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IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR MULTNOMAH COUNTY

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| LAURA HANSON, <p style="text-align: center;">Plaintiff,</p> | Case No. COMPLAINT (Employment Disability Discrimination, Medical Leave Interference, Medical Leave Retaliation, Whistleblower Retaliation, Civil Rights Violations) |
| v. | |
| STATE OF OREGON, LEGISLATIVE ASSEMBLY; STATE OF OREGON, SENATE COMMITTEE ON CONDUCT; SARA GELSER, individually; FLOYD PROZANSKI, individually; CHUCK THOMSEN, individually; | Prayer: \$1,200,000 Fee Authority: ORS 21.160(1)(d) NOT SUBJECT TO MANDATORY ARBITRATION |
| <p style="text-align: center;">Defendants.</p> | Jury Trial Requested |

Plaintiff Laura Hanson alleges as follows:

PARTIES AND VENUE

1.

Plaintiff Laura Hanson is a resident of Multnomah County, Oregon. Ms. Hanson is a qualified person with multiple disabilities. She has been diagnosed with mental and/or physical impairments that substantially limit many of her major life activities. At all times relevant to this Complaint, Defendants were aware of Ms. Hanson’s disabilities. At all times relevant to this Complaint, Ms. Hanson was

1 able to perform all of the essential functions of her job with or without
2 accommodation.

3 2.

4 Defendants State of Oregon, Legislative Assembly (Defendant Legislature), and
5 State of Oregon, Senate Conduct Committee (Defendant Conduct Committee),
6 (collectively the Government Defendants) are state government entities,
7 governing throughout the State of Oregon. At all times relevant to this Complaint,
8 Defendant Legislature was Plaintiff's employer until it terminated her
9 employment on October 7, 2020.

10 3.

11 Defendant Sara Gelser is a resident of Benton County, Oregon. At all times
12 relevant to this Complaint, Defendant Gelser was a Senator in the Oregon
13 Legislature and Plaintiff's direct supervisor acting in the scope and course of her
14 position as a legislator, agent, employee, or proxy for Defendant Legislature.
15 Defendant Gelser is sued in her individual capacity.

16 4.

17 Defendant Floyd Prozanski is a resident of Lane County, Oregon. At all times
18 relevant to this Complaint, Defendant Prozanski was a Co-Chair of the Oregon
19 Senate Conduct Committee and was acting in the scope or course of his position
20 as a legislator, agent, employee, or proxy for the Government Defendants.
21 Defendant Prozanski is sued in his individual capacity.

22 5.

23 Defendant Chuck Thomsen is a resident of Hood River County, Oregon. At all
24 times relevant to this Complaint, Defendant Thomsen was a Co-Chair of the
25 Oregon Senate Conduct Committee and was acting in the scope or course of his

1 position as a legislator, agent, employee, or proxy for the Government Defendants
2 or as a proxy for the Government Defendants. Defendant Thomsen is sued in his
3 individual capacity.

4 6.

5 Venue is proper in Multnomah County because the cause of this action, or some
6 part of it, arose in that county in that Defendants directed their actions towards
7 Multnomah County, where Plaintiff worked from home and resided when she was
8 suspended from work and assigned to home.

9
10 **FIRST CLAIM FOR RELIEF – ORS 659A.112**
11 **FAILURE TO ACCOMMODATE DISABILITY**
(AGAINST THE GOVERNMENT DEFENDANTS)

12 7.

13 Plaintiff incorporates paragraphs 1-6 herein as though fully set forth.

14 8.

15 In December 2018, the Government Defendants hired Ms. Hanson as Chief of
16 Staff for Defendant Gelser. Defendant Gelser and the Government Defendants
17 knew Ms. Hanson had been diagnosed with multiple disabilities.

18 9.

19 At all times in acting as Ms. Hanson’s supervisor, Defendant Gelser was acting in
20 the scope and course of her employment with the Government Defendants or as a
21 proxy for the Government Defendants.

22 10.

23 In October 2019, Ms. Hanson sustained an injury and required medical leave to
24 recover. When Ms. Hanson returned, Defendant Gelser seemed angry, and it
25 seemed like she was angry because Ms. Hanson took medical leave in that

1 Defendant Gelser tried to oppose Ms. Hanson receiving paid days off for medical
2 leave.

3 11.

4 On December 10, 2019, medical providers diagnosed Ms. Hanson with another
5 disability. Ms. Hanson immediately reported this diagnosis to Defendant Gelser.
6 Defendant Gelser did not say anything about accommodations or attempt to
7 engage in any interactive process.

8 12.

9 On December 17, 2019, Ms. Hanson had a severe experience of impairment
10 related to her disabilities. Ms. Hanson saw her therapist that afternoon and the
11 therapist said it was urgent that Ms. Hanson take medical leave because of her
12 disabilities.

13 13.

14 Later on December 17, 2019, Ms. Hanson wrote to Defendant Gelser, “I’m
15 thinking about taking the 20th as a mental health day because the need is
16 urgent[.]” Defendant Gelser knew that Ms. Hanson’s disabilities are related to her
17 mental health.

18 14.

19 On December 18, 2019, Defendant Gelser told Ms. Hanson she should wait until
20 the next week to take time off. Because Defendant Gelser had been angry with
21 Ms. Hanson about her recent medical leave, Ms. Hanson was afraid to insist she
22 be allowed to take medical leave.

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15.

Later on December 18, 2019, Ms. Hanson texted Defendant Gelser that she had a severe symptom of illness. Defendant Gelser texted Ms. Hanson back, without acknowledging the illness or need for medical leave, and asked about a work task.

16.

Ms. Hanson worked on December 19 and 20, 2019, and through the weekend because Senator Gelser said she needed to and Ms. Hanson was afraid to demand to take medical leave.

17.

Through the week of December 23, 2019, Defendant Gelser pressured Ms. Hanson to continue working, texting her about a cell phone SIM card she wanted Ms. Hanson to change, telling her it cost "\$5/day!!" "I'm on the hook for an additional \$80z [sic]" "please do it ASAP." Defendant Gelser had purchased the phone in December 2018, and it was not until a year later, During Ms. Hanson's time off, that she decided this was an issue. Ms. Hanson complied with what Senator Gelser asked, continuing to stay in touch and work to the extent she was able.

18.

When Ms. Hanson returned to work on December 30, 2019, Defendant Gelser had made an error on a Legislative Facebook post. It was an easily correctable error, but Defendant Gelser was very angry about it. She texted Ms. Hanson: "There are so many consistent errors and that is not sustainable," blaming Ms. Hanson for her own error. It seemed like she was actually angry that Ms. Hanson had attempted to take time off.

