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Counsel for Plaintiff and the Proposed Class

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Maurice Gatewood, individually and on
behalf of those similarly situated,

Plaintiff,

vs.

ZenniHome Holdings, Inc.; ZenniHome LLC

Defendant.

Case No.

COMPLAINT – CLASS ACTION

AND

JURY TRIAL DEMANDED



1 Maurice Gatewood (“Plaintiff”), individually and on behalf of those similarly situated
2 former employees as defined herein, brings this suit against ZenniHome Holdings, Inc and
3 ZenniHome LLC (“Defendants”), by way of this Class Action Complaint, alleging as follows:

4 **NATURE OF THE ACTION**

5 1. This is a Class Action Complaint brought under the Worker Adjustment and
6 Retraining Notification Act, 29 U.S.C. §§ 2101–2109 (the “WARN Act”), by the Plaintiff on his
7 own behalf and on behalf of the other similarly situated persons against Defendant, his employer
8 for WARN Act purposes.

9 2. Defendant ZenniHome Holdings, Inc is an employer located at 1500 N. Desert
10 Paintbrush Road, Page, AZ 86040.

11 3. Defendant ZenniHome LLC is an employer located at 1500 N. Desert Paintbrush
12 Road, Page, AZ 86040.

13 4. Upon information and belief, Defendant abruptly terminated at least 200
14 employees, including Plaintiff, unilaterally and without proper notice to employees or staff.

15 5. Plaintiff was terminated on or around July 14, 2025, as part of a mass layoff
16 without proper notice.

17 6. Plaintiff brings this action on behalf of himself and other similarly situated former
18 employees who worked for Defendant and were terminated as part of the foreseeable mass lay
19 off or plant closing ordered by Defendant on or around July 14, 2025 and within 90 days of that
20 date and who were not provided 60 days’ advance written notice of their terminations by
21 Defendant, as required by the WARN Act.

22 7. Plaintiff and other similarly situated employees should have received the full
23 protection afforded by the WARN Act.

24 **JURISDICTION AND VENUE**

25 8. This Court has jurisdiction over this matter pursuant to 28 U.S.C § 1331 and 29
26 U.S.C. § 2104(a)(5).

27 9. Venue is proper in this district pursuant to 28 U.S.C. § 1391(b) and 29

1 U.S.C. § 2104(a)(5).

2 **PARTIES**

3 10. At all times herein relevant, the Representative Plaintiff was a member of the class
4 (as defined below)

5 11. Plaintiff Maurice Gatewood is a citizen of the United States and resident of
6 Arizona. Plaintiff was employed by Defendants at all relevant times. He was employed for
7 approximately seven months and is an “aggrieved employee” within the meaning of 29 U.S.C.
8 § 2104(a)(7). He was terminated without cause and did not receive 60 days’ notice of termination.

9 12. Upon information and belief, Defendants conducted business in this district and,
10 at all relevant times, operated the facilities where Plaintiff and the other similarly situated
11 individuals worked or were based at, reported to, and received assignments from.

12 13. Defendants made the decision to terminate employees, including Plaintiff and
13 those other similarly situated former employees, without 60 days’ advance notice, terminating
14 over 200 employees and 33% of the workforce.

15 **FACTS**

16 14. On or about July 14, 2025, Defendants terminated Plaintiff with less than 60 days
17 notice.

18 15. Upon information and belief, ZenniHome Holdings, Inc is the only Member and
19 Manager of ZenniHome LLC.

20 16. Upon information and belief, the CEO of ZenniHome Holdings, Inc, Robert
21 Worsley is listed on the Statutory Agent Information Filing of ZenniHome LLC.

22 17. Upon information and belief, ZenniHome Holdings, Inc and ZenniHome LLC are
23 incorporated in Arizona with the same principal office located at 4041 E Grove Circle, Mesa, AZ
24 85206.

25 18. Collectively, ZenniHome Holdings, Inc, and ZenniHome LLC operate as a single
26 enterprise and/or joint employers (29 C.F.R. § 639.3(a)(2)) for the purposes of their liability.
27 They, collectively, made the decisions to terminate the employees without proper notice.



