

1 **JENNY L. FOLEY, Ph.D., ESQ.**

2 Nevada Bar No. 9017

3 E-mail: jfoley@hkm.com

4 **MARTA D. KURSHUMOVA, ESQ.**

5 Nevada Bar No. 14728

6 E-mail: mkurshumova@hkm.com

7 **HKM EMPLOYMENT ATTORNEYS LLP**

8 1785 East Sahara, Suite 300

9 Las Vegas, Nevada 89104

10 Tel: (702) 805-8340

11 Fax: (702) 625-3893

12 E-mail: jfoley@hkm.com

13 *Attorneys for Plaintiff*

14 **UNITED STATES DISTRICT COURT**
15 **DISTRICT OF NEVADA**

16 JANE DOE, an Individual,

17 Plaintiff,

18 vs.

19 CITY OF LAS VEGAS, CITY OF
20 HENDERSON, NATHAN HANNIG, an
21 Individual, MARIO RUEDA, an Individual,
22 RUBEN SANCHEZ, an Individual, JAMES
23 SUAREZ, an Individual, JONATHAN
24 CUFF, an Individual, JOSEPH "JOE"
25 VANEK, an Individual,
26 JAROD BARTO, an Individual, CODY
27 RACINE, an Individual JASON TULLIS,
28 an Individual, and ZACH YEOMAN, an
Individual, WILLIAM MCDONALD, an
Individual, and as an Individual, JON
STEVENSON, an Individual, JOHN DOE
#1, likely an Individual, DOES I -X; ROE
CORPORATIONS I -X.

29 Defendant.

30 **CASE NO.:**

31 **COMPLAINT AND JURY DEMAND**

32 The Plaintiff Jane Doe ("Doe") by and through her attorney, Jenny L. Foley, Ph.D.,
33 Esq. of HKM Employment Attorneys LLP hereby complains and alleges as follows:

JURISDICTION

1. This is an action for damages arising under Title VII of the Civil Rights Act of 1964 (“Title VII”) (sexual harassment and unlawful retaliation), 42 U.S.C. §2000e to 2000e-17; NRS 613.330(1)), 42 U.S.C. §1983 Equal Protection; and NRS 613.340,et.seq., as well as for Invasion of Privacy, Negligent/Intentional Infliction of Emotional Distress, Violation of NRS 200.780 (Unlawful Dissemination of Intimate Image), Civil Conspiracy under Nevada State Law, among other causes of action as outlined herein.
2. This Court has primary jurisdiction over claims set forth herein pursuant to 28 U.S.C. § 1331 (federal question), 28 U.S.C. §1343(a) (4) (civil rights action) and 42 U.S.C. §2000e-5(f) (3) (unlawful discrimination and retaliation in employment). Additionally this Court has supplemental jurisdiction over any state law claims pled herein pursuant to 28 U.S.C. §1367.
3. Upon information and belief, all material allegations relative to the named defendants contained in this Complaint occurred in the State of Nevada, Clark County. Therefore, venue properly lies in the southern division of the United States Court for the District of Nevada pursuant to 28 U.S.C. §1391(b)(2).
4. At all relevant times, Defendants City of Henderson and City of Las Vegas each were engaged in interstate commerce and each employed 20 or more employees for each working day during each of the 20 or more calendar workweeks in the current or preceding calendar year, and are therefore subject to the provisions of the statutes outlined herein.

111

111

EXHAUSTION OF ADMINISTRATIVE REMEDY

5. On or about October 9, 2018 Plaintiff initiated the process of filing a Charge of Discrimination against her employer, the Defendant(s) named in this action with the Equal Employment Opportunity Commission (“EEOC”).
6. On or about March 5, 2019 Plaintiff received her “Notice of Right to Sue” from the EEOC through the US Dept. of Justice.
7. Less than 90 days have passed since the date of mailing of the “Notice of Right to Sue.” This action is timely filed pursuant to 42 U.S.C. § 2000e-5(f).
8. Prior to filing this action, Plaintiff exhausted her administrative remedy on all claims pled hereunder.

PARTIES

9. Plaintiff incorporates all of the allegations in the preceding paragraphs as though fully set forth herein.
10. Plaintiff is a citizen of the State of Nevada and a resident of Clark County, Nevada.