1 19.

2 Ms. Hanson texted Defendant Gelser, “This is a toxic and emotionally abusive
3 work environment and no one can be successful within it.” Ms. Hanson told
4 Defendant Gelser she felt she was being forced out of her position. Ms. Hanson
5 did not know at the time she might be eligible for disability accommodations, but
6 she hoped her response would start a conversation with Defendant Gelser. When
7 the Government Defendants first hired Ms. Hanson, she intended to make her
8 position with Defendant Gelser a career, but because Defendant Gelser did not
9 accommodate Ms. Hanson, and punished her for taking days off, Ms. Hanson felt
10 she was having to choose between her job and her health.

11 20.

12 On December 31, 2019, Jessica Knieling, the HR Director for the Government
13 Defendants, called Ms. Hanson. She told Ms. Hanson her days off may have been
14 protected under medical leave law, that Ms. Hanson may have been entitled to
15 disability accommodations. This was the first Ms. Hanson learned she might have
16 legal protections for what she was experiencing. HR Director Knieling told Ms.
17 Hanson there would be a mandatory investigation into Ms. Hanson’s text to
18 Defendant Gelser, under the legislature’s Rule 27, even though Ms. Hanson did
19 not want that. It seemed like Defendant Legislature was investigating Ms. Hanson
20 in retaliation for complaining about her work environment.

21 21.

22 On January 2, 2020, Ms. Hanson emailed HR Director Knieling, “My
23 understanding is that I am legally obligated to comply with the investigation,
24 despite not wanting to or realizing that my text to the senator would prompt one.”
25 The HR Director did not respond.

1 22.

2 On January 6, 2020, HR Director Knieling and Defendant Gelser required Ms.
3 Hanson to meet with them in person in Defendant Gelser's office in the Capitol.
4 Ms. Hanson was so anxious that morning that she texted Defendant Gelser that
5 she had not slept the night before and had symptoms of illness in the morning.
6 When Ms. Hanson arrived, her badge did not work in the building. HR Director
7 Knieling and Defendant Gelser told Ms. Hanson she would be restricted from
8 work and that they were taking her phone and computer. Ms. Hanson was crying
9 and so anxious that she did not fully understand what was going on. Ms. Hanson
10 asked how she would be able to manage Defendant Gelser's calendar if she did
11 not have her phone and her computer. They told Ms. Hanson that she could spend
12 a few hours with her computer and legislative email account to gather any
13 evidence to "prove her claims" or materials she needed to support Defendant
14 Gelser while she was on leave.

15 23.

16 On January 10, 2020, the Government Defendants required Ms. Hanson to meet
17 with an investigator for their Rule 27 investigation. The Government Defendants
18 hired an investigator who is an attorney for an insurance defense firm. Upon
19 information and belief, this investigator has litigated against employees alleging
20 discrimination and retaliation for approximately 30 years. In the interview, Ms.
21 Hanson expressed that she was fearful regarding confidentiality and did not want
22 to go through this process. Early in the meeting, the investigator emailed HR
23 Director Knieling to ask whether Ms. Hanson was required to participate in the
24 interview. HR Director Knieling did not respond. The Government Defendants'
25 investigator told Ms. Hanson that she would never find that a person with mental

1 health impairments falls under a protected class. Nevertheless, the investigator
2 continued the interview. At the end of the interview, Defendant Legislature sent
3 out a Memo clarifying that a person complaining of illegal conduct under Rule 27
4 could opt for a “confidential disclosure and process counseling.” Ms. Hanson had
5 not been offered that option.

6 24.

7 Around January 13, 2020, Ms. Hanson learned that there was a rumor going
8 around Defendant Legislature’s workplace that Ms. Hanson was suspended from
9 work because someone had accused her of sexual assault. Ms. Hanson was
10 shocked, as this clearly was not the case, and she asked HR Director Knieling
11 whether there could be an announcement that Ms. Hanson was on “medical leave”
12 to make it clear she was not accused of wrongdoing. HR Director Knieling said
13 that was not possible because Ms. Hanson was on leave pending an investigation.
14 This, again, made it clear that the Government Defendants were investigating Ms.
15 Hanson in retaliation for her attempts to take medical leave related to her
16 disabilities, for reporting and opposing interference with medical leave related to
17 her disabilities, and/or retaliation for attempting to take medical leave related to
18 her disabilities.

19 25.

20 On January 24, 2020, after learning of the Memo released January 10, 2019, Ms.
21 Hanson emailed Defendant Legislature’s Equity Officer (LEO), Jackie
22 Sandmeyer, “Under Rule 27, section 11, it is my understanding that you are able
23 to make the investigation confidential if I would like it to be. From my
24 understanding, you are also able to stop the investigation if I so choose. Is that
25 correct?”

1 26.

2 On January 27, 2020, LEO Sandmeyer responded, "I'll talk to the investigators
3 about the complaint and get back to you about what options you have." Later that
4 day, LEO Sandmeyer emailed that because Defendant Gelser had made the
5 complaint against herself under the Government Defendants' mandatory reporting
6 requirements through Rule 27, the investigator was moving forward with the
7 investigation no matter what Ms. Hanson wanted. Essentially, because Defendant
8 Gelser complained against herself, the investigator was giving Defendant Gelser
9 any benefits under Rule 27 to "complainants," although Defendant Gelser was the
10 one accused of illegal retaliation.

11 27.

12 On January 29, 2020, LEO Sandmeyer reiterated that if Ms. Hanson declined to
13 participate in the Government Defendants' investigation, the investigation would
14 still go forward.

15 28.

16 On February 13, 2020, the Government Defendants' investigator interviewed Ms.
17 Hanson again. Ms. Hanson complied with the interview, fearful that it seemed the
18 Government Defendants appeared to be investigating Ms. Hanson under the guise
19 of responding to Defendant Gelser's complaint about herself, although Ms.
20 Hanson was accused of no wrongdoing.

21 29.

22 On March 12, 2020, the Government Defendants' investigator required Ms.
23 Hanson to meet again for six hours. Ms. Hanson began crying and exhibiting
24 severe distress during this meeting. Ms. Hanson expressed that this process had
25 triggered suicidal thinking for her. The investigator provided no accommodations

1 for Ms. Hanson through the investigation process, although Ms. Hanson showed
2 and reported severe symptoms.

3 30.