1 19. Defendant did not provide proper WARN Act Notice, 60 days' in advance, as
2 required by 29 U.S.C. §§ 2101 et seq. even though it planned to abolish, terminate, and/or layoff
3 at least 50 employees and 33% of the employees employed there.

4 20. Upon information and belief, no circumstances existed that would have permitted
5 Defendant from reducing the notification period as provided in 29 U.S.C. § 2102(b).

6 21. By failing to provide its affected employees who were temporarily or permanently
7 terminated on or around July 14, 2025, with proper WARN Act Notices and other benefits,
8 Defendants acted willfully and cannot establish that they had any reasonable grounds or basis for
9 believing its actions were not in violation of the WARN Act.

10 **CLASS ACTION ALLEGATIONS**

11 22. Plaintiff brings his WARN Act claim as a Class Action pursuant to Federal Rule
12 of Civil Procedure 23 on behalf of the following class:

13 All employees of Defendants who were terminated pursuant to a mass
14 layoff or plant closing (as those terms are defined in the WARN Act)
15 within 90 days of July 14, 2025.

16 23. Class Action treatment of WARN Act claims is appropriate because all of Federal
17 Rule of Civil Procedure 23's Class Action requisites can be satisfied. For example:

- 18 a. The class includes, upon information and belief, over 200 class members, and, as
19 such, is so numerous that joinder of all the class members is impracticable under
20 these circumstances, thereby satisfying Federal Rule of Civil Procedure 23(a)(1).
- 21 b. Questions of law and fact are common to the class, including, *inter alia*, whether
22 Defendant provided adequate notice of its mass layoff under the WARN Act, 29
23 U.S.C. § 2102. Thus, Plaintiff satisfies Federal Rule of Civil Procedure 23(a)(2).
- 24 c. Plaintiff is a member of the class and bring claims typical of the claims of other class
25 members. Plaintiff has no interests that are antagonistic to or in conflict with the
26 interests of other class members. Thus, Plaintiff satisfies Federal Rule of Civil
27 Procedure 23(a)(3).

1 d. Plaintiff will fairly and adequately represent the class and its interests. Moreover,
2 Plaintiff retained competent and experienced counsel who will effectively represent
3 the interests of the class. Thus, Plaintiff satisfies Federal Rule of Civil Procedure
4 23(a)(4).

5 24. Class certification is appropriate pursuant to Federal Rule of Civil Procedure
6 23(b)(1) because the prosecution of separate actions by individual class members would create a
7 risk of inconsistent or varying adjudications which would establish incompatible standards of
8 conduct for Defendant and/or because adjudications with respect to individual class members
9 would as a practical matter be dispositive of the interests of non-party class members.

10 25. Class certification is appropriate pursuant to Federal Rule of Civil Procedure
11 23(b)(2) because Defendant acted or refused to act on grounds generally applicable to the Class,
12 making appropriate declaratory and injunctive relief with respect to Plaintiff and the class as a
13 whole.

14 26. Class certification is appropriate under Federal Rule of Civil Procedure 23(b)(3)
15 because common questions of law and fact predominate over any question affecting only
16 individual class members, and because a Class Action is superior to other available methods for
17 the fair and efficient adjudication for this litigation.

18 **COUNT I**

19 **VIOLATIONS OF THE WARN ACT, 29 U.S.C. §§ 2101, *et seq.***

20 **(WARN Act)**

21 ***(On behalf of Plaintiff and the putative class)***

22 27. Plaintiff re-alleges and incorporates all preceding paragraphs as if set forth in full
23 here.

24 28. Defendants are an “employer” within the meaning of the WARN Act, 29 U.S.C
25 § 2101(a)(1).

26 29. Plaintiff and the putative class were at all relevant times an “affected employee”
27 within the meaning of the WARN Act, 29 U.S.C § 2101(a)(5).