This Complaint refers to Plaintiff throughout as “Jane Doe” in order to protect Plaintiff’s privacy rights. Plaintiff’s counsel will provide Plaintiff’s full name and any relevant identifying information to the Court once the Court grants an appropriate confidentiality and/or protective order.
11. At all relevant times, Defendant City of Las Vegas is a Nevada municipality organized under the laws of the State of Nevada and did so operate in Nevada and exist herein during all events complained of in this action.
12. Defendant City of Las Vegas is an employer within the jurisdictional coverage of Title VII of the Civil Rights Act of 1964.

- 1 13. Defendant, City of Henderson, Nevada is a municipality organized under the laws of
- 2 the State of Nevada.
- 3 14. Defendant Nathan Hannig is, upon information and belief, a citizen of the State of
- 4 Nevada and a resident of Clark County, Nevada.
- 5 15. Upon information and belief, Defendant City of Henderson employed Defendant
- 6 Nathan Hannig at all relevant times herein.
- 7 16. Defendant William McDonald is, upon information and belief, a citizen of the State of
- 8 Nevada and a resident of Clark County, Nevada.
- 9 17. Defendant Ruben Sanchez is, upon information and belief, a citizen of the State of
- 10 Nevada and a resident of Clark County, Nevada.
- 11 18. Defendant James Suarez is, upon information and belief, a citizen of the State of
- 12 Nevada and a resident of Clark County, Nevada.
- 13 19. Defendant Joseph "Joe" Vanek is, upon information and belief, a citizen of the State
- 14 of Nevada and a resident of Clark County, Nevada.
- 15 20. Defendant Mario Rueda is, upon information and belief, a citizen of the State of
- 16 Nevada and a resident of Clark County, Nevada.
- 17 21. Defendant Jonathan Cuff is, upon information and belief, a citizen of the State of
- 18 Nevada and a resident of Clark County, Nevada.
- 19 22. Defendant Jarod Barto is, upon information and belief, a citizen of the State of Nevada
- 20 and a resident of Clark County, Nevada.
- 21 23. Defendant Cody Racine is, upon information and belief, a citizen of the State of
- 22 Nevada and a resident of Clark County, Nevada.
- 23 24. Defendant Jason Tullis is, upon information and belief, a citizen of the State of
- 24
- 25
- 26
- 27
- 28

1 Nevada and a resident of Clark County, Nevada.

2 25. Defendant Zach Yeoman is, upon information and belief, a citizen of the State of
3 Nevada and a resident of Clark County, Nevada.

4 26. Defendant JOHN DOE #1" is, upon information and belief, a citizen of the State of
5 Nevada and resident of Clark County. John Doe #1 is alleged to have shot at
6 Plaintiff's vehicle in an attempt to threaten her life, safety and/or well-being to ensure
7 that she dropped or kept quiet her complaints about *inter alia* sexual harassment and
8 retaliation

9 27. Doe Defendants I through X inclusive and Roe Corporation Defendants A through Z
10 inclusive, are unknown at the present time and thus sued by Plaintiff in such fictitious
11 names. Plaintiff alleges that said Defendants are in some manner responsible for the
12 damages sustained by Plaintiff and that said Defendants will be named with
13 peculiarity once their identities are known. At such time, Plaintiff will seek leave of
14 court to state more fully herein the names and acts of said Defendants.

15 **GENERAL ALLEGATIONS**

16 28. Plaintiff incorporates all of the allegations in the preceding paragraphs as though fully
17 set forth herein.

18 29. Plaintiff began working for the City of Las Vegas, Las Vegas Fire and Rescue
19 (hereinafter, "LVFR") in approximately October 2014 as a Firefighter.

20 30. Later, in approximately December 2017 LVFR promoted Plaintiff to Paramedic
21 Firefighter.

22 31. In approximately July/August, 2017 Plaintiff and Mr. Hannig began a dating
23 relationship.

1 32. Mr. Hannig was at the relevant times herein, a paramedic/firefighter working for the
2 City of Henderson Fire Department.

3 33. Upon information and belief, Mr. Hannig remains a paramedic/firefighter working for
4 the City of Henderson Fire Department.

5 34. In approximately December 2017 Plaintiff ended the relationship with Mr. Hannig due
6 to his obsessive and possessive behavior.

