

**Reputational Risk: Managing Perceptions
with Image Repair**

**Jeff Hahn
Hahn Public Communications
Austin, TX**

**Tom Nesbitt
DeShazo & Nesbitt L.L.P.
Austin, TX**



CAUSE NO. D-1-GN-16-001648

District Clerk
Travis County
D-1-GN-16-001648
Ruben Tamez

PASTOR JORDAN BROWN,
Plaintiff,

§ IN THE 250TH DISTRICT COURT
§
§
§
§
§

V.

§ OF TRAVIS COUNTY, TEXAS
§
§
§
§
§
§

WHOLE FOODS MARKET, INC.
Defendant.

**PLAINTIFF'S ORIGINAL PETITION, REQUEST FOR DISCLOSURE,
AND DEMAND FOR JURY TRIAL**

COMES NOW Plaintiff, Pastor Jordan Brown ("Pastor Jordan" or "Plaintiff") and files this Original Petition, Request for Disclosure, and Demand for Jury Trial against Defendant Whole Foods

18. The Whole Foods bakery associate removed the cake selected by Pastor Jordan from the display case. She brought it over to the prep table and began writing on it in icing. She then sealed it with a Whole Foods sticker, and handed it to Pastor Jordan. Once it was sealed, there was no way to alter the cake without breaking the Whole Foods sticker.

20. He set the cake on the floor of the passenger seat side of the car. While stopped at a stop light, Pastor Jordan looked down and saw for the first time that the cake had a terrible anti-gay slur written directly across the middle of it:



LOCAL

Whole Foods: The cake is a fake

Whole Foods, Inc. is fighting back with a planned countersuit and security video it says contradicts a local pastor's claim he received a cake from a Whole Foods store that had a gay slur on it.

Author: KVUE Staff
Published: 1:46 PM CDT April 19, 2016
Updated: 10:29 PM CDT April 19, 2016

Whole Foods, Inc. is fighting back with legal action and security video it says contradicts an Austin pastor's

CAUSE NO. D-I-GN-16-001648

Tr
D-1-G
I

Pastor Jordan Brown	§	In the District Court
Plaintiff/Counter Defendant	§	
v.	§	Travis County, Texas
	§	
Whole Foods Rocky Mountain/Southwest LP	§	250th District Court
Defendant/Counter-Plaintiff	§	

Counter-Claim Defamation

4. WFM hereby asserts the following counter-claim. The Counter-Defendant, Jordan Brown, intentionally, knowingly, and falsely accused Whole Foods and its employees of writing the homosexual slur "FAG" on a custom made cake that he ordered from WFM's Lamar Store, in Austin, TX. *See Plaintiff's Original Petition on file with the court and incorporated herein by reference.* WFM and their employees did not put this slur on the cake. The cake was in the sole possession and control of Mr. Brown from the time it left WFM until he posted a video showing the slur and publishing his false statement to the general public. Mr. Brown acted with malice and he has damaged the reputation and business of WFM.

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](https://utcle.org/elibrary)

Title search: Reputational Risk: Managing Perceptions with Image Repair

First appeared as part of the conference materials for the
25th Annual Labor and Employment Law Conference session
"Reputational Risk: Managing Perceptions with Image Repair"