4 On July 2, 2020, Ms. Hanson learned a hearing was set for July 15, 2020, in front
5 of Defendant Conduct Committee regarding the Government Defendants’
6 investigation into Defendant Gelser. Ms. Hanson asked for a postponement in the
7 hearing because her doctor advised her she may have COVID-19 and to
8 accommodate her disabilities. The Government Defendants denied her request.
9 The Government Defendants now said Ms. Hanson was not required to attend the
10 hearing, but because Ms. Hanson was the one suspended from work, not
11 Defendant Gelser, Ms. Hanson was fearful that not attending could impact her
12 employment.

13 31.

14 On July 15, 2020, Defendant Conduct Committee held a public hearing,
15 questioning Ms. Hanson, and asking her to provide evidence. At that hearing,
16 LEO Sandmeyer testified, “The only authority I have to put a party on
17 administrative leave would be related to a Respondent as an interim measure. So,
18 I could say that a responding party, you know, that I would have concern from my
19 expertise or from information an investigator has, to say that that person may
20 cause future reoccurrence of harm to an individual or may cause sort of a larger
21 concern for harm to the capitol community.” Although Ms. Hanson had not been
22 accused of anything, this again confirmed that Ms. Hanson, as the one suspended
23 from work, was being investigated in retaliation for her attempts to take medical
24 leave related to her disabilities, for reporting and opposing interference with

25

1 medical leave related to her disabilities, and/or retaliation for attempting to take
2 medical leave related to her disabilities.

3 32.

4 Also at the July 15, 2020, hearing, Defendant Conduct Committee acknowledged
5 that it had not considered any of Ms. Hanson’s disabilities in its investigation and
6 said Ms. Hanson would be required to initiate another public hearing process in
7 order for Defendant Conduct Committee to consider her disabilities.

8 33.

9 On September 24, 2020, LEO Sandmeyer testified before Defendant Legislature
10 that in the previous year, Defendant Legislature had paid over \$600,000 to outside
11 investigators under Rule 27. Upon information and belief, the Government
12 Defendants paid that \$600,000, for investigation of only 3-4 cases under Rule 27.
13 Upon information and belief, the Government Defendants paid that \$600,000, to
14 insurance defense lawyers whose experience was in litigating against employees
15 like Ms. Hanson.

16 34.

17 On October 7, 2020, Defendant Conduct Committee again held a public hearing,
18 discussing Ms. Hanson’s medical issues and whether they qualified her for
19 protected class status under Rule 27. Defendant Conduct Committee voted that
20 Ms. Hanson was protected under medical leave law.

21 35.

22 Later, on October 7, 2020, Defendant Gelser terminated Ms. Hanson’s
23 employment, accusing her of “errors” with no clarification. The only example of
24 an “error” Defendant Gelser pointed to is an error Defendant Gelser herself made.
25 Defendant Gelser also accused Ms. Hanson of deleting emails from her inbox. At

1 Defendant Gelser’s instruction, when Ms. Hanson was suspended from work on
2 January 6, 2020, Ms. Hanson did delete “sent” notifications of emails Defendant
3 Gelser and HR Director Knieling instructed her to forward to avoid crowding
4 Defendant Gelser’s outbox. Ms. Hanson did not delete original emails.

5 36.

6 On December 29, 2020, Plaintiff filed a complaint with the Bureau of Labor and
7 Industries and the Equal Employment Opportunity Commission.

8 37.

9 On April 21, 2021, the Bureau of Labor and Industries issued Plaintiff a 90-day
10 right-to sue-letter.

11 38.

12 The Government Defendants violated ORS 659A.112 in failing to accommodate
13 Plaintiff in one or more of the following:

- 14 a) Opposing Ms. Hanson’s paid leave after her October 2019 injury;
- 15 b) Interfering with time off Ms. Hanson needed related to her disabilities
16 between December 17, 2019, and December 30, 2019;
- 17 c) Suspending Ms. Hanson from work after she reported that her work
18 environment was not safe;
- 19 d) Requiring Ms. Hanson to go through hours and hours of a public
20 investigation process with an investigator trained to litigate against
21 employees, who openly stated she does not believe mental health
22 diagnoses are protected under the law;
- 23 e) Requiring Ms. Hanson to participate in an investigation, when it claimed
24 to have an informal reconciliation process, in which it did not allow Ms.
25 Hanson to participate;

- 1 f) Refusing to delay public hearings despite Ms. Hanson’s requests for
2 accommodation;
- 3 g) Discussing in public hearings whether Ms. Hanson’s physical and/or
4 mental health concerns qualified her for protection under employment
5 law; and/or
- 6 h) Terminating Ms. Hanson because of “errors” made by someone else.

7 39.

8 The Government Defendants’ actions caused Plaintiff lifetime wage loss and
9 career disruption of approximately \$700,000, past and future medical expenses of
10 approximately \$50,000, and more drastically betrayal, stress, anxiety, shame,
11 humiliation, degradation, sleeplessness, disruption to her normal routines, career
12 interruption, and so much fear and hopelessness that Plaintiff experienced suicidal
13 thinking as a result of having an employer she was dedicated to turn against her
14 and force her through a public hearings process regarding medical diagnoses for
15 her disabilities. Compensation for each of these harms should be determined by a
16 jury at trial not to exceed \$1,200,000.

17 40.

18 Plaintiff is entitled to prevailing party costs and reasonable attorney fees and costs
19 under ORS 659A.885.

20 **SECOND CLAIM FOR RELIEF – 42 USC § 12112**
21 **FAILURE TO ACCOMMODATE DISABILITY**
22 **(AGAINST THE GOVERNMENT DEFENDANTS)**

23 41.

24 Plaintiff incorporates paragraphs 1-40 as though fully set forth herein.

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1 42.

2 The Government Defendants violated 42 USC § 12112 in failing to accommodate
3 Plaintiff in one or more of the following:

- 4 a) Opposing Ms. Hanson’s paid leave after her October 2019 injury;
- 5 b) Interfering with time off Ms. Hanson needed related to her disabilities
6 between December 17, 2019, and December 30, 2019;
- 7 c) Suspending Ms. Hanson from work after she reported that her work
8 environment was not safe;
- 9 d) Requiring Ms. Hanson to go through hours and hours of a public
10 investigation process with an investigator trained to litigate against
11 employees, who openly stated she does not believe mental health
12 diagnoses are protected under the law;
- 13 e) Requiring Ms. Hanson to participate in an investigation, when it claimed
14 to have an informal reconciliation process, in which it did not allow Ms.
15 Hanson to participate;
- 16 f) Refusing to delay public hearings despite Ms. Hanson’s requests for
17 accommodation;
- 18 g) Discussing in public hearings whether Ms. Hanson’s physical and/or
19 mental health concerns qualified her for protection under employment
20 law; and/or
- 21 h) Terminating Ms. Hanson because of “errors” made by someone else.

