

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

MOUMIN ZEINELABDIN,

Plaintiff,

v.

H. LEE MOFFITT CANCER
CENTER AND RESEARCH
INSTITUTE, INC., its affiliates,
subsidiaries, and other related entities,
under any name by which they are
known,

Respondent.

Case No.: _____

**JURY TRIAL DEMANDED
CIVIL**

PLAINTIFF’S COMPLAINT FOR EMPLOYMENT DISCRIMINATION

NOW COMES, MOUMIN ZEINELABDIN, (“Plaintiff”), by and through his undersigned counsel, and brings this action against his employer, H. LEE MOFFITT CANCER CENTER AND RESEARCH INSTITUTE, INC. (“Moffitt Cancer Center” and/or “Respondent”), its affiliates, subsidiaries, and other related entities, under any name by which they are known, for unlawful discrimination and retaliation in violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e, et seq., the Florida Civil Rights Act of 1992, Fla. Stat. § 760.01, et seq.,

Florida Private-Sector Whistleblower Act – Fla. Stat. § 448.102, 29 U.S.C. § 660(c) (Section 11(c) of the Occupational Safety and Health Act) Fla. Stat. §§ 442.012–442.106 (Florida Occupational Safety and Health Act), 42 U.S.C. § 1983 Deprivation of Constitutional Rights under Color of State Law, Florida Civil Rights Act – Fla. Stat. § 760.10 as follows:

I. INTRODUCTION

1. Plaintiff asserts that as a whistleblower and current employee, he was, and continues to be, subjected to escalating acts of workplace retaliation, harassment, and religious discrimination following his protected activity and internal complaints concerning workplace safety violations.
2. Plaintiff was issued a Notice of Right to Sue, attached hereto as **Exhibit A** with redactions to protect the Plaintiff’s privacy, by the Equal Employment Opportunity Commission (“EEOC”), and this action is timely filed within the applicable statutory period.

II. PARTIES

3. Plaintiff, Moumin Zeinelabdin, is a resident of Hillsborough County, Florida, and has been employed by Respondent for approximately thirteen (13) years in the capacity of a transportation team member.
4. Respondent, Moffitt Cancer Center, is a Florida-based healthcare entity with a principal place of business at 12902 USF Magnolia Drive, Tampa, Florida 33612.

Respondent employs more than 500 individuals and is an employer within the meaning of Title VII, Florida Private-Sector Whistleblower Act, Occupational Safety and Health Act, Florida Occupational Safety and Health Act, and the Florida Civil Rights Act.

III. JURISDICTION AND VENUE

5. This Court has original jurisdiction pursuant to 28 U.S.C. § 1331 (federal question jurisdiction), and supplemental jurisdiction over Plaintiff's state law claims pursuant to 28 U.S.C. § 1367.
6. Venue is proper in this Court under 28 U.S.C. § 1391(b), as Respondent resides and conducts business in Tampa, Florida, and the unlawful conduct occurred in this judicial district.

IV. STATEMENT OF FACTS

7. Plaintiff is a long-standing and dedicated employee of Respondent, having served faithfully for well over a decade with consistently strong performance and no material disciplinary history prior to engaging in protected activity.
8. On or about August 28, 2024, Plaintiff submitted repeated complaints to his supervisor and management concerning a co-worker's persistent violation of Respondent's no-smoking policy – specifically, smoking inside hospital transportation vans.

9. Plaintiff operated the hospital transportation vehicles to transport goods across the hospital and its centers, including but not limited to, pharmaceutical medications, lab coolers and other items to the blood bank and laboratories, food, water, and other perishable goods to the cafeterias.
10. Plaintiff's complaints were not trivial or personal in nature; they concerned a serious and ongoing violation of workplace safety and public health protocols.
11. As a designated cancer treatment facility, Respondent has an elevated duty to maintain a sterile and health-conscious environment free of known carcinogenic hazards – including tobacco smoke in all its forms.
12. The hospital's no-smoking policy exists not merely as an internal guideline, but as a mandatory protective measure consistent with federal public health standards and Florida law. According to the U.S. Surgeon General, smoking is the leading cause of preventable death in the United States, causing more than 480,000 deaths annually, including 41,000 deaths from secondhand smoke exposure alone.
13. The U.S. Centers for Disease Control and Prevention (CDC) has declared that there is no safe level of exposure to secondhand smoke, especially for medically vulnerable populations such as immunocompromised patients, cancer patients, and the elderly – all whom frequent and benefit from the hospital's facilities and transportation services.

