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IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF JACKSON

TYLER WATSON

Plaintiff,

vs.

DICK’S SPORTING GOODS, INC., dba
FIELD AND STREAM,

Defendant.

Case No.

COMPLAINT

Unlawful Age Discrimination

Amount Claimed: Injunctive Relief

Fee Authority: ORS 21.135(1)(2)(a) \$265

Come now the Plaintiff and allege as follows:

1.

Plaintiff is a resident of Gold Hill, Oregon in Jackson County. Plaintiff is 20 years old and was 20 years old at all relevant times.

2.

Defendant Dick’s Sporting Goods, Inc. is nationwide retail store headquartered in Pennsylvania, which sells sporting goods and other goods to the general public. Dick’s Sporting Goods sells firearms to the general public at their Field and Stream stores. Defendant Dick’s Sporting Goods owns and operates the Field and Stream store located at 293 Rossanley Dr Ste B, Medford, Oregon, 97501. Jurisdiction and Venue are proper in Jackson County.

3.

On or about February 24, 2018, Plaintiff entered the Field and Stream store at 293 Rossanley Dr Ste B, Medford, Oregon, 97501 (the “Field and Stream store”) during normal business hours for the purpose of buying a .22 caliber Ruger 10/22 rifle.

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4.

Plaintiff went to the firearm section of the Field and Stream store and told the clerk, and employee of Defendant, that he wanted to purchase a .22 rifle from the store. Plaintiff also told the clerk that he was 20 years old.

5.

Defendant’s employee then told Plaintiff that he would not sell Plaintiff any firearm, including rifles and shotguns, or ammunition for a firearm, because Plaintiff is under 21 years old.

6.

Defendant’s employee specifically stated that it is Defendant’s new policy not to sell any firearms or ammunition, including rifles and shotguns and their ammunition, to anyone under 21. Defendant’s employee stated that Plaintiff was being denied the sale of a firearm for that reason.

7.

Defendant then left the Field and Stream store without purchasing a rifle.

FIRST CLAIM OF RELIEF

(Unlawful Age Discrimination in Public Accommodations)

8.

By denying Plaintiff the sale of a rifle and/or ammunition for a rifle based on Plaintiff’s age, Defendant has committed illegal age discrimination in public accommodations in violation of ORS 659A.403.

9.

In addition, Defendant has publicly advertised its unlawful discriminatory policies by issuing a press release, and other materials, stating that Defendant will no longer sell any firearms or ammunition to any person under the age of 21. This is a willful violation of ORS 659A.409.

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10.

Pursuant to ORS 659A.885(7), Plaintiff asks this Court for injunctive relief ordering Defendant to stop unlawfully discriminating against 18, 19, and 20 year-old customers at all Oregon locations, and punitive damages in an amount to be determined because the willful nature of the discrimination.

11.

In addition, Plaintiff is entitled to recover reasonable attorney fees incurred in bringing this action pursuant to ORS 659A.885(7)(d).

12.

WHEREFORE, Plaintiffs request the following relief:

1. Injunctive relief requiring Defendant to stop unlawfully discriminating against 18, 19, and 20 year-old customers at all Oregon locations.
2. Punitive damages.
3. Reasonable costs and attorney fees.
4. Such other relief deemed just and equitable.

DATED this 5th day of March, 2018.

CAUBLE, CAUBLE & SELVIG, LLP

/s/ Max C. Whittington
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