22 43.

23 The Government Defendants’ actions caused Plaintiff lifetime wage loss and
24 career disruption of approximately \$700,000, past and future medical expenses of
25 approximately \$50,000, and more drastically betrayal, stress, anxiety, shame,

1 humiliation, degradation, sleeplessness, disruption to her normal routines, career
2 interruption, and so much fear and hopelessness that Plaintiff experienced suicidal
3 thinking as a result of having an employer she was dedicated to turn against her
4 and force her through a public hearings process regarding medical diagnoses for
5 her disabilities. Compensation for each of these harms should be determined by a
6 jury at trial not to exceed \$1,200,000.

7 44.

8 Plaintiff is entitled to reasonable attorney fees and costs under 42 USC § 12205.

9
10 **THIRD CLAIM FOR RELIEF – ORS 659A.112**
11 **DISABILITY DISCRIMINATION - TERMINATION**
12 **(AGAINST THE GOVERNMENT DEFENDANTS)**

13 45.

14 Plaintiff incorporates paragraphs 1-44 as though fully set forth herein.

15 46.

16 The Government Defendants violated ORS 659A.112 in that they terminated Ms.
17 Hanson's employment, rather than accommodate her, because of her disabilities.

18 47.

19 The Government Defendants' actions caused Plaintiff lifetime wage loss and
20 career disruption of approximately \$700,000, past and future medical expenses of
21 approximately \$50,000, and more drastically betrayal, stress, anxiety, shame,
22 humiliation, degradation, sleeplessness, disruption to her normal routines, career
23 interruption, and so much fear and hopelessness that Plaintiff experienced suicidal
24 thinking as a result of having an employer she was dedicated to turn against her
25 and force her through a public hearings process regarding medical diagnoses for

1 her disabilities. Compensation for each of these harms should be determined by a
2 jury at trial not to exceed \$1,200,000.

3 48.

4 Plaintiff is entitled to prevailing party costs and reasonable attorney fees and costs
5 under ORS 659A.885.

6
7 **FOURTH CLAIM FOR RELIEF – 42 USC § 12112**
8 **DISABILITY DISCRIMINATION - TERMINATION**
9 **(AGAINST THE GOVERNMENT DEFENDANTS)**

10 49.

11 Plaintiff incorporates paragraphs 1-48 as though fully set forth herein.

12 50.

13 The Government Defendants violated 42 USC § 12112 in that they terminated
14 Ms. Hanson’s employment, rather than accommodate her, because of her
15 disabilities.

16 51.

17 The Government Defendants’ actions caused Plaintiff lifetime wage loss and
18 career disruption of approximately \$700,000, past and future medical expenses of
19 approximately \$50,000, and more drastically betrayal, stress, anxiety, shame,
20 humiliation, degradation, sleeplessness, disruption to her normal routines, career
21 interruption, and so much fear and hopelessness that Plaintiff experienced suicidal
22 thinking as a result of having an employer she was dedicated to turn against her
23 and force her through a public hearings process regarding medical diagnoses for
24 her disabilities. Compensation for each of these harms should be determined by a
25 jury at trial not to exceed \$1,200,000.

52.

Plaintiff is entitled to reasonable attorney fees and costs under 42 USC § 12205.

1
2 **FIFTH CLAIM FOR RELIEF – ORS 659A.109**
3 **DISABILITY DISCRIMINATION - RETALIATION**
4 **(AGAINST THE GOVERNMENT DEFENDANTS)**

5 53.

6 Plaintiff incorporates paragraphs 1-52 as though fully set forth herein.

7 54.

8 The Government Defendants violated ORS 659A.109 in that they terminated Ms.
9 Hanson’s employment, rather than accommodate her, after she reported retaliation
10 related to her disabilities.

11 55.

12 The Government Defendants’ actions caused Plaintiff lifetime wage loss and
13 career disruption of approximately \$700,000, past and future medical expenses of
14 approximately \$50,000, and more drastically betrayal, stress, anxiety, shame,
15 humiliation, degradation, sleeplessness, disruption to her normal routines, career
16 interruption, and so much fear and hopelessness that Plaintiff experienced suicidal
17 thinking as a result of having an employer she was dedicated to turn against her
18 and force her through a public hearings process regarding medical diagnoses for
19 her disabilities. Compensation for each of these harms should be determined by a
20 jury at trial not to exceed \$1,200,000.

21 56.

22 Plaintiff is entitled to prevailing party costs and reasonable attorney fees and costs
23 under ORS 659A.885.
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1 62.

2 The Government Defendants violated ORS 659A.112 in creating, interpreting,
3 and/or implementing internal policies that adversely impact employees because
4 they protected under the law, such as Plaintiff as a person who attempted to take
5 medical leave for disabilities, in one or more of the following:

- 6 a) In requiring employees to report other employees, such as Plaintiff, for
7 talking about their protected class status or adverse treatment related to
8 their protected status;
- 9 b) In requiring employees, such as Plaintiff, who are allegedly impacted by
10 protected class harassment, discrimination, or retaliation to engage in
11 investigation processes, even if they wish to opt out, in order to protect
12 their jobs after reporting potential violations; and/or
- 13 c) In requiring employees, such as Plaintiff, to engage in public hearings
14 regarding their protected class status.

15 63.

16 The Government Defendants' actions caused Plaintiff lifetime wage loss and
17 career disruption of approximately \$700,000, past and future medical expenses of
18 approximately \$50,000, and more drastically betrayal, stress, anxiety, shame,
19 humiliation, degradation, sleeplessness, disruption to her normal routines, career
20 interruption, and so much fear and hopelessness that Plaintiff experienced suicidal
21 thinking as a result of having an employer she was dedicated to turn against her
22 and force her through a public hearings process regarding medical diagnoses for
23 her disabilities. Compensation for each of these harms should be determined by a
24 jury at trial not to exceed \$1,200,000.

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64.

Plaintiff is entitled to prevailing party costs and reasonable attorney fees and costs under ORS 659A.885.

**EIGHTH CLAIM FOR RELIEF – 42 USC § 12112
DISABILITY DISCRIMINATION – DISPARATE IMPACT
(AGAINST THE GOVERNMENT DEFENDANTS)**

65.

