITTLE CAESAR PIZZA,
LITTLE CAESAR ENTERPRISE, INC.
DENISE, manager, and other
JOHN DOE and JANE DOE, employees,**
Defendants,

17-007931-NO
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5/25/2017 2:26:05 PM
CATHY M. GARRETT

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COMPLAINT

There is no other pending or resolved civil action arising out of the transaction or occurrence alleged in the complaint.

GENERAL ALLEGATIONS

NOW COMES Plaintiff, **MOHAMAD BAZZI**, on behalf of himself and all others similarly situated, and by his attorney, Law Offices of Majed A. Moughni, PLLC, brings this class action case against **LITTLE CAESAR PIZZA, LITTLE CAESAR ENTERPRISE, INC., DENISE, manager, and other JOHN DOE and JANE DOE, employees**, and alleges the following:

INTRODUCTION

1. Plaintiff, a devote Muslim, brings this class action lawsuit after Defendants **LITTLE CAESAR PIZZA, LITTLE CAESAR ENTERPIRESES, INC, DENISE, manager, and other JOHN DOE and JANE DOE, employees** sold “Pork” pepperoni when Plaintiff ordered “Halal Pepperoni”, a strict violation of Michigan state Law (MCL 750.297f), Wayne County Ordinance, the “Wayne County Halal and Kosher Anti-Fraud and Truth-In-Labeling Ordinance” (Chapter 159-1), but, most importantly, the Islamic Law that prohibits Muslims from eating “Pork”! Plaintiff bring this action as the public has a right to know about this fraud that is being perpetrated in the Dearborn, Michigan, the community with the highest concentrations of Muslims in North America.

2. That Defendants, **LITTLE CAESAR PIZZA, and LITTLE CAESAR ENTERPRISE, INC.** are a foreign corporation, doing business in the County of Wayne, State of Michigan. That the remaining defendants, **DENISE, manager, and other JOHN DOE and JANE DOE, are employees, of LITTLE CAESAR PIZZA and LITTLE CAESAR ENTERPRISES, INC.**

3. That the amount in controversy exceeds the sum of **One Hundred Million (\$100,000,000.00) Dollars.**

CLASS ACTION

4. Plaintiff incorporates by reference paragraph 1 through 3.

5. That Defendants **LITTLE CAESAR PIZZA, and LITTLE CAESAR ENTERPRISE, INC.** operate a pizza business at 7315 Schaefer Road, in the city of Dearborn, State of Michigan.

6. That Defendants caters to a large number of Muslim customers by offering **“Halal Pepporoni”**.

7. That a “Halal” sign is advertised on the window of Defendants place of business.



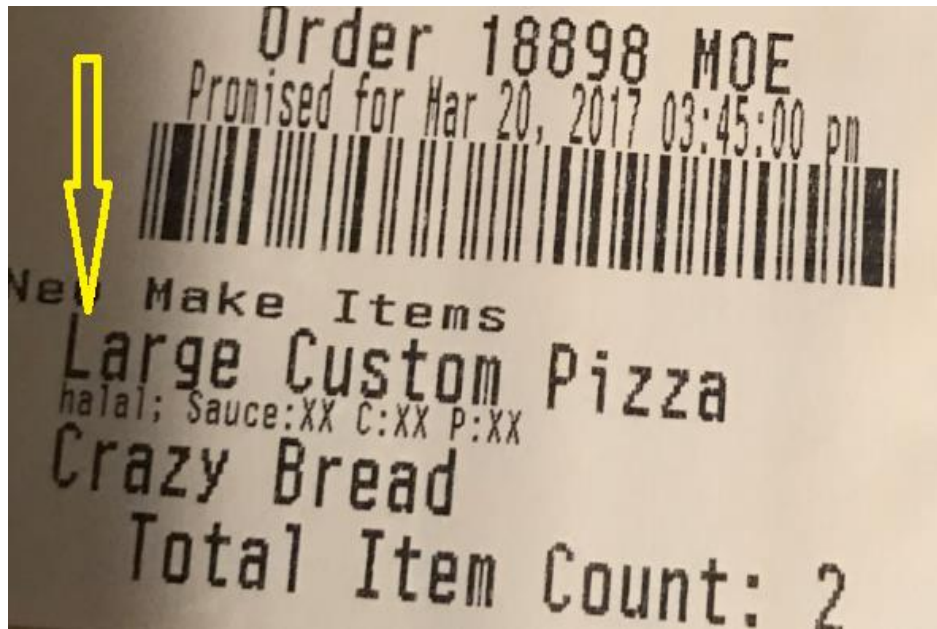
8. That Plaintiff and class members have relied on the representation that the meat that Defendants sold was in-fact "Halal".