8 35. In approximately April 2018 Plaintiff changed her phone number, partially due to Mr.
9 Hannig's refusal to accept the relationship had ended.

10 36. Thereafter, Mr. Hannig added Plaintiff as a friend on "Facebook."

11 37. Plaintiff assumed that Mr. Hannig had accepted the end of the relationship because he
12 made a point to "like" several photos of Plaintiff and her new boyfriend.

14 38. However, it appears that Mr. Hannig was merely biding his time to harm Plaintiff,
15 likely in retaliation for ending the relationship.

16 39. On or about June 10, 2018 at approximately 1950 Plaintiff received a phone call from
17 a co-worker, Johnathan Cuff.

19 40. Mr. Cuff informed Plaintiff that certain of the LVFR members were circulating a "sex
20 video" of her.

21 41. Later, Plaintiff discovered that associates of Mr. Hannig circulated the video at an
22 LVFR training.

23 42. Further, upon information and belief, Mr. Hannig circulated, or allowed the video to
24 circulate among Henderson Fire Department personnel, on Henderson Fire
25 Department property and during work hours.

27 43. During the discussion, Mr. Cuff inquired as to Plaintiff's well-being and stated that if
28

1 she needed to talk to anyone that he ‘had her back.’

2 44. Plaintiff responded that she had no idea what he was talking about.

3 45. In response, Mr. Cuff expressed that he thought Plaintiff was already aware of the
4 circulating sex video and that she had already started an investigation into the matter.

5 46. Once again, Plaintiff expressed her confusion and pressed Mr. Cuff for specific
6 information.

7 47. Mr. Cuff then stated, “*Your ex-boyfriend from Henderson Fire sent a personal video
8 of you to guys on the department and this personal video is being shared by coworkers
9 and being circulated throughout LVFR. I had your back when I overheard them
10 talking about it and wanted to make sure you are okay.*”

11 48. Sickened, Plaintiff inquired how he knew about the video, to which he responded that
12 he “overheard a group of guys talking about it.”

13 49. Mr. Cuff also confirmed “It is a video of you.... doing things with yourself sexually.”

14 50. Mr. Cuff refused to provide any information as to who told him this information,
15 where he heard it, or whether he saw the video.

16 51. Plaintiff told Mr. Cuff that she needed to get off the phone and contact her captain
17 immediately.

18 52. Mr. Cuff stated he understood and asked her to leave his name out of everything.

19 53. On the same date at approximately 2030, upon her return to Station 4, Plaintiff
20 informed Captain Ruben Sanchez of the phone call from Mr. Cuff.

21 54. At approximately 2045, Captain Ruben Sanchez called Mr. Cuff to obtain additional
22 information.

1 55. Captain Sanchez then contacted Battalion Chief James Suarez at Station 1 to inform
2 him of the situation.

3 56. Later that day, Captain Sanchez informed Plaintiff that Mr. Cuff told Captain Sanchez
4 that Mr. Cuff was at the LVFR training center helping the rookies while EMS training
5 was being held on June 4, 2018 and overheard “guys on duty from the EMS training”
6 talking about a personal video of Plaintiff that was sent by her ex-boyfriend from
7 Henderson Fire.

8 57. Captain Sanchez informed Plaintiff that “now” this was a serious matter.

9 58. Sanchez then informed Plaintiff that they were in the “information gathering” stage,
10 which would then move into the “investigation stage.”

11 59. Chief Suarez seemed concerned only that this allegation may be a rumor and stated
12 that he did not want to “interview the whole department.”

13 60. Interestingly, it appears that Captain Sanchez only believed the matter was serious
14 after confirmation that the viewing took place on duty and on LVFR property.

15 61. Captain Sanchez stated that Chief Suarez would contact the Training Center Chief and
16 get the roster for both EMS training sessions on June 4, 2018 so that Plaintiff could
17 identify anyone Plaintiff thought would be tied to Mr. Hannig.

18 62. It took approximately two weeks to get the training roster.

19 63. Finally on or about June 27, 2018 Plaintiff was able to view the roster and identified
20 Mario Rueda, who is (or was) friends with Mr. Hannig.

21 64. On June 28, 2018 while Plaintiff was on duty at station 4, Plaintiff had a private
22 meeting with Captain Sanchez and Chief Suarez.

