

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT WINCHESTER**

SABLE WINFREE,	)	
	)	
<i>Plaintiff,</i>	)	
	)	JURY DEMAND
v.	)	
	)	Case No. _____
WARREN COUNTY SCHOOL DISTRICT,	)	
MENDY STOTTS,	)	
CHRIS HOBBS, and	)	
DR. GRANT SWALLOWS	)	
	)	
<i>Defendants.</i>	)	

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**COMPLAINT**

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COMES NOW, the Plaintiff, Sable Winfree, by and through counsel, Michael D. Galligan, and levies the following allegations against the Defendants:

I. PARTIES

1. Plaintiff Sable Winfree (“Ms. Winfree”) is a citizen of the United States of America and a resident of Warren County, Tennessee.
2. Defendant, Warren County School District, is located at 2548 Morrison Street, McMinnville, Tennessee, 37110.
3. Defendant, Mendy Stotts, is a defendant in her individual capacity.
4. Mrs. Stotts, was employed with the Warren County School District at all relevant times of the events alleged in this complaint.
5. Defendant Chris Hobbs is a defendant in his individual capacity.

6. Mr. Hobbs was employed with the Warren County School District at all relevant times of the events alleged in this complaint.
7. Defendant Dr. Grant Swallows is a defendant in his individual capacity.
8. Mr. Swallows was employed with the Warren County School District at all relevant times of the events alleged in this complaint.

## II. JURISDICTION & VENUE

9. This Court has federal question subject matter jurisdiction of this cause under the provisions of Title 28 U.S.C.A., Section 1331 and 1343(3).
10. This court has general personal jurisdiction over the parties, as all parties are domiciliaries of the State of Tennessee.
11. Venue is proper in this Court because all events giving rise to the claims alleged herein occurred in McMinnville, Warren County, Tennessee.

## III. FACTS

### *A. Ms. Winfree's Dismissal from the Lady Pioneer Basketball team*

12. Ms. Sable Winfree had been a member of the Warren County Lady Pioneer basketball team from her freshmen year in the fall of 2020 until the fall of 2023.
13. Ms. Winfree was selected as the district Freshmen of the Year in the 2020-2021 season and was also selected to the all-district teams in the 2021-2022 season and the 2022-2023 season.
14. On the afternoon of Wednesday, November 15, 2023, Ms. Winfree had basketball practice, along with the rest of the Lady Pioneer basketball team.
15. At the conclusion of practice, the girls were instructed to go upstairs to watch film.

16. When Ms. Winfree entered the film room, she was told by one of the assistant coaches that the head coach, Mendy Stotts, wanted to speak with her in the hallway.
17. In the hallway, Coach Stotts aggressively and next to Ms. Winfree's face, began yelling saying she was tired of Ms. Winfree's disrespect towards her and falsely stated that she had heard Ms. Winfree use the "f-word," directed at her, in practice.
18. Coach Stotts then informed Ms. Winfree that she was done, and she no longer wanted her as a part of the basketball team.
19. That same evening, Ms. Winfree sent an email to Mr. Phillip King, one of the school's athletic directors, asking if he could meet with Ms. Winfree and her mother.
20. On Thursday, November 16, 2023, Ms. Winfree, her mother, and Mr. King met, along with an assistant school principal, Mrs. Anna Geesling, to tell Mr. King and Mrs. Geesling about the events of the day before when Ms. Winfree was removed from practice.
21. Coach Stotts was not present for this meeting.
22. During this meeting, Ms. Winfree's mother informed the school employees that she, Ms. Winfree's father, and Ms. Winfree's grandparents were never informed of any disciplinary action against Ms. Winfree and that they were shocked when they found out she had been kicked out of practice.
23. Later that same afternoon, Ms. Winfree received a text message from Coach Stotts which informed her of another meeting that was scheduled for Friday, November 17, 2023.
24. On the afternoon of November 17, 2023, Ms. Winfree, along with Coach Stotts, the school's head principal, Chris Hobbs, Phillip King, assistant basketball coaches, Erin Patterson and Casey Owens, Ms. Winfree's parents, grandparents, and family friend Lisa

Zavogiannis, held a meeting to discuss what had happened on the afternoon of November 15, 2023, and Ms. Winfree's dismissal from the basketball team.

25. At the outset of this meeting, it was made very clear by statements of the school principal, Chris Hobbs, that this was not a hearing for Due Process purposes. Therefore, Ms. Winfree was not afforded the opportunity to present her side of the story or call witnesses on her behalf.

26. During the meeting Coach Stotts said that she had evidence that Ms. Winfree said the "f-word" and that she was therefore justified in kicking Ms. Winfree out. Mrs. Stotts did not state what that evidence was.

27. Ms. Winfree stated that she had witnesses who would say that she did not say the "f-word" during practice.

28. Ms. Winfree was never presented with the opportunity to present those witnesses and have them tell the coaches and administrators what they heard.