9. On March 20, 2017 at approximately 3:30 p.m., Plaintiff Mohamad Bazzi ordered a Large Pizza with "Halal Pepperoni" from the Little Caesars Pizza located at 7315 Schaefer Road, in the city of Dearborn, Michigan.



10. That Plaintiff received his order on or about 3:45 pm, which was

labeled: Large Custom Pizza "Halal".



11. That plaintiff took his pizza home and began to eat it, along with his wife.



12. That after a few bites, plaintiff realized that he wasn't eating "Halal pepperoni" but, what he was consuming was "Pork"!

13. That plaintiff and his wife became sick to their stomach, knowing that what they had consumed was "Pork".

14. That plaintiff could not believe that he was defrauded and wondered how many other people may have been unknowingly eating "Pork" that defendants sold as "Halal".

15. On March 23, 2017, Plaintiff went to the Dearborn Police Department and filed a complaint as it is a crime under local and state law to defraud the consumer and mislabel meat as "Halal" when in reality is wasn't.

DEARBORN POLICE DEPARTMENT

INCIDENT NUMBER 17-17353
DATE 3-23-17

When making an inquiry or providing additional information concerning this case, refer to the above number. Copies of reports will not be available for at least 72 hours. Inquiries can be made by **contacting** the Records Bureau at (313) 943-2230 Monday thru Friday 8:00 a.m. to 11:30 a.m. and 12:30 p.m. to 4:30 p.m.
There are applicable fees for incident and accident copies.

For inquiries, Call:

Report Information	943-2230
Detective Bureau	943-2255
Youth Bureau	943-2265
Accident Investigation Bureau	943-2211
19 th District Court	943-2060

Officer: CLARSS3
DEARBORN POLICE DEPARTMENT

Form 183

16. On May 24, 2017, Plaintiff went back to the Little Caesar Pizza at 7315 Schaefer Road, in the city of Dearborn, state of Michigan to make another order.

17. That Plaintiff specifically asked for a "Halal pepperoni" pizza.

18. That Plaintiff received a box of pizza, labeled "Halal".



19. That inside the box was a pizza with that was not "Halal".



20. That Plaintiff went back to the store and was first told that it had the "Halal" sticker.

21. That Denise, the store manager later informed Plaintiff that what

he received was "Pork" and not "Halal".

22. That Defendant Denise stated to Plaintiff, "That's what you asked for...let me explain to you, you came earlier today, you asked for a pepperoni, we had an order in the system for two "Halal" you said that was your order, you said you only wanted one "Halal"...right, I know exactly what you wanted, I was here, I was here with the young lady, you told us to put the sticker on their and then a woman came in here...we only give you what you asked for, ...you asked her to give you a hot and ready pepperoni, and that's what you asked for".

23. That when Plaintiff asked Denise, why does the box state 'Halal' on it, Denise responded, "You told her to put the sticker on there, I have no idea, I'm like no, we only take orders because it was your order and you said you wanted a pepperoni, so we said ok."