14. Further, studies confirm that thirdhand smoke – residual nicotine and other chemicals left on surfaces and in dust – can persist for days or weeks in vehicles and indoor spaces, posing latent respiratory and carcinogenic risks to subsequent occupants, especially children and patients with preexisting conditions.
15. The presence of cigarette smoke in confined transportation vans posed a clear and immediate threat to:
- a. Patients undergoing oncology treatment, many of whom have suppressed immune systems and heightened respiratory sensitivity;
 - b. Fellow hospital employees required to share those vehicles;
 - c. Visitors, including children and elderly individuals; and
 - d. The physical integrity of the hospital environment, including, but not limited to, contamination of consumable products, equipment, and porous materials.
16. Plaintiff elevated these concerns not for personal benefit, but to safeguard the health, dignity, and safety of patients, co-workers, and the public. His complaints were made in good faith and consistent with the ethical obligations of any employee working in a medical facility.
17. Despite Respondent’s clear duty under its own policies, as well as under Florida law, to enforce anti-smoking rules in public and enclosed spaces, no corrective action was taken. Notably, under Fla. Stat. § 386.204, smoking is prohibited in

any enclosed indoor workplace – including employer-owned vehicles – under Florida’s Clean Indoor Air Act (FCIAA). The Act mandates that employers “implement policies to ensure compliance with smoking prohibitions” and protect employees from tobacco-related harm.

18. Respondent’s failure to enforce these provisions or discipline the offending employee constituted a direct violation of Florida’s Clean Indoor Air Act and Fla. Stat. § 442.03, which further requires all employers to furnish a place of employment free from recognized hazards.
19. Instead of investigating or mitigating this persistent and well-documented hazard, Respondent ignored Plaintiff’s safety-based reports and retaliated against him for raising concerns that should have been immediately and seriously addressed under both medical ethics and state law.
20. These complaints were escalated to Human Resources and formally acknowledged on or about September 9, 2024. However, Respondent failed to address the matter or implement any corrective measures.
21. Instead of remedying the violation, Respondent allowed the work environment to become increasingly hostile toward Plaintiff. Shortly thereafter, Plaintiff began to experience heightened scrutiny, increased workloads, disciplinary write-ups, and discriminatory treatment.

22. On or about October 23, 2024, Plaintiff was involuntarily included in a religiously insensitive “Christmas Gift Exchange” email thread. Additionally, an image depicting an American soldier kneeling in prayer before a cross and pulpit was publicly displayed in Plaintiff’s work area, creating a religiously exclusionary and hostile environment.
23. After that incident, Plaintiff shared content relevant to his own faith with a coworker via personal device while off-duty. Plaintiff was subsequently targeted with unwarranted complaints and was disciplined for his conduct – despite not engaging in any policy violation.
24. On January 13, 2025, Plaintiff received a disciplinary write-up under vague allegations, despite his prior good record.
25. On or about February 13, 2025, Plaintiff informed management of his intent to file an EEOC complaint. The very next day, on February 14, 2025, Plaintiff was issued a second disciplinary write-up citing “Violations of Conduct Guidelines.”
26. These disciplinary actions were pretextual, retaliatory, and intended to chill Plaintiff’s exercise of his federally protected rights.
27. After the second write-up, a supervisor aggressively confronted Plaintiff while he was operating a company vehicle during active work duty. The supervisor banged on the vehicle, yelled, and pointed his finger menacingly in Plaintiff’s

face, causing Plaintiff significant emotional distress and reasonable apprehension of imminent harm.

28. Respondent has engaged in a pattern of retaliatory conduct designed to isolate Plaintiff, discourage his lawful reporting, and potentially build a record for termination.

