

**IN THE CIRCUIT COURT FOR LINCOLN COUNTY, MISSOURI**  
**Circuit Division**

CHLOE HAPPE, )  
)  
*Plaintiff,* )  
)  
v. )  
BLOCK, INC., )  
Serve: )  
C T Corporation System )  
120 S Central Ave )  
Clayton, MO 63105 )  
*Defendant.* )

Case No. \_\_\_\_\_  
Division \_\_\_\_\_

**PETITION FOR DAMAGES AND EQUITABLE RELIEF,**  
**VIOLATION OF MO. REV. STAT. § 130.028**

Plaintiff Chloe Happe files this Petition for damages and declaratory and injunctive relief against Defendant Block, Inc. (“Block”), and alleges as follows:

**NATURE OF THE CASE**

1. This is a civil action arising from Block’s wrongful termination of Happe’s employment in retaliation for Happe’s lawful exercise of her right to speak and express her views. Specifically, Block fired Happe because of two posts (“the Posts”) that she made on X, the social networking platform formerly known as Twitter. She made these Posts while on her personal time and not working on her job, which she performed remotely here in Missouri.

2. The Posts were made under a pseudonymous, satirical account purporting to be a “citizen” of Kurdistan. (Kurdistan is a geo-cultural region spanning four countries in the Middle East.) The first Post was made in the days following the

October 7, 2023 Hamas terrorist attacks in Israel, and referenced people fleeing Gaza and coming to her location in Kurdistan (“the Refugee Post”). Happe voluntarily deleted the Refugee Post within days of posting it. At no time was the Refugee Post tagged or noted as potentially violating any X policy. The second Post expressed a satirical and joking comment about being confronted by a transgender person at a restroom (“the Restroom Post”). Happe saw that X had limited the visibility of the Restroom Post, so she voluntarily deleted that post the same day she posted it.

3. Happe composed and posted the Posts on her pseudonymous and satirical account on X while she was off-duty and away from the workplace. In the Posts, Happe expressed her political views, opinions, or beliefs.

4. In retaliation for Happe’s exercise of her speech rights, Block terminated Happe’s employment. Because Block took that action in violation of the law and public policy of this State, Happe seeks and is entitled to the relief sought herein.

### **PARTIES**

5. Plaintiff Happe is a citizen and domiciliary of Lincoln County, Missouri.

6. Defendant Block does business and maintains an office in Missouri.

7. Happe worked for Block in Missouri at the time she wrote the Posts and placed them on X and at the time of the events giving rise to this action.

### **JURISDICTION AND VENUE**

8. This Court has jurisdiction over this matter as the claims arise under Missouri law.

9. Venue is proper in this Court as Happe lives within the County and the relevant acts took place, in material part, within the County.

10. This court has personal jurisdiction over Block as it does business in Missouri and employs individuals living and working in Missouri.

### FACTUAL ALLEGATIONS

11. Plaintiff Happe was born and raised in Missouri.

#### ***Happe joins Block, Inc. as an employee***

12. Block, Inc. is a public company founded in 2009 by Jack Dorsey and Jim McKelvey. Block's various products, among others, include Square, a credit card payment platform that enables small- and medium-sized businesses to use smartphones and tablets as point-of-sale registers; Cash App, which offers peer-to-peer transactions; and TBD, a decentralized platform targeting Bitcoin and decentralized finance.

13. Happe became a Block employee in August 2019. Her initial role was as a customer support representative, and she worked in Missouri. In mid-2021, Happe was promoted to project manager, a non-supervisory role as part of a team working on updates to Cash App. In January 2022, she moved to San Francisco to work both in-person at headquarters and remotely. In October 2023, she returned home to Missouri and continued working for Block remotely.

14. Happe had received only positive performance evaluations throughout her employment with Block, and she had never been disciplined by Block prior to her termination.

***Block, Inc. terminates Happe for pseudonymous out-of-work posts***

15. On November 21, 2023, Block terminated Happe’s employment. Block did so because of the Posts Happe made on X.

16. X is a social networking platform. Happe has had an X or Twitter account since at least mid-2020. In October 2023, Happe deactivated her main X account, @bronzegeshawty, to take a break from it because she had accumulated a large number of followers. She reactivated that account in November 2023.