23 65. Chief Suarez explained to Plaintiff that he interviewed Mario Rueda privately.

1 66. Plaintiff had the impression that Chief Suarez made a point to inform her that he
2 interviewed Mr. Rueda privately to let her know that no official inquiry was made of
3 Mr. Rueda.
4 67. Apparently LVFR was concerned for the reputation, sensibilities and career of its male
5 personnel, in particular Mr. Rueda, but had little to no concern for Plaintiff's
6 reputation, sensibilities or the ongoing harm occurring to her or her career.
7 68. Chief Suarez stated to Plaintiff that Mr. Rueda confessed to knowing about the video.
8 69. Chief Suarez also stated that Mr. Rueda confessed to seeing the video but not having
9 the video.
10 70. Chief Suarez stated that Mr. Rueda confessed to knowing who had the video and was
11 passing it around to other LVFR coworkers.
12 71. Chief Suarez and later Captain Sanchez stated that Mario confessed that Mr. Hannig
13 provided the video.
14 72. Chief Suarez stated that he was going to have another interview with Mr. Rueda, and
15 document everything.
16 73. Why Chief Suarez failed to document the first interview with Mr. Rueda remains a
17 mystery.
18 74. During the meeting, Chief Suarez stated, “[Jane] the video is out there, and has been
19 passed around and shared and who knows who else has it. We are doing the best we
20 can with what we have and will be passing all of this up to the LVFR administration
21 due to it being a very serious matter and the situation being considered sexual
22 harassment/ hostile work environment.”
23
24
25
26
27
28

1 75. It remains a mystery why the matter was not immediately ‘passed’ to the LVFR
2 administration.

3 76. Chief Suarez assured Plaintiff that they would continue to interview, and investigate
4 and take proper action.

5 77. On July 4, 2018 while on shift at station 48, an LVFR Peer support member, Jacob
6 Thatcher, contacted Plaintiff via text message.

7 78. Mr. Thatcher contacted Plaintiff and stated that LVFR asked him to contact her
8 because someone was worried about Plaintiff’s personal well-being.

9 79. The implication in the phone call was that Plaintiff was mentally unstable.

10 80. Further, Mr. Thatcher told her that if she needed to talk to somebody that there were
11 options available to her.

12 81. On the same day, Rachel Pierce contacted Plaintiff via phone call about the situation.

13 82. Ms. Pierce informed Plaintiff that she heard about ‘bits and pieces’ of the matter from
14 Captain Sanchez and wanted to know if Plaintiff was “okay.”

15 83. The next day, on July 5, 2018, almost a month after Plaintiff’s initial report of the
16 matter, Plaintiff received a text from Captain Sanchez asking her how she was doing.

17 84. Plaintiff responded and then asked if he had heard anything more.

18 85. He replied with “*Chief was off but text me about next cycle. Other than that, nothing.*”

19 86. Plaintiff wondered what was going on until July 14, 2018 when, increasingly
20 uncomfortable with the matter, she took a brief leave of absence.

21 87. On July 20, 2018, Plaintiff received a Facebook message from Firefighter Joy Sager
22 stating, “*Hey, I heard this morning about the video of you being sent around the*
23 *department from your ex-boyfriend from Henderson Fire Dept.*” and “*Semens told me*

1 *about it this morning and wants to beat the guy's ass. I guess he squashed people*
2 *trying to watch it at station 5."*

3 88. On July 31, 2018 Plaintiff returned to work and worked a trade for a coworker at
4 station 5 for 24 hours and provided her return to work note to the "off going" Captain,
5 Captain John Lester.

6 89. During this shift at Station 5, the crew at Station 5 subjected Plaintiff to conversations
7 centering on sex; women; and the sexual escapades of certain crewmembers with
8 women in the dorms.

9 90. Further, in response to a crude sexual comment made about another crew members
10 girlfriend, Captain Vanek stated that the crew member's girlfriend was a "freak" and
11 then stated "we all know who else is a freak" while he looked directly at Plaintiff.

12 91. Captain Karen Cutolo is at Fire Station 1 with Chief Suarez on "B" Platoon.