29. Respondent's actions have caused Plaintiff to experience severe emotional and physical distress, reputational harm, mental anguish, and a deteriorated work environment.

V. CLAIMS FOR RELIEF

COUNT I – RETALIATION

Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e-3(a)

30. Plaintiff realleges and incorporates by reference paragraphs 1 through 29 as though fully set forth herein.

31. Plaintiff engaged in protected activity by reporting unlawful workplace conduct, including health safety violations and discriminatory practices, and by signaling his intent to file a charge with the EEOC.

32. Respondent subjected Plaintiff to adverse employment actions, including unwarranted disciplinary write-ups, increased scrutiny, and workplace hostility, in direct response to his protected conduct.

33. There is a direct and causal connection between Plaintiff's protected activity and the adverse actions taken against him.

34. As a result of Respondent's retaliatory conduct, Plaintiff has suffered and continues to suffer damages, including physical distress, humiliation, and reputation harm.

WHEREFORE, Plaintiff respectfully requests that the Court enter judgment in his favor, and award declaratory relief, compensatory damages, punitive damages, injunctive relief, reinstatement or front pay, expungement of his employment record, attorney's fees and costs, pre- and post-judgment interest, and any other relief deemed just and proper under Title VII of the Civil Rights Act of 1964.

COUNT II – FLORIDA WHISTLEBLOWER RETALIATION

Florida Private-Sector Whistleblower Act – Fla. Stat. § 448.102

35. Plaintiff realleges and incorporates paragraphs 1 through 34 as though fully set forth herein.

36. Plaintiff engaged in protected activity under Fla. Stat. § 448.102(1) and (3) by reporting to management and Human Resources ongoing violations of health and safety laws and internal policies, including the unlawful smoking of tobacco products in hospital transportation vans—a direct violation of workplace safety standards and Florida's Clean Indoor Air Act.

37. Rather than addressing these serious concerns, Respondent retaliated against Plaintiff for making these disclosures by subjecting him to increased scrutiny, unjustified disciplinary actions, and workplace hostility.
38. Plaintiff's internal reports were made in good faith and concerned violations of laws, rules, or regulations which created a substantial and specific danger to the public health, safety, or welfare.
39. The adverse actions taken by Respondent, including unwarranted discipline and workplace intimidation, were directly caused by Plaintiff's lawful whistleblowing activity.
40. As a direct result of Respondent's unlawful retaliation, Plaintiff has suffered and continues to suffer emotional and physical distress, lost dignity, reputational harm, and other damages.

WHEREFORE, Plaintiff respectfully requests that the Court enter judgment in his favor, and award declaratory relief, compensatory damages for emotional distress and reputational harm, punitive damages, equitable remedies including reinstatement, attorney's fees and costs, pre- and post-judgment interest, and any other relief deemed just and proper under Title VII of the Civil Rights Act of 1964.

COUNT III – RETALIATION IN VIOLATION OF OSHA

WHISTLEBLOWER PROTECTIONS

29 U.S.C. § 660(c) (Section 11(c) of the Occupational Safety and Health Act)

Fla. Stat. §§ 442.012–442.106 (Florida Occupational Safety and Health Act)

(Preserved for Notice Purposes Under 29 U.S.C. § 660(c) and Fla. Stat. §§ 442.012 et seq.)

41. Plaintiff realleges and incorporates paragraphs 1 through 40 as though fully set forth herein.
42. On or about August 28, 2024, Plaintiff reported to his supervisors and Human Resources that a co-worker was regularly and unlawfully smoking in hospital-operated transportation vans, creating a hazardous and illegal working environment in violation of federal and state health and safety laws.
43. These reports were made in good faith, with the specific intention of protecting patients, employees, and the public from exposure to known carcinogens and respiratory irritants, consistent with Plaintiff’s moral and ethical obligations as a hospital employee.
44. Under the Occupational Safety and Health Act, employers are required to furnish employees with a workplace “free from recognized hazards that are causing or are likely to cause death or serious physical harm.” See 29 U.S.C. § 654(a). Florida law imposes the same duty under Fla. Stat. § 442.03.
45. In response to Plaintiff’s reports, Respondent failed to correct the unsafe conditions and instead subjected Plaintiff to escalating retaliation, including

unwarranted disciplinary write-ups, workplace hostility, and threats of physical aggression.