Plaintiff incorporates paragraphs 1-64 though fully set forth herein.

66.

The Government Defendants violated 42 USC § 12112 in creating, interpreting, and/or implementing internal policies that adversely impact employees because they protected under the law, such as Plaintiff as a person who attempted to take medical leave for disabilities, in one or more of the following:

- a) In requiring employees to report other employees, such as Plaintiff, for talking about their protected class status or adverse treatment related to their protected status;
- b) In requiring employees, such as Plaintiff, who are allegedly impacted by protected class harassment, discrimination, or retaliation to engage in investigation processes, even if they wish to opt out, in order to protect their jobs after reporting potential violations; and/or
- c) In requiring employees, such as Plaintiff, to engage in public hearings regarding their protected class status.

67.

The Government Defendants’ actions caused Plaintiff lifetime wage loss and career disruption of approximately \$700,000, past and future medical expenses of approximately \$50,000, and more drastically betrayal, stress, anxiety, shame,

1 humiliation, degradation, sleeplessness, disruption to her normal routines, career
2 interruption, and so much fear and hopelessness that Plaintiff experienced suicidal
3 thinking as a result of having an employer she was dedicated to turn against her
4 and force her through a public hearings process regarding medical diagnoses for
5 her disabilities. Compensation for each of these harms should be determined by a
6 jury at trial not to exceed \$1,200,000.

7 68.

8 Plaintiff is entitled to reasonable attorney fees and costs under 42 USC § 12205.

9

10

**NINTH CLAIM FOR RELIEF – ORS 659A.183
MEDICAL LEAVE INTERFERENCE
(AGAINST THE GOVERNMENT DEFENDANTS)**

11

12

69.

13

Plaintiff repeats and realleges paragraphs 1-68 as though fully set forth.

14

70.

15

At all times relevant to this Complaint, the individual defendants were acting in
16 the scope of their positions as legislators, agents, employees, or proxies for the
17 Government Defendants.

18

71.

19

The Government Defendants violated ORS 659A.183 by interfering with

20

Plaintiff's medical leave in one or more of the following:

21

a) In opposing Plaintiff's attempt to be paid for medical leave taken in
22 October 2019;

23

b) In telling Plaintiff it was not convenient to take medical leave on
24 December 18, 2019;

25

- 1 c) In failing to respond to Plaintiff’s report of acute illness symptoms on
2 December 18, 2019, and continuing to require her to work; and/or
3 d) Knowing Plaintiff’s therapist said medical leave was urgent, in requiring
4 Plaintiff to respond to work issues between December 18-30, 2019.

5 72.

6 Plaintiff is entitled to back pay, prevailing party costs, and reasonable attorney
7 fees and costs under ORS 659A.885.

8

9 **TENTH CLAIM FOR RELIEF – 29 USC § 2601 ET SEQ**
10 **MEDICAL LEAVE INTERFERENCE**
11 **(AGAINST THE GOVERNMENT DEFENDANTS)**

12 73.

13 Plaintiff repeats and realleges paragraphs 1-72 as though fully set forth.

14 74.

15 At all times relevant to this Complaint, the individual defendants were acting in
16 the scope of their positions as legislators, agents, employees, or proxies for the
17 Government Defendants.

18 75.

19 The Government Defendants violated 29 USC § 2601 *et seq.* by interfering with
20 Plaintiff’s medical leave in one or more of the following:

- 21 a) In opposing Plaintiff’s attempt to be paid for medical leave taken in
22 October 2019;
23 b) In telling Plaintiff it was not convenient to take medical leave on
24 December 18, 2019;
25 c) In failing to respond to Plaintiff’s report of acute illness symptoms on
December 18, 2019, and continuing to require her to work;

- 1 d) In refusing to reset public hearings regarding Plaintiff’s protected class
2 status when Plaintiff requested accommodation of a short delay in hearing
3 date; and/or
4 e) Knowing Plaintiff’s therapist said medical leave was urgent, in requiring
5 Plaintiff to respond to work issues between December 18-30, 2019.

6 76.

7 Plaintiff is entitled to back pay, prevailing party costs, and reasonable attorney
8 fees and costs under ORS 659A.885.

9 **ELEVENTH CLAIM FOR RELIEF – ORS 659A.183**
10 **MEDICAL LEAVE RETALIATION**
11 **(AGAINST THE GOVERNMENT DEFENDANTS)**

12 77.

13 Plaintiff repeats and realleges paragraphs 1-76 as though fully set forth.

14 78.

15 At all times relevant to this Complaint, the individual defendants were acting in
16 the scope of their positions as legislators, agents, employees, or proxies for the
17 Government Defendants.

18 79.

19 The Government Defendants violated ORS 659A.183 by retaliating against
20 Plaintiff for taking medical leave in one or more of the following:

- 21 a) In opposing Plaintiff’s attempt to be paid for medical leave taken in
22 October 2019;
23 b) In accusing Plaintiff of “errors” that were actually Defendant Gelser’s
24 error after Plaintiff attempted to take medical leave;
25 c) In suspending Plaintiff from work after she attempted to take medical
leave and reported interference with that leave;

- 1 d) In refusing to stop the Rule 27 hearing process after Plaintiff expressed
- 2 that she did not wish it to go forward;
- 3 e) In holding public hearings regarding Plaintiff's protected class status when
- 4 she did not wish to participate in any investigation process;
- 5 f) In refusing to reset public hearings regarding Plaintiff's protected class
- 6 status when Plaintiff requested accommodation of a short delay in hearing
- 7 date;
- 8 g) In requiring Plaintiff to go through three interviews with an investigator
- 9 when she asked for an investigation not to happen;
- 10 h) In considering allegations regarding Plaintiff's performance in its
- 11 investigation regarding Defendant Gelser; and/or
- 12 i) In terminating Plaintiff for reporting interference with medical leave
- 13 related to her disabilities and retaliation for attempting to take medical
- 14 leave.

15 80.

16 Plaintiff is entitled to back pay, prevailing party costs, and reasonable attorney
17 fees and costs under ORS 659A.885.

18
19 **TWELFTH CLAIM FOR RELIEF – 29 USC § 2601 ET SEQ**
20 **MEDICAL LEAVE INTERFERENCE**
21 **(AGAINST THE GOVERNMENT DEFENDANTS)**

22 81.

23 Plaintiff repeats and realleges paragraphs 1-80 as though fully set forth.

1 82.

2 At all times relevant to this Complaint, the individual defendants were acting in
3 the scope of their positions as legislators, agents, employees, or proxies for the
4 Government Defendants.