24. When Plaintiff asked Denise, was that "Halal" Denise responded, "It was Pork Pepperoni, what you asked for, I was doing it right over there with the young lady earlier... I've been here all day...I apologize."

25. Plaintiff asked again, why did the box say "Halal", Defendant Denise responded, "The box has a sticker on it because you didn't want to wait. The order was coming out, come to find out, that wasn't even your order...that wasn't your order..."

26. Plaintiff then asked, "so it was a mistake"? Defendant Denise responded, " No it wasn't a mistake, we gave you what you asked for, no it

wasn't a mistake, you know it wasn't a mistake, next time you come in, you ask for a "Halal Pepperoni"... "Halal Pepperoni is what you ask for".

27. That Plaintiff did in fact ask for "Halal" pepperoni and he received "Pork" pepperoni.

28. That Defendants **LITTLE CAESAR PIZZA, and LITTLE CAESAR ENTERPRISE, INC.** with their employees Denise, the manager, JOHN DOE, and JANE DOE, together engaged in the practice of misrepresentation and Fraud by selling Plaintiff and other class members "Pork" pepperoni, falsely labeled as "Halal" pepperoni.

29. Plaintiff brings this class action on behalf of himself and all similarly situated Consumers in the state of Michigan who may have purchased "Pork" pepperoni, falsely labeled as "Halal" pepperoni. Plaintiff seeks damages, restitution, and injunctive relief for the Class against defendants false and misleading representations.

30. That upon information and belief consumers would pay \$6 for a "Halal" pepperoni pizza.

31. That upon information and belief, thousands of consumers have ordered "Halal" pepperoni pizza and many were served "Pork" pepperoni when specifically ordered "Halal".

32. That defendants **LITTLE CAESAR PIZZA, and LITTLE CAESAR ENTERPRISE, INC.** have failed to provide proper training to its

employees on the magnitude and emotional distress that is caused by feeding "Pork" to Muslims, under the guise that it is "Halal".

33. That defendants **LITTLE CAESAR PIZZA, and LITTLE CAESAR ENTERPRISE, INC.** have caused irreparable harm to Plaintiff and thousands of other class members.

34. Plaintiff and the Class seek economic and punitive damages in excess of \$100,000,000.00 (One Hundred Million Dollars).

35. Plaintiff and the Class seek reasonable attorney fees as this lawsuit seeks enforcement of an important right affecting the public interest and satisfies the statutory requirements for an award of attorney fees.

36. Plaintiff relied on the representation of Defendants that they were getting "Halal" pepperoni.

37. In purchasing the "Halal" pepperoni, Plaintiff relied on defendant's misrepresentations of material facts they were in fact getting "Halal" pepperoni.

38. That Defendant's misrepresentation has caused great emotional harm as Plaintiff and class members have committed a grave sin, by consuming "Pork", which is a violation of the Islamic beliefs.

CLASS ACTION ALLEGATIONS

39. Plaintiff brings this action individually and as a class action on behalf of the following Class: All persons in the state of Michigan who

purchased "Halal" pepperoni from the Little Caesars located at 7315 Schaefer, Dearborn, Michigan at any time since their inception.

40. Plaintiff reserves the right to redefine the Class prior to certification.

41. The Class is so numerous that the individual joinder of all its members is impracticable. The exact number and identities of members of the Class is unknown to Plaintiff as this time and can be ascertained through appropriate discovery.

42. Common questions of law and fact exist as to all members of the Class, which predominate over any questions affecting only individual members of the Class. These common legal and factual questions, which do not vary from Class member to Class member, and which may be determined without reference to the individual circumstances of any Class member include, but are not limited to, the following:

a. Whether Defendants sold "Halal" pepperoni and provided "Pork" pepperoni instead;

b. Whether Defendants have a barrier between "Halal" foods and "Pork" foods, which would invalidate the "Halal" and make all pizza sold "non-Halal";

c. Whether Defendants used the same pizza cutter for "Pork" food and "Halal" food, which would invalidate the "Halal" and make all pizza sold "non-Halal";

d. Whether Defendants had a warning system in place to alert other employees if a mistake was made in making a "Halal" pizza;

e. Whether Defendants conduct constitutes negligent misrepresentation;

f. Whether Defendants conduct resulted in unjust enrichment;

g. Whether Plaintiff and the Class are entitled to compensatory damages, and if so, the nature of such damages;

h. Whether Plaintiff and the Class are entitled to restitutionary relief, and

i. Whether Plaintiff and the Class are entitled to injunctive relief.