46. Plaintiff filed a whistleblower complaint with the Occupational Safety and Health Administration (OSHA) pursuant to Section 11(c), 29 U.S.C. § 660(c). Plaintiff also filed a safety and health complaint with OSHA. At the time of this filing, the matter is either under investigation or preserved for tolling purposes pending OSHA's decision whether to pursue enforcement on Plaintiff's behalf.

47. Plaintiff acknowledges that OSHA does not provide a private right of action under Section 11(c), and thus does not seek direct adjudication of a statutory OSHA claim in this forum. Rather, this count is pled to:

- a. Provide factual notice of Respondent's retaliatory conduct in violation of occupational safety policies;
- b. Preserve rights under related state and federal frameworks (e.g., Florida Private-Sector Whistleblower Act, 42 U.S.C. § 1983);
- c. Support Plaintiff's claims for compensatory and punitive damages arising from the same pattern of misconduct.

48. Plaintiff reserves all rights to pursue remedies through administrative OSHA channels and further amends this Complaint solely to preserve those facts and underlying rights.

WHEREFORE, Plaintiff respectfully requests that this Court consider the factual allegations related to occupational safety retaliation as supporting evidence for Plaintiff's statutory and tort claims, and that all related rights under OSHA Section 11(c) and Florida law be deemed preserved for parallel administrative or supplemental legal proceedings.

COUNT IV – RETALIATION IN VIOLATION OF PUBLIC POLICY

**Violation of 42 U.S.C. § 1983 – Deprivation of Constitutional Rights under Color
of State Law**

49. Plaintiff realleges and incorporates paragraphs 1 through 48 as though fully set forth herein.
50. At all times relevant, Respondent, while organized as a private nonprofit, operates as a public instrumentality due to its integration with the State of Florida through public funding, land use, and its affiliation with the University of South Florida and other governmental bodies.
51. Plaintiff engaged in speech and conduct on matters of public concern, including the unsafe use and hazardous environment of transportation vehicles by hospital staff and a religiously exclusionary workplace environment.
52. By disciplining Plaintiff in retaliation for his protected disclosures and expression, Respondent, acting under color of law, deprived him of rights secured by the First and Fourteenth Amendments to the U.S. Constitution.

53. These adverse actions would deter a person of ordinary firmness from continuing to speak out and were motivated at least in part by Plaintiff's protected speech and efforts to report wrongdoing.

54. Respondent's actions constitute unlawful retaliation in violation of clearly established constitutional rights.

55. As a direct and proximate result of this unconstitutional conduct, Plaintiff suffered emotional distress, reputational injury, and other compensable damages.

WHEREFORE, Plaintiff respectfully requests judgment against Respondent for compensatory damages, punitive damages, equitable relief, attorney's fees and costs pursuant to 42 U.S.C. § 1988, and any other relief the Court deems just and proper.

COUNT V – RETALIATION AND DISCRIMINATION

Florida Civil Rights Act – Fla. Stat. § 760.10

56. Plaintiff realleges and incorporates paragraphs 1 through 55 as though fully set forth herein.

57. The retaliatory and discriminatory acts described above also constitute violations of the Florida Civil Rights Act (FCRA), which prohibits adverse employment actions taken because an employee opposed unlawful employment practices.

58. As a result, Plaintiff has endured pain, suffering, inconvenience, mental anguish, and other non-pecuniary losses.

WHEREFORE, Plaintiff respectfully requests that the Court enter judgment in his favor, and award compensatory damages, punitive damages, injunctive and equitable relief, attorney's fees and costs pursuant to 42 U.S.C. § 1988, and such other and further relief as the Court deems just and proper.

COUNT VI – RELIGIOUS DISCRIMINATION

Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e-2(a)

59. Plaintiff realleges and incorporates paragraphs 1 through 58 as though fully set forth herein.

60. Plaintiff is a practicing member of a religion protected under Title VII.

61. Respondent engaged in religious discrimination by fostering and endorsing a workplace environment infused with religious symbolism favoring a specific faith and disciplining Plaintiff for peacefully expressing his own religious identity.