17. Happe also created another account in April 2023 under the pseudonym “shawtisattva” with the handle @samsarashawty. This pseudonymous account involves a running meme or parody involving a young, married Kurdistani woman who takes care of sheep and goats in the Zagros Mountains, cares for her child, occasionally hunts falcons, and posts on X while waiting for her husband to return from working his 18-hour days caring for their sheep.



**shawtisattva**   
@samsarashawty  
current kurdistan citizen  
📍 bardo 📅 Joined April 2023  
211 Following 704 Followers

18. The X platform allows users to create and share ideas and information instantly through various product features, including public posts. X allows its users to post content and to see content posted by other users. X also allows its users to follow, and be followed by, other users who post on X. X thus provides a vehicle for exercising several constitutionally protected freedoms, including the freedom of thought, the freedom of belief, the freedom of speech, and the freedom of association.

19. Happe uses X to associate with and communicate with other X users, especially her followers and users that she follows. She also uses X to express her views, opinions, and beliefs.

20. She did not mention Block in any of her posts on her pseudonymous and satirical @samsarashawty account or her main account @bronzegeshawty.

21. Happe appreciates that X has never attempted to remove her speech from its platform.

22. In early October 2023, Happe posted the Refugee Post on her pseudonymous and satirical @samsarashawty account. In the Refugee Post, Happe expressed her political views, opinions, or beliefs in the form of satire. In the Refugee Post, Happe described people fleeing Gaza and coming to her pseudonymous account's location in Kurdistan. Happe voluntarily deleted the Refugee Post within days of posting it. At no time was the Refugee Post tagged or noted as potentially violating any X policy. Upon information and belief, Block has a copy of the Refugee Post.<sup>1</sup>

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<sup>1</sup> See, e.g., Ex. A, Block Employee Handbook, Legal Policies (“To help manage our business documents effectively and to comply with legal requirements, Block has



23. On October 17, 2023, Happe posted the Restroom Post on her pseudonymous and satirical @samsarashawty account. In the Restroom Post, Happe expressed her political views, opinions, or beliefs, again in the form of satire. The Restroom Post reads: “Looking fear in the eyes today as I’m using the ADA gender neutral restroom in the office and a retarded tranny in a wheelchair knocks on the door.”



24. Happe saw that X had limited the visibility of the Restroom Post, so she voluntarily deleted that post the same day she posted it.

25. Happe wrote both Posts and placed them on X during non-working hours while she was away from the workplace.

adopted this Document Management Policy and Email Retention Policy (under which non-saved emails will be retained for three years).”).

26. On October 30, 2023, Happe had a Google Meet call with Block's HR department. Block HR claimed to have received reports of things Happe had said on X. Block HR showed Happe screenshots of the Refugee Post and the Restroom Post.

27. Block did not tell Happe how it obtained her long-deleted posts or say that any employee had complained about them.

28. Because she was afraid of getting in trouble, Happe denied making the Posts and claimed an abusive ex-boyfriend must have impersonated her online.

29. A few days later, Block HR spoke with Happe again about the Posts, but provided no additional information or any suggestion that any employee had complained about the Posts. Happe again denied making the Posts.

30. On November 21, 2023, Block terminated Happe during a call with her supervisor, Jake Feld, along with HR Representative Kiley Novak and HR Manager Anna Chhour. Block did not provide Happe any information to suggest that any employee had complained about either Post. Block simply claimed that Happe's Posts violated company policy, and specifically referenced her Restroom Post as a basis for her termination. Block did not state that Happe's denial of having written the Posts factored into its decision to terminate her.

31. Block did not offer Happe any severance.

32. Happe had received only positive performance evaluations throughout her employment with Block, and she had never been disciplined by Block prior to her termination.

33. Happe was terminated solely because she expressed political views, opinions, or beliefs with which Block disagreed.

***Block's policies do not cover out-of-work speech***

34. Block has various policies covering in-work communications, including electronic communications. Block's employee policies do not purport to cover out-of-work speech (apart from communications related to Block's confidential information). *See, e.g.*, Ex. B, Block Employee Handbook, General Office Policies ("Name-calling, bullying, offensive language, and threats have no place in Slack conversations or anywhere at Block. If things feel contentious, pause and consider whether Slack is the best place to have the discussion. A good rule of thumb: a Slack thread with serious disagreement is probably not going to be resolved by your next response. Please take the discussion offline.").