43. Plaintiff's claims are typical of the claims of the members of the Class. Plaintiff and all members of the Class have been similarly affected by Defendants common Course of conduct since they all relied on Defendants representation that they purchased "Halal" pepperoni when in fact they were sold "Pork" pepperoni or "non-Halal" pizza.

44. Plaintiff will fairly and adequately represent and protect the interests of the Class.

45. A Class Action is superior to other available means for the fair and efficient Adjudication of the claims of the Class and Subclass. Each individual Class member may lack the resources to undergo the burden and

expense associated with individually prosecuting the complex, expensive, and extensive litigation necessary to establish Defendant's liability and obtain adequate compensation for the injuries sustained. Individualized litigation increases the expense and delay for all parties and multiplies the burden on the judicial system in handling the complex legal and factual issues present in this case. Individualized litigation also presents the potential for inconsistent and contradictory judgments. Conversely, a class action presents far fewer practical difficulties and provides several benefits, including single and efficient adjudication. Class treatment of the issues present in this case will ensure that each claimant receives a fair and consistent adjudication.

COUNT I
BREACH OF CONTRACT

46. Plaintiff incorporates by reference paragraphs 1-45.

47. On or about **March 20, 2017** and on or about **May 24, 2017**, Plaintiff ordered a large "Halal" pepperoni pizza and paid \$6 per pizza, each time.

48. Defendants accepted the order and on at least two separate occasions failed to deliver "Halal" pepperoni pizza, but, instead sold Plaintiff "Pork" pepperoni pizza.

49. That Plaintiff paid consideration for the "Halal" pepperoni pizza.

50. That Defendant Breached the contract by selling Plaintiff "Pork" pepperoni pizza.

COUNT II
NEGLIGENT MISREPRESENTATION

51. Plaintiff incorporates by reference paragraphs 1-50.

52. Plaintiff brings this claim individually and on behalf of the proposed Class against Defendants.

53. Defendants **LITTLE CAESAR PIZZA, and LITTLE CAESAR ENTERPRISE, INC.** were in the market of selling pizzas in the city of Dearborn, state of Michigan.

54. Defendants **LITTLE CAESAR PIZZA, and LITTLE CAESAR ENTERPRISE, INC.** represented to Plaintiff and other Class members that they offered "Halal" pepperoni pizza.

55. Defendants **LITTLE CAESAR PIZZA, and LITTLE CAESAR ENTERPRISE, INC.** through its employees and agents failed to provide "Halal" pepperoni by misrepresenting the "Pork" pepperoni as "Halal" or negligently contaminating the work environment, making the entire product "non-Halal".

56. Defendants **LITTLE CAESAR PIZZA, and LITTLE CAESAR ENTERPRISE, INC.** owed a duty of care to Plaintiff and other Class members to making sure that what they were getting was "Halal" pepperoni.

57. Defendants **LITTLE CAESAR PIZZA, and LITTLE CAESAR ENTERPRISE, INC.** breached that duty by failing allowing careless and

negligent employees to substitute the "Pork" pepperoni for the "Halal" pepperoni, and/or allowing for the "Pork" pepperoni to contaminate the "Halal" pepperoni, making the entire pizza "non-Halal".

58. Plaintiff and other Class members were damaged as a result of Defendants **LITTLE CAESAR PIZZA, and LITTLE CAESAR ENTERPRISE, INC.** negligent misrepresentations.