29. At the conclusion of the meeting the school's head principal, Mr. Hobbs, informed those present that there would be no arguing and that Coach Stotts had already made up her mind, therefore, Ms. Winfree was no longer a member of the Lady Pioneer basketball team.

*B. Ms. Winfree's Loss of Scholarship and Future Education*

30. At the time of Ms. Winfree's removal from the basketball team, she possessed a full scholarship offer to go to school and play basketball at Trevecca Nazarene University.

31. Two weeks after she was dismissed from the team, Ms. Winfree was contacted by the coaching staff at Trevecca and was informed that the coaching staff had decided to rescind her scholarship offer.

32. Ms. Winfree also lost the ability to earn additional basketball scholarships to other schools, which she reasonably expected as she had drawn interest from coaches at other universities.
33. Ms. Winfree had anticipated a scholarship offer from Middle Tennessee State University and from Tennessee Tech University.
34. The false statements made by Coach Stotts and the lack of an opportunity to put on evidence and defend herself against the accusations made against her deprived Ms. Winfree of the scholarships and future education that she had earned as a basketball player.
35. The false statements of Coach Stotts and the lack of an opportunity to put on evidence to defend herself against the accusations made against her led to harm to Ms. Winfree's reputation in the community, as well as subsequent embarrassment and humiliation.

### III. CAUSES OF ACTION

A. *Deprivation of right without Due Process of law - U.S. Const. amend. V; U.S. Const. amend. IV – 42 U.S.C. § 1983 (2018)*

36. Ms. Winfree expressly incorporates every paragraph of this Complaint as if fully set forth within this cause of action.
37. Ms. Winfree is a citizen and resident of the United States of America.
38. Ms. Winfree was able to meet with school administrators and coaches regarding her dismissal from the team, where they formally informed her that she was no longer a part of the team, however it was stated that this was not a due process hearing and Ms. Winfree was not afforded the opportunity to present.

39. She was informed during this meeting that this was not a hearing as required by 5<sup>th</sup> Amendment of the United States Constitution and the Due Process clause of the 14<sup>th</sup> Amendment.
40. The Warren County School District deprived Ms. Winfree of Due Process of law by not allowing her the opportunity to defend herself from the accusations levied against her.
41. The Warren County School District was acting pursuant to its power as the educational administrator in Warren County.
42. The Warren County School District acted with actual authority over Ms. Winfree, pursuant to its powers.
43. Ms. Winfree had a property interest in the scholarships that she had earned, and therefore should have been afforded due process protections to defend herself against the accusations made against her.
44. Ms. Winfree had a liberty interest in her good name and reputation in the community, and therefore should have been afforded due process protections to defend herself against the accusations made against her.

*B. Defamation*

45. Mrs. Stotts knowingly made false statements about Ms. Winfree.
46. Mrs. Stotts made the statement that she heard Ms. Winfree say the “f-word,” and that Ms. Winfree directed the word at Mrs. Stotts.
47. As a result of these false statements, Mrs. Winfree suffered emotional harm, embarrassment, suffered damage to her reputation.

48. These false statements led to Ms. Winfree being removed from the basketball team and caused her to lose the scholarships that she had earned.

#### IV. DAMAGES

49. Ms. Winfree expressly incorporates every paragraph of this Complaint as if fully set forth within this claim for damages.

50. Ms. Winfree has suffered the loss of one scholarship and the potential for others by being removed from the basketball team.

51. Ms. Winfree has suffered emotional injuries, such as humiliation, embarrassment, and harm to reputation, because of the Warren County School District's actions.

52. Ms. Winfree has endured deprivations of rights guaranteed to her by the Constitution of the United States of America by those charged with executing its protections.

53. Ms. Winfree, through 42 U.S.C. § 1983, is entitled to recover damages from the Warren County School District for failure to adequately provide Ms. Winfree with the protections guaranteed to her and all other citizens by the 5<sup>th</sup> Amendment of the United States Constitution and the Due Process clause of the 14<sup>th</sup> Amendment.

54. Ms. Winfree, should she prevail in this action, is entitled to have her reasonable attorneys' fees paid by the Defendant, in the Court's discretion, pursuant to The Civil Rights Attorney's Fees Awards Act of 1976, 42 U.S.C. § 1988(b) (2018).

WHEREFORE, THE PLAINTIFF PRAYS:

- a) That proper process issue requiring the Defendants to answer this Complaint;
- b) That Ms. Winfree be awarded a judgment against Defendants Warren County School District, Mendy Stotts, Chris Hobbs, and Dr. Grant Swallows in a sum not to exceed \$750,000 in compensatory damages;
- c) That the costs of this action be taxed to the Defendants;
- d) That Ms. Winfree's reasonable attorneys' fees be paid by the Defendant as costs pursuant to The Civil Rights Attorney's Fees Awards Act of 1976, 42 U.S.C. § 1988(b) (2018);
- e) That a jury be empaneled to determine the factual issues in this matter; and
- f) For such other and further relief that this Court deems appropriate.

Respectfully submitted,

BY: GALLIGAN & NEWMAN

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