35. Block's own Employee Handbook claims that its "guidelines are not meant to restrict your ability to engage in any communications or actions protected by law." Ex. B, Block Employee Handbook, General Office Policies.

36. The sole mention in Block's handbook of its employees' social media is that employees and their guests "should not post images of our offices or other colleagues to social media sites without permission," nor should employees "post a photo of [their] badge online." Ex. B, Block Employee Handbook, General Office Policies.

37. Block purports to "strive for diversity in our employee population, and that includes diversity of opinions, backgrounds, beliefs, etc. You're not going to agree with everyone you interact with on Slack." Ex. B, Block Employee Handbook, General



Office Policies. “Bottom line: Treat your colleagues on Slack as you would want to be treated in person or if you were on the receiving end. There are many topics where we will have differing views and strong feelings on multiple sides, often from varying perspectives. Make sure there is room for all to be heard and considered with genuine respect and curiosity.” *Id.*

38. Thus, Block’s own policies did not prohibit, and expressly allowed its employees to engage in speech like the Posts that Block referenced as grounds for terminating Happe. Happe’s Posts were not on Slack, nor were they directed at any employee of Block.

39. Block’s termination of Happe violated its own policy on employee speech.

40. Posting on X is a lawful activity. Happe’s conduct in posting the Posts on her pseudonymous and satirical account on X was lawful conduct and did not violate any Block policy.

41. Happe’s posting the Posts was also an exercise of several constitutionally protected freedoms, including the freedom of thought, the freedom of belief, the freedom of speech, and the freedom of expressive association.

**FIRST CLAIM FOR RELIEF**  
**(Violations of Mo. Rev. Stat. § 130.028)**

42. Plaintiff Happe realleges and incorporates by reference paragraphs 1 to 41 of this Complaint as though fully set forth herein.

43. Missouri law prohibits corporations like Block from discharging an employee “by reason of [her] political beliefs or opinions.” Mo. Stat. § 130.028. Section 130.028 provides in pertinent part:

1. Every person, labor organization, or corporation organized or existing by virtue of the laws of this state, or doing business in this state who shall: (1) Discriminate or threaten to discriminate against any member in this state with respect to his or her membership, or discharge or discriminate or threaten to discriminate against any employee in this state, with respect to his or her compensation, terms, conditions or privileges of employment by reason of his political beliefs or opinions ... (5) ... shall be guilty of a class E felony.  
Mo. Stat. § 130.028.

44. Missouri law provides a cause of action for “[a]ny person aggrieved by any act prohibited by” Section 130.028. *Id.* § 130.028(4). “[I]n addition to any other remedy provided by law,” the aggrieved person is “entitled to maintain ... a civil action in the courts of this state.” *Id.* “Each violation shall be a separate cause of action.” *Id.*

45. A successful claim under Section 130.028 entitles the claimant to “civil damages of not less than one hundred dollars and not more than one thousand dollars, together with his or her costs, including reasonable attorney’s fees.” *Id.*

46. In violation of Section 130.028, Defendant Block, a corporate entity doing business in Missouri, discharged Happe and discriminated against her based on her political beliefs or opinions, as expressed in the two Posts she posted on her pseudonymous and satirical X account.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff Happe prays for relief as follows:

1. Preliminary and permanent injunctive relief requiring Defendant Block to reinstate Happe to her prior position with no loss of pay or benefits;

2. A judgment declaring that Block's termination of Happe's employment was unlawful and in violation of Missouri law and public policy;
3. Compensatory damages, including but not limited to loss of pay from the date of termination to the date of reinstatement, in an amount to be determined at trial, as well as punitive damages;
4. An award of Civil Damages in an amount not less than \$2,000;
5. Reasonable attorney fees and costs; and
6. Such other and further relief as the Court may deem just and proper.

Respectfully submitted,

/s/ Timothy Belz

Timothy Belz #31808

J. Matthew Belz #61088

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(motions for admission pro hac vice forthcoming)

Dated: March 28, 2024

*Counsel for Plaintiff*