59. At the time, Defendants **LITTLE CAESAR PIZZA, and LITTLE CAESAR ENTERPRISE, INC.** knew or should have known that they misrepresented to Plaintiff and other Class members that they were sold "**Pork**" pepperoni and not "**Halal**" pepperoni, as they were promised.

60. The negligent misrepresentations, upon which Plaintiff and the Class reasonably and justifiably relied, were intended to induce them and actually did induce them to purchase a "**Halal**" pepperoni pizza.

61. Plaintiff and the Class would not have purchased the "**Halal**" pepperoni pizza, if the true facts had been known.

62. Defendant's negligent misrepresentation caused damage to Plaintiff and the Class, who are entitled to damages and other legal and equitable relief.

COUNT III
UNJUST ENRICHMENT

63. Plaintiff incorporates by reference paragraphs 1-62.

64. Plaintiff brings this claim individually and on behalf of the

proposed Class against Defendants.

65. Defendants **LITTLE CAESAR PIZZA, and LITTLE CAESAR ENTERPRISE, INC.** representation that they were selling “Halal” pepperoni to Plaintiff and other Class member was false.

66. Accordingly, Defendants **LITTLE CAESAR PIZZA, and LITTLE CAESAR ENTERPRISE, INC.** have been unjustly enriched in retaining revenues derived from Plaintiff and the Class who purchased “Halal” pepperoni under these circumstances.

COUNT III
FRAUD

67. Plaintiff incorporates by reference paragraphs 1-66.

68. Plaintiff brings this claim individually and on behalf of the proposed Class against Defendant.

69. As detailed throughout Plaintiff’s Complaint, Defendants **LITTLE CAESAR PIZZA, and LITTLE CAESAR ENTERPRISE, INC.** represented to Plaintiff and Class members that they were purchasing “Halal” pepperoni.

70. Defendants **LITTLE CAESAR PIZZA, and LITTLE CAESAR ENTERPRISE, INC.** knew or should have known that what they were selling was in fact “Pork” pepperoni or “Non-Halal” pizza.

71. Defendants **LITTLE CAESAR PIZZA, and LITTLE CAESAR**

ENTERPRISE, INC. misrepresentations was intended to induce and actually induced Plaintiff and the Class to purchase “Halal” pepperoni, and Plaintiff and the Class reasonably and justifiably relied on Defendant’s fraudulent representations.

72. Plaintiff and the Class were damaged through their purchase of “Non-Halal” pizza, which was mislabeled as “Halal”. Plaintiff and the Class would not have purchased Defendants **LITTLE CAESAR PIZZA, and LITTLE CAESAR ENTERPRISE, INC.** had the true facts been known.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff individually and on behalf of all other similarly situated, seeks judgment against Defendants **LITTLE CAESAR PIZZA, and LITTLE CAESAR ENTERPRISE, INC.** as follows:

- a. For an Order certifying the Class and naming Plaintiff MOHAMAD BAZZI as the representative of the Class and Plaintiff’s attorney as Class Counsel to represent members of the Class;
- b. For an Order declaring that Defendant’s conduct violates the common law provisions referenced herein and other applicable statutes;
- c. For an Order finding in favor of Plaintiff, and the Class on all counts alleged herein;
- d. For compensatory and punitive damages in amounts to be determined by the Court and/or jury.

e. For pre-judgment interest on all amounts awarded to the full extent allowed by law;

f. For injunctive relief as pleaded or as the Court may deem proper, and

h. For an Order awarding Plaintiff, and the Class reasonable attorney fees and expenses to the full extent allowed by law.

Respectfully submitted by:

LAW OFFICES OF MAJED A. MOUGHNI, P.L.L.C.

Dated: May 25, 2017

BY: /s/ Majed A. Moughni

MAJED A. MOUGHNI (P 61087)
Attorney for Plaintiff