

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Burnley Mills, Inc.,  
Plaintiff

v.

Sidney Stratton,  
Defendant.

Case No. 16-cv-2345

COMPLAINT

Plaintiff Burnley Mills, Inc., through its undersigned attorney, avers as follows:

1. Plaintiff Burnley Mills (“Burnley Mills”) is business corporation incorporated and having its principal place of business in the State of North Carolina. Defendant Sidney Stratton (“Stratton”) is an individual residing in, and a citizen of, New York. The amount in controversy, without interest and costs, exceeds the sum or value specified by 28 U.S.C. § 1332.

2. Stratton is a former employee of Burnley Mills. Stratton’s employment contract with Burnley Mills included a clause providing that, “In the event that Stratton’s employment with Burnley Mills is terminated for any reason, and for a period of two years from the date of termination, Stratton may not work in any capacity for any business competitor of Burnley Mills.”

3. On November 30, 2015, Burnley Mills notified Stratton by letter that his employment was terminated effective immediately.

4. On information and belief, Stratton began working for defendant Corland on or about February 1, 2016.

5. Stratton has breached his employment contract with Burnley Mills.

6. As a proximate and foreseeable result of Stratton's breach, Burnley Mills has suffered damages.

7. Unless this Court grants preliminary and permanent injunctive relief against Stratton's continued breach, Burnley Mills will suffer imminent and irreparable harm.

Therefore, the plaintiff demands judgment against the defendant as follows:

(a) Enjoining defendant from accepting, entering into, or performing any employment in breach of the terms of his contract with plaintiff;

(b) Awarding damages in such amount as may be found, or as otherwise permitted by law;

(c) Granting full costs of suit;

(d) Granting such other and further relief as the Court deems just and proper.

Date: February 5, 2016

Respectfully submitted,

PAYNE & DIAZ, LLC

By: Ophelia Payne

Ophelia Payne  
575 Lexington Avenue  
New York, NY 10122  
212-555-7777  
*Attorneys for Plaintiff*