62. Respondent created a religiously-exclusive environment, and reinforced it further in a retaliatory effort to create a hostile work environment for Plaintiff after he engaged in whistleblowing and protected activities.

63. The conduct described above created a hostile work environment based on religion and led to disparate treatment on the basis of Plaintiff's beliefs.

WHEREFORE, Plaintiff respectfully requests that the Court enter judgment in his favor, and award declaratory and injunctive relief to remedy workplace safety

violations, compensatory damages for retaliation, statutory penalties, reinstatement or front pay, attorney's fees and costs, and any further relief as provided by OSHA Section 11(c), Florida OSHA statutes, and this Court's equitable powers.

a. Alternative Pleading of Common Law Tort Claims

Plaintiff asserts the following common law tort claims in the alternative to his claims under the Florida Civil Rights Act. These tort claims are pled to preserve Plaintiff's right to seek full and fair relief under non-statutory theories of liability should the statutory claims be dismissed, limited in scope, or deemed inadequate to fully compensate Plaintiff for the harms suffered. Plaintiff does not seek duplicative recovery and affirms that damages under these counts shall be awarded only to the extent they do not overlap with relief granted under statutory causes of action.

COUNT VII

INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS (IIED)

(Florida Common Law)

64. Plaintiff realleges and incorporates by reference paragraphs 1 through 63 as though fully set forth herein.

65. Respondent engaged in a continuous course of extreme, outrageous, and reckless conduct intended to cause Plaintiff severe emotional distress, or with reckless disregard for the high probability that emotional distress would result.

66. Such conduct included but was not limited to:

- a. Failing to remedy reported health and safety violations involving hazardous smoking practices;
- b. Fostering a religiously hostile environment;
- c. Retaliating against Plaintiff for protected whistleblowing and EEOC activity;
- and
- d. Subjecting Plaintiff to threatening and aggressive confrontations by supervisors while on duty.

67. The supervisor's physical intimidation — banging on Plaintiff's work vehicle and yelling in Plaintiff's face — was intentional, outrageous, and beyond the bounds of decency.

68. As a direct and proximate result of Respondent's conduct, Plaintiff suffered severe emotional distress, including anxiety, mental anguish, humiliation, and deterioration of his health and emotional well-being.

WHEREFORE, Plaintiff respectfully requests judgment against Respondent for compensatory damages not duplicative of those recoverable under statutory claims, including distinct emotional distress damages arising from extreme and outrageous conduct, punitive damages as permitted by Florida law, pre- and post-judgment interest, costs, and such other relief as the Court deems just and proper. This claim is pled in the alternative to Plaintiff's claims under the Florida Civil Rights Act.

COUNT VIII

NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS (NIED)

(Florida Common Law)

69. Plaintiff realleges and incorporates by reference paragraphs 1 through 68 as though fully set forth herein.

70. Respondent owed Plaintiff a duty of care to maintain a safe, non-threatening work environment and to prevent foreseeable emotional and physical harm.

71. Respondent breached that duty by negligently failing to correct hazardous safety violations, by allowing persistent workplace hostility and intimidation, and by failing to protect Plaintiff from retaliatory acts after his protected activity.

72. As a result of Respondent's negligence, Plaintiff was exposed to dangerous working conditions, threats of violence, persistent hostility, and unsafe health environments, causing him genuine and severe emotional distress and related physical symptoms.

73. The harm suffered by Plaintiff was foreseeable, serious, and within the scope of Respondent's duty to prevent.

WHEREFORE, Plaintiff respectfully requests judgment against Respondent for compensatory damages not duplicative of any statutory recovery, including damages for emotional distress and physical symptoms proximately caused by Respondent's negligence, pre- and post-judgment interest, costs, and any other relief the Court

deems just and proper. This claim is pled in the alternative to claims brought under the Florida Civil Rights Act.