5 83.

6 The Government Defendants violated 29 USC § 2601 *et seq.* by retaliating against
7 Plaintiff for taking medical leave in one or more of the following:

- 8 a) In opposing Plaintiff's attempt to be paid for medical leave taken in
9 October 2019;
- 10 b) In accusing Plaintiff of "errors" that were actually Defendant Gelser's
11 error after Plaintiff attempted to take medical leave;
- 12 c) In suspending Plaintiff from work after she attempted to take medical
13 leave and reported interference with that leave;
- 14 d) In refusing to stop the Rule 27 hearing process after Plaintiff expressed
15 that she did not wish it to go forward;
- 16 e) In holding public hearings regarding Plaintiff's protected class status when
17 she did not wish to participate in any investigation process;
- 18 f) In refusing to reset public hearings regarding Plaintiff's protected class
19 status when Plaintiff requested accommodation of a short delay in hearing
20 date;
- 21 g) In requiring Plaintiff to go through three interviews with an investigator
22 when she asked for an investigation not to happen;
- 23 h) In considering allegations regarding Plaintiff's performance in its
24 investigation regarding Defendant Gelser; and/or
25

1 i) In terminating Plaintiff for reporting interference with medical leave
2 related to her disabilities and retaliation for attempting to take medical
3 leave.

4 84.

5 Plaintiff is entitled to back pay, prevailing party costs, and reasonable attorney
6 fees and costs under ORS 659A.885.

7 **THIRTEENTH CLAIM FOR RELIEF – ORS 659A.199**
8 **WHISTLEBLOWER RETALIATION**
9 **(AGAINST THE GOVERNMENT DEFENDANTS)**

10 85.

11 Plaintiff repeats and realleges paragraphs 1-84 as though fully set forth.

12 86.

13 Defendants violated ORS 659A.199 in one or more of the following:

- 14 a) In suspending Plaintiff from work;
- 15 b) In pursuing a purported investigation of Defendant Gelser with an
16 investigator who stated she did not believe mental health disabilities are
17 protected under the law;
- 18 c) In continuing to pursue an investigation regardless of Plaintiff's requests
19 to follow an informal reconciliation process;
- 20 d) In holding public hearings regarding whether Plaintiff's medical diagnoses
21 fall under a protected class; and/or
- 22 e) In terminating Plaintiff for reporting interference with medical leave
23 related to her disabilities and retaliation for attempting to take medical
24 leave.

25

1 All because Plaintiff reported in good faith information that she believed to be
2 evidence of a violation of a state or federal law, rule, or regulation by reporting
3 she believed Defendants interfered with medical leave related to her disabilities.

4 87.

5 The Government Defendants' actions caused Plaintiff lifetime wage loss and
6 career disruption of approximately \$700,000, past and future medical expenses of
7 approximately \$50,000, and more drastically betrayal, stress, anxiety, shame,
8 humiliation, degradation, sleeplessness, disruption to her normal routines, career
9 interruption, and so much fear and hopelessness that Plaintiff experienced suicidal
10 thinking as a result of having an employer she was dedicated to turn against her
11 and force her through a public hearings process regarding medical diagnoses for
12 her disabilities. Compensation for each of these harms should be determined by a
13 jury at trial not to exceed \$1,200,000.

14 88.

15 Plaintiff is entitled to prevailing party costs and reasonable attorney fees and costs
16 under ORS 659A.885.

17 **FOURTEENTH CLAIM FOR RELIEF – ORS 659A.203**
18 **PUBLIC EMPLOYER WHISTLEBLOWER RETALIATION**
19 **(AGAINST THE GOVERNMENT DEFENDANTS)**

20 89.

21 Plaintiff repeats and realleges paragraphs 1-88 as though fully set forth.

22 90.

23 Defendants violated ORS 659A.203 in one or more of the following:

- 24 a) In suspending Plaintiff from work;

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92.

Plaintiff is entitled to prevailing party costs and reasonable attorney fees and costs under ORS 659A.885.

**FIFTEENTH CLAIM FOR RELIEF – ORS 659A.030
AIDER AND ABETTOR
(AGAINST DEFENDANT GELSER)**

93.

Plaintiff repeats and realleges paragraphs 1-92 as though fully set forth.

94.

Defendant Gelser violated ORS 659A.030 by aiding abetting, inciting, compelling or coercing the Government Defendants to discriminate and retaliate against Plaintiff as described above because she took medical leave related to her disabilities in one or more of the following:

- a) In opposing Plaintiff receiving paid leave for her injury in October 2019;
- b) In interfering with Plaintiff taking “urgent” medical leave between December 17 and 30, 2019;
- c) In accusing Plaintiff of making an “error,” which was Defendant Gelser’s own error, in retaliation for Plaintiff attempting to take leave between December 17 and 30, 2019;
- d) Knowing it would initiate a public hearings process, in reporting Plaintiff to Human Resources when Plaintiff told Defendant Gelser her behavior was abusive;
- e) In terminating Plaintiff’s employment after Plaintiff engaged in the Government Defendants’ Rule 27 process, reporting Defendant Gelser’s discriminatory conduct related to Plaintiff’s attempts to take medical leave for her disabilities.

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95.

The Government Defendants’ actions caused Plaintiff lifetime wage loss and career disruption of approximately \$700,000, past and future medical expenses of approximately \$50,000, and more drastically betrayal, stress, anxiety, shame, humiliation, degradation, sleeplessness, disruption to her normal routines, career interruption, and so much fear and hopelessness that Plaintiff experienced suicidal thinking as a result of having an employer she was dedicated to turn against her and force her through a public hearings process regarding medical diagnoses for her disabilities. Compensation for each of these harms should be determined by a jury at trial not to exceed \$1,200,000.

96.

Plaintiff is entitled to prevailing party costs and reasonable attorney fees and costs under ORS 659A.885.

**SIXTEENTH CLAIM FOR RELIEF – ORS 659A.030
AIDER AND ABETTOR
(AGAINST DEFENDANTS PROZANSKI, AND THOMSEN)**

97.

Plaintiff repeats and realleges paragraphs 1-96 as though fully set forth.

98.