30. The June 24, 2025, terminations resulted in “employment losses” as defined in 29



1 U.S.C. § 2101(a)(3)(B)(i)(I) and (II) for at least 33 percent of the employees and at least 50
2 employees. The ongoing terminations, occurring within any 90-day period, may be aggregated.
3 29 U.S.C. § 2102(d).

4 31. The WARN Act requires employers to provide 60-days’ notice of any plant
5 closing or mass layoff “to each representative of the affected employees . . . or, if there is no such
6 representative at that time, to each affected employee,” 29 U.S.C. § 2102(a)(1), and “to the State
7 or entity designated by the State to carry out rapid response activities under [29 U.S.C. §]
8 3174(a)(2)(A),” as well as to “the chief elected official of the local government within which
9 such closing or layoff is to occur,” 29 U.S.C. § 2102(a)(2).

10 32. On information and belief, Defendant did not give 60 days’ written notice of the
11 plant closing and/or mass layoff to any “affected employee,” including Plaintiff and those they
12 seek to represent, as that term is defined in 29 U.S.C § 2101(a)(5). Nor upon information and
13 belief did Defendant give proper 60 days’ written notice to the chief elected official of the local
14 government within which the mass layoff was ordered.

15 33. Defendant violated the WARN Act by failing to give timely written notice of the
16 mass layoff as required by 29 U.S.C. § 2102(a), which began on or about June 24, 2025.

17 34. As such, Plaintiff and those he seeks to represent are “aggrieved employees”
18 within the meaning of the WARN Act, 29 U.S.C. § 2104(a)(7).

19 35. The WARN Act expressly permits an “aggrieved employee” to bring a civil action
20 individually and on behalf of all those similarly situated to seek relief for violations of the
21 provisions of 29 U.S.C. § 2102. See 29 U.S.C. § 2104(5).

22 36. Moreover, Defendant’s violations of the WARN Act were not in good faith, and
23 Defendant had no reasonable grounds for believing that the plant closing or mass layoff it ordered
24 was not in violation of the notice requirements at 29 U.S.C. § 2102.

25 **PRAYER FOR RELIEF**

26 WHEREFORE, Plaintiff prays for the following relief:

27 A. Certification of the Class as a Class Action pursuant to Federal Rule of Civil

1 Procedure 23(b), and designation of Plaintiffs as a representative of the Class and counsel of record
2 as Class Counsel.

3 B. A declaration that Defendants violated the WARN Act;

4 C. A judgment against Defendants and in favor of Plaintiff and those he seeks to
5 represent for back pay to the fullest extent permitted by the WARN Act, 29 U.S.C. § 2104(a)(1)(A);

6 D. A judgment against Defendants and in favor of Plaintiff and those he seeks to
7 represent for the loss of benefits, including, but not limited to, medical expenses incurred by Plaintiff
8 and those he seeks to represent during the employment loss, to the fullest extent allowable under the
9 WARN Act, 29 U.S.C. § 2104(a)(1)(B);

10 E. A finding that Defendants' violations of the WARN Act were and are willful, not in
11 good faith, and that Defendants have no reasonable grounds for believing that its mass layoff was
12 not in violation of the notice requirements of the WARN Act, 29 U.S.C. § 2102;

13 F. A judgment against Defendants and in favor of Plaintiff and those he seeks to
14 represent for litigation costs, expenses, attorney's fees to the fullest extent permitted under the
15 WARN Act, 29 U.S.C. § 2104(a)(6), and for discretionary costs pursuant to Federal Rule of Civil
16 Procedure 54(d);

17 G. A judgment against Defendants for civil penalties to the fullest extent allowable

18 H. under the WARN Act, 29 U.S.C. § 2104(a)(3); and,


19 I. Such other and further relief as this Court deems just and proper and allowed under
20 the WARN Act.

21 **JURY TRIAL DEMANDED**

22 Plaintiff hereby demands that this matter be tried before a jury.

23 RESPECTFULLY SUBMITTED this 31st day of July 2025.

24 **O'STEEN MACLEOD COMBS PLC**

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