COUNT IX: ASSAULT

(Florida Common Law)

74. Plaintiff realleges and incorporates by reference paragraphs 1 through 73 as though fully set forth herein.

75. On or about February 2025, Plaintiff, while operating a company vehicle during active work duty, was confronted by a supervisor who aggressively banged on Plaintiff's vehicle, pointed a finger in his face, and yelled at him in a threatening manner.

76. The supervisor's actions were intentional, unlawful, and carried an apparent ability to cause imminent harm, creating in Plaintiff a well-founded fear of immediate and unlawful physical violence.

77. Respondent is vicariously liable for the acts of its supervisory employees committed within the course and scope of their employment.

78. As a result of this assault, Plaintiff suffered emotional distress, anxiety, humiliation, and fear for his personal safety.

WHEREFORE, Plaintiff respectfully requests judgment against Respondent for compensatory damages not overlapping with statutory claims, including damages for fear, humiliation, and emotional distress resulting from the unlawful threat of

physical harm, and punitive damages as allowed under Florida law. This tort claim is pled in the alternative to Plaintiff's statutory claims and seeks non-duplicative relief.

COUNT X: NEGLIGENT SUPERVISION AND RETENTION

(Florida Common Law)

79. Plaintiff realleges and incorporates by reference paragraphs 1 through 78 as though fully set forth herein.

80. Respondent knew or, through the exercise of reasonable care, should have known that its supervisory and managerial employees were engaging in discriminatory, retaliatory, threatening, and hazardous conduct toward Plaintiff and others.

81. Despite having actual or constructive notice of this misconduct through Plaintiff's repeated internal complaints, Respondent failed to take reasonable steps to investigate, supervise, correct, or terminate the offending employees.

82. Respondent's negligent supervision and retention of employees it knew or should have known posed a risk of harm to Plaintiff directly and proximately caused Plaintiff's injuries, including emotional distress, reputational damage, and fear for his safety.

WHEREFORE, Plaintiff respectfully requests judgment against Respondent for compensatory damages not duplicative of statutory damages, including those arising

from Respondent's negligent failure to prevent foreseeable harm and workplace hostility, punitive damages where permitted, and such further relief as this Court deems just and equitable. This claim is pled in the alternative to Plaintiff's claims under the Florida Civil Rights Act and other statutory frameworks.

VI. DEMAND FOR JURY TRIAL

83. Plaintiff demands a trial by jury on all issues so triable as a matter of right.

VII. RESERVATION OF RIGHTS

84. Plaintiff reserves the right to amend this Complaint, including to add additional claims, facts, and parties as may be supported by evidence revealed during discovery or investigation. The allegations herein are not exhaustive.

VIII. PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that this Court enter judgment in his favor and award him the following relief:

- A. Declaratory relief stating that Respondent's conduct violated Title VII of the Civil Rights Act of 1964, the Florida Civil Rights Act, the Florida Private-Sector Whistleblower Act, the Occupational Safety and Health Act (29 U.S.C. § 660(c)), Florida Occupational Safety and Health Act (Fla. Stat. § 442.012 et seq.), and constituted common law torts under Florida law;
- B. Injunctive relief prohibiting further discrimination, retaliation, workplace safety violations, harassment, and unlawful employment practices against

Plaintiff, and requiring the implementation of effective anti-retaliation, safety, and anti-harassment policies;

- C. Reinstatement to a neutral, non-hostile, and equitable position with full seniority and benefits, or, alternatively, an award of front pay and future lost earnings;
- D. Expungement and removal of all retaliatory and discriminatory disciplinary records or negative evaluations from Plaintiff's personnel file;
- E. Compensatory damages for all lost wages, lost benefits, loss of professional reputation, diminished career advancement opportunities, severe emotional distress, mental anguish, and other non-economic losses sustained as a result of Respondent's statutory violations and tortious conduct;
- F. Punitive damages to punish and deter Respondent's intentional, reckless, and outrageous conduct, including but not limited to retaliation, discrimination, assault, and infliction of emotional distress, where authorized by law;
- G. Any additional statutory damages, fines, or penalties authorized by Title VII, the Florida Civil Rights Act, and the Florida Private-Sector Whistleblower Act;
- H. Attorney's Fees and Costs:

- i. An award of reasonable attorney's fees, costs, and litigation expenses pursuant to 42 U.S.C. § 1988 for Plaintiff's claims under 42 U.S.C. § 1983;
- ii. An award of attorney's fees and costs pursuant to applicable state statutes, including Fla. Stat. § 760.11(5) (Florida Civil Rights Act) and Fla. Stat. § 448.104 (Florida Whistleblower Act);
- iii. Costs and expenses as otherwise allowed by law;
- iv. Pre-Judgment and Post-Judgment Interest:

On all monetary awards, as permitted by law;

- I. Any further relief as this Court deems just, equitable, and proper to fully compensate Plaintiff and prevent future unlawful conduct.

Dated: April 30, 2025

Respectfully submitted,

By:  _____

Hassan Shibly, Esq.
Florida Bar No. 94314
Zuneera Masood, Esq. (*pro hac vice*
forthcoming)
MUSLIM LEGAL, P.A.
10730 N 56th St, Suite 208

Tampa, FL 33617
(407) 278-6767
hassan@shiblylaw.com
zuneera@shiblylaw.com
legal@shiblylaw.com
Attorneys for Plaintiff


THE REST OF THIS PAGE HAS BEEN INTENTIONALLY LEFT BLANK

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 30TH day of April 2025, a true and correct copy of the Plaintiff's Complaint along with the associated Exhibits were sent by electronic mail to the United States District Court, For the Middle District of Florida, Tampa Division, and Respondent as described below via service of process.

H. LEE MOFFITT CANCER CENTER AND RESEARCH INSTITUTE, INC.
Fletcher, Charles, Esq.
12902 MAGNOLIA DRIVE
MBC-OGC
TAMPA, FL 33612-9416

Respectfully submitted,

By: _____

Hassan Shibly, Esq.
Florida Bar No. 94314
Zuneera Masood, Esq. (*pro hac vice*
forthcoming)
MUSLIM LEGAL, P.A.
10730 N 56th St, Suite 208
Tampa, FL 33617
(407) 278-6767
hassan@shiblylaw.com
zuneera@shiblylaw.com
legal@shiblylaw.com
Attorneys for Plaintiff

EXHIBIT A
(NOTICE OF RIGHT TO SUE)



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Tampa Field Office
501 East Polk St, Suite 1000
Tampa, FL 33602
(800) 669-4000
Website: www.eeoc.gov

DISMISSAL AND NOTICE OF RIGHTS

(This Notice replaces EEOC FORMS 161, 161-A & 161-B)

Issued On: 03/24/2025

To: Mr. Moumin Zeinelabdin



Charge No: **511-2025-02242**

EEOC Representative and email: ELVIN ARCE
Investigator Support Assistant
elvin.arce@eeoc.gov

DISMISSAL OF CHARGE

The EEOC has granted your request that the agency issue a Notice of Right to Sue, where it is unlikely that EEOC will be able to complete its investigation within 180 days from the date the charge was filed.

The EEOC is terminating its processing of this charge.

NOTICE OF YOUR RIGHT TO SUE

This is official notice from the EEOC of the dismissal of your charge and of your right to sue. If you choose to file a lawsuit against the respondent(s) on this charge under federal law in federal or state court, **your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice.** Receipt generally occurs on the date that you (or your representative) view this document. You should keep a record of the date you received this notice. Your right to sue based on this charge will be lost if you do not file a lawsuit in court within 90 days. (The time limit for filing a lawsuit based on a claim under state law may be different.)

If you file a lawsuit based on this charge, please sign in to the EEOC Public Portal and upload the court complaint to charge 511-2025-02242.

On behalf of the Commission,

Digitally Signed By: Tamra S. Schweiberger
03/24/2025

Tamra S. Schweiberger
Director

Cc:

Incident Location
Moffitt Cancer Center
12902 USF Magnolia Dr
Tampa, FL 33612

Zuneera Masood Esq.
Law Offices of Hassan Shibly, Esq.
10730 N 56th St Suite 208
Tampa, FL 33617

Please retain this notice for your records.