Defendants Prozanski and Thomsen violated ORS 659A.030 by aiding abetting, inciting, compelling or coercing the Government Defendants to discriminate and retaliate against Plaintiff as described above because she took medical leave related to her disabilities in one or more of the following:

- a) In imposing Rule 27 on employees, including Plaintiff, when Rule 27 blatantly targets employees who fall under protected classes with

- 1 retaliation in the form of public, invasive, investigations and hearings for
2 reporting discrimination or retaliation related to their protected class;
- 3 b) In refusing to stop or delay the Rule 27 process despite Plaintiff's requests
4 for accommodation;
- 5 c) In relying on an insurance defense lawyer whose experience is in litigating
6 against employees for determination in Plaintiff's Rule 27 process;
- 7 d) In refusing to consider evidence Plaintiff offered for their determination,
8 but instead relying solely on evaluation provided by an insurance defense
9 lawyer whose experience is in litigating against employees who have
10 reported discrimination and retaliation;
- 11 e) In refusing to consider Plaintiff's disabilities in their determination
12 regarding whether Defendant Gelsler interfered with Plaintiff's medical
13 leave related to her disabilities, unless Plaintiff participated in a second
14 investigation; and/or
- 15 f) In finding against Plaintiff without considering her evidence and while
16 refusing to take her disabilities into consideration.

17 99.

18 The Government Defendants' actions caused Plaintiff lifetime wage loss and
19 career disruption of approximately \$700,000, past and future medical expenses of
20 approximately \$50,000, and more drastically betrayal, stress, anxiety, shame,
21 humiliation, degradation, sleeplessness, disruption to her normal routines, career
22 interruption, and so much fear and hopelessness that Plaintiff experienced suicidal
23 thinking as a result of having an employer she was dedicated to turn against her
24 and force her through a public hearings process regarding medical diagnoses for
25

1 her disabilities. Compensation for each of these harms should be determined by a
2 jury at trial not to exceed \$1,200,000.

3 100.

4 Plaintiff is entitled to prevailing party costs and reasonable attorney fees and costs
5 under ORS 659A.885.

6

7 **SEVENTEENTH CLAIM FOR RELIEF – 42 U.S.C. § 1983**
8 **FOURTEENTH AMENDMENT EQUAL PROTECTION – MONELL**
9 **(AGAINST THE GOVERNMENT DEFENDANTS)**

10 101.

11 Plaintiff repeats and realleges paragraphs 1-100 as though fully set forth.

12 102.

13 At all material times, the individual defendants were acting individually and
14 jointly under color of state law and within the scope of their employment with the
15 Government Defendants.

16 103.

17 The actions of Defendants, individually and jointly, targeted Plaintiff as a person
18 with a disability, in violation of her right to equal protection under the law
19 guaranteed by the Fourteenth Amendment to the US Constitution. The
20 Government Defendants are liable for violation of Plaintiff's right to equal
21 protection under the Fourteenth Amendment in one or more of the following:

- 22 a) In creating, interpreting, and/or implementing Rule 27, which is a policy
23 that directly targets employees, like Plaintiff, who complain about
24 employment violations related to protected characteristics or actions under
25 the law with public investigation and hearings processes;

1 b) In creating, interpreting, and/or implementing Rule 27, which requires
2 employees of the Government Defendants to report anyone who
3 complains of an employment violation related to a protected class through
4 a mandatory reporting requirement, subjecting employees, like Plaintiff,
5 reporting violations to invasive investigation and hearings processes in
6 order to attempt to protect their positions; and/or

7 c) In that the Government Defendant's final policy makers, Defendants
8 Gelser, Prozanski, and/or Thomsen took actions and/or ratified actions that
9 discriminated against Plaintiff as described above and incorporated herein.

10 104.

11 The Government Defendants' actions caused Plaintiff lifetime wage loss and
12 career disruption of approximately \$700,000, past and future medical expenses of
13 approximately \$50,000, and more drastically betrayal, stress, anxiety, shame,
14 humiliation, degradation, sleeplessness, disruption to her normal routines, career
15 interruption, and so much fear and hopelessness that Plaintiff experienced suicidal
16 thinking as a result of having an employer she was dedicated to turn against her
17 and force her through a public hearings process regarding medical diagnoses for
18 her disabilities. Compensation for each of these harms should be determined by a
19 jury at trial not to exceed \$1,200,000.

20 105.

21 Plaintiff is entitled to reasonable attorney fees and costs under 42 U.S.C. § 1988.

22 **EIGHTEENTH CLAIM FOR RELIEF – 42 U.S.C. § 1983**
23 **FOURTEENTH AMENDMENT EQUAL PROTECTION**
24 **(AGAINST DEFENDANT GELSER)**

25 106.

Plaintiff repeats and realleges paragraphs 1-105 as though fully set forth.

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107.

At all times Defendant Gelser was individually under color of state law, within the scope of her duties for Defendant Legislature.

108.

Defendant Gelser violated Plaintiff's right to equal protection under the Fourteenth Amendment to the US Constitution, as a person with disabilities, in one or more of the following:

- a) In opposing Plaintiff receiving paid leave for her injury in October 2019;
- b) In interfering with Plaintiff taking "urgent" medical leave between December 17 and 30, 2019;
- c) In accusing Plaintiff of making an "error," which was Defendant Gelser's own error, in retaliation for Plaintiff attempting to take leave between December 17 and 30, 2019;
- d) Knowing it would initiate a public hearings process, in reporting Plaintiff to Human Resources when Plaintiff told Defendant Gelser her behavior was abusive;
- e) In terminating Plaintiff's employment after Plaintiff engaged in the Government Defendants' Rule 27 process, reporting Defendant Gelser's discriminatory conduct related to Plaintiff's attempts to take medical leave for her disabilities.

109.

The Government Defendants' actions caused Plaintiff lifetime wage loss and career disruption of approximately \$700,000, past and future medical expenses of approximately \$50,000, and more drastically betrayal, stress, anxiety, shame, humiliation, degradation, sleeplessness, disruption to her normal routines, career

1 interruption, and so much fear and hopelessness that Plaintiff experienced suicidal
2 thinking as a result of having an employer she was dedicated to turn against her
3 and force her through a public hearings process regarding medical diagnoses for
4 her disabilities. Compensation for each of these harms should be determined by a
5 jury at trial not to exceed \$1,200,000.

6 110.

7 Plaintiff is entitled to reasonable attorney fees and costs under 42 U.S.C. § 1988.

8
9 **NINETEENTH CLAIM FOR RELIEF – 42 U.S.C. § 1983**
10 **FOURTEENTH AMENDMENT EQUAL PROTECTION**
11 **(AGAINST DEFENDANTS PROZANSKI AND THOMSEN)**

12 111.

13 Plaintiff repeats and realleges paragraphs 1-110 as though fully set forth.

14 112.

15 At all times Defendants Prozanski and Thomsen were acting individually under
16 color of state law, within the scope of their duties for the Government Defendants.

17 113.

18 Defendants Prozanski and Thomsen violated Plaintiff's right to equal protection
19 under the Fourteenth Amendment to the US Constitution, as a person with
20 disabilities, in one or more of the following:

- 21 a) In imposing Rule 27 on employees, including Plaintiff, when Rule 27
22 blatantly targets employees who fall under protected classes with
23 retaliation in the form of public, invasive, investigations and hearings for
24 reporting discrimination or retaliation related to their protected class;
25 b) In refusing to stop or delay the Rule 27 process despite Plaintiff's requests
for accommodation;

- 1 c) In relying on an insurance defense lawyer whose experience is in litigating
2 against employees for determination in Plaintiff's Rule 27 process;
- 3 d) In refusing to consider evidence Plaintiff offered for their determination,
4 but instead relying solely on evaluation provided by an insurance defense
5 lawyer whose experience is in litigating against employees who have
6 reported discrimination and retaliation;
- 7 e) In refusing to consider Plaintiff's disabilities in their determination
8 regarding whether Defendant Gelsner interfered with Plaintiff's medical
9 leave related to her disabilities, unless Plaintiff participated in a second
10 investigation; and/or
- 11 f) In finding against Plaintiff without considering her evidence and while
12 refusing to take her disabilities into consideration.

13 114.

14 The Government Defendants' actions caused Plaintiff lifetime wage loss and
15 career disruption of approximately \$700,000, past and future medical expenses of
16 approximately \$50,000, and more drastically betrayal, stress, anxiety, shame,
17 humiliation, degradation, sleeplessness, disruption to her normal routines, career
18 interruption, and so much fear and hopelessness that Plaintiff experienced suicidal
19 thinking as a result of having an employer she was dedicated to turn against her
20 and force her through a public hearings process regarding medical diagnoses for
21 her disabilities. Compensation for each of these harms should be determined by a
22 jury at trial not to exceed \$1,200,000.

23 115.

24 Plaintiff is entitled to reasonable attorney fees and costs under 42 U.S.C. § 1988.
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**TWENTIETH CLAIM FOR RELIEF – 42 U.S.C. § 1983
FOURTEENTH AMENDMENT PROCEDURAL DUE PROCESS
(AGAINST THE GOVERNMENT DEFENDANTS)**

116.

Plaintiff repeats and realleges paragraphs 1-115 as though fully set forth.

117.

At all times the individual defendants were acting individually and jointly under color of state law, within the scope of their duties for the Government Defendants.

118.

At all times, Plaintiff had a protected interest in her reputation, wages, and other benefits associated with her employment.

119.

The Government Defendants deprived Plaintiff of her right to procedural due process through their Rule 27 policy, which in its wording, practice, or implementation retaliates against people with disabilities, such as Plaintiff. As applied to Plaintiff the Government Defendants' Rule 27 deprived Plaintiff of procedural due process in that it required another employee to report her for opposing retaliation for her attempt to take medical leave related to her disabilities, suspended her from work, impacted her reputation, subjected her to public investigations and hearings, and ultimately deprived her of her wages and benefits related to her employment.

120.

The Government Defendants' actions caused Plaintiff lifetime wage loss and career disruption of approximately \$700,000, past and future medical expenses of approximately \$50,000, and more drastically betrayal, stress, anxiety, shame, humiliation, degradation, sleeplessness, disruption to her normal routines, career

1 interruption, and so much fear and hopelessness that Plaintiff experienced suicidal
2 thinking as a result of having an employer she was dedicated to turn against her
3 and force her through a public hearings process regarding medical diagnoses for
4 her disabilities. Compensation for each of these harms should be determined by a
5 jury at trial not to exceed \$1,200,000.

6 121.

7 Plaintiff is entitled to reasonable attorney fees and costs under 42 U.S.C. § 1988.

8

9 **TWENTY-FIRST CLAIM FOR RELIEF – 42 U.S.C. § 1983**
10 **FOURTEENTH AMENDMENT PROCEDURAL DUE PROCESS**
11 **(AGAINST DEFENDANTS GELSER, PROZANSKI, AND THOMSEN)**

12 122.

13 Plaintiff repeats and realleges paragraphs 1-121 as though fully set forth.

14 123.

15 At all times Defendants Gelser, Prozanski, and Thomsen were acting individually
16 and jointly under color of state law, within the scope of their duties for the
17 Government Defendants.

18 124.

19 At all times, Plaintiff had a protected interest in her reputation, wages, and other
20 benefits associated with her employment.

21 125.

22 Defendants deprived Plaintiff of her right to procedural due process in creating,
23 interpreting, and/or implementing the Government Defendants' Rule 27 in such a
24 way that it retaliates against people with disabilities like Plaintiff. As applied to
25 Plaintiff the individual defendants' interpretation and implementation of Rule 27
required another employee to report Plaintiff for opposing retaliation for her

1 attempt to take medical leave related to her disabilities, suspended Plaintiff from
2 work, impacted Plaintiff's reputation, subjected Plaintiff to public investigations
3 and hearings, and ultimately deprived Plaintiff of her wages and benefits related
4 to her employment.

5 126.

6 The Government Defendants' actions caused Plaintiff lifetime wage loss and
7 career disruption of approximately \$700,000, past and future medical expenses of
8 approximately \$50,000, and more drastically betrayal, stress, anxiety, shame,
9 humiliation, degradation, sleeplessness, disruption to her normal routines, career
10 interruption, and so much fear and hopelessness that Plaintiff experienced suicidal
11 thinking as a result of having an employer she was dedicated to turn against her
12 and force her through a public hearings process regarding medical diagnoses for
13 her disabilities. Compensation for each of these harms should be determined by a
14 jury at trial not to exceed \$1,200,000.

15 127.

16 Plaintiff is entitled to reasonable attorney fees and costs under 42 U.S.C. § 1988.
17
18

19 _____
20 WHEREFORE, Plaintiff prays for judgment against Defendants as
21 follows:

- 22 a. Fair and reasonable economic and noneconomic damages in an
23 amount to be determined by the jury, not to exceed \$1,200,000;
- 24 b. For attorney fees under ORS 659A.885, 42 USC § 12205, and 42 USC
25 1988;
- c. For prevailing party costs under ORS 659A.885;

- 1 d. For prejudgement and postjudgment interest; and
- 2 e. For reasonable costs and disbursements incurred in this action.

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DATED this 17th day of May, 2021.



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