13 92. On August 1, 2018, Plaintiff received a Facebook message from Captain Karen Cutolo
14 stating that Captain Cutolo just wanted to say "hi" and check in on Plaintiff.

15 93. Captain Cutolo stated in the Facebook message that she felt very bad for Plaintiff and
16 that she wanted to "throat punch" many people over what had transpired.

17 94. On August 2, 2018 while Plaintiff was working at station 4, Captain Sanchez informed
18 her that there would be a meeting with Chief Suarez at 10 am to discuss the situation
19 since Plaintiff "had been off work due to mental and emotional distress".

20 95. Plaintiff found what appeared to be a continual theme that she was mentally unstable
21 deeply disturbing.

22

23

24

25

26

27

28

1 96. During the private meeting in the Captain's office, Chief Suarez explained to Plaintiff
2 he was unable to give any specific information about the investigation, including
3 names and any discipline meted out.

4 97. What he did share with Plaintiff was that someone had interviewed Mr. Rueda and Mr.
5 Rueda confessed he had seen the video and knew where he got it.

6 98. Chief Suarez also said that Mr. Rueda stated names of other people who have seen/ or
7 have the video.

8 99. Chief Suarez also said that individuals had been interviewed and disciplined and had
9 ensured that those individuals had deleted the video and informed others to do the
10 same.

11 100. Chief Suarez also noted that there were some for whom there was not enough
12 evidence to accuse or discipline.

13 101. Chief Suarez stated there was one individual who had the video still on his
14 phone and had shared it with multiple people.

15 102. Chief Suarez stated, "That person was heavily disciplined."

16 103. Upon information and belief, a "Step 2" discipline is the most that a Battalion
17 Chief, such as Chief Suarez, may issue.

18 104. Plaintiff disputes that a Step 2 discipline is in fact 'heavy' discipline.

19 105. Further, during this conversation Captain Sanchez told Plaintiff "you have to
20 realize guys are perverts and you're a hot chick and if there's a naked video they're
21 going to want to watch it."

22 106. Captain Sanchez repeated this statement later in the day with Rachel Pierce
23 present.

1 107. Chief Suarez also told Plaintiff “We have done what we can and it is only
2 going to take time for this to blow over and for those who have the video to realize
3 how serious the situation is and delete the video.”

4 108. Chief Suarez continued and stated, “No one has done anything illegal. Have
5 they done something morally wrong? Maybe.”

6 109. Plaintiff replied to that statement with, “How is that possible? My own
7 personal video that I privately sent to my boyfriend last year while we were *dating* is
8 being shared by my brothers/coworkers on duty/on the job, behind my back.”

9 110. She also noted, “The only reason I found out about this situation is because
10 Jonathan Cuff informed me that he overheard guys at the training center *while on duty*
11 during EMS training at the *Training Center* talking about the video.”

12 111. Plaintiff then informed Chief Suarez and Captain Sanchez about the Facebook
13 message from Joy Sager and Ms. Sager’s statement that “Semens told me about it this
14 morning and wants to beat the guy’s ass. I guess he squashed people *trying to watch it*
15 at station 5.”

16 112. Captain Sanchez and Chief Suarez were clearly trying to downplay the
17 situation, but did state that they would interview Scott Semens, Joy Sager and those at
18 Station 5 to find out the extent of the situation.

19 113. Chief Suarez stated during the conversation, “This stuff happens all the time.”
20 “We all send personal videos to our significant others and sometimes they end up on
21 revenge porn websites.”

22 114. On August 4, 2018 at approximately 0730 as Plaintiff was finishing patient
23 care reports before leaving station and getting off shift, another station 4 medic named
24

1 Tim Velasquez informed her that she needed to go outside and look at her car, parked
2 in the Station 4 parking lot.

3 115. She went outside and saw that her sunroof window was shattered and there was
4 a hole through the sun visor and a bullet laying on the driver seat.

5 116. There was no severe impact to the driver seat from the bullet.

6 117. There was no other damage.

7 118. No other cars were harmed or damaged that were nearby in the parking lot.

8 119. Someone called the City Marshal's office, who responded to the scene.

9 120. The Marshals took photos, seized the bullet and documented the scene for their
10 report.

11 121. Upon information and belief, the conclusion was reached that the damage was
12 done *specifically* to Plaintiff's car because someone in the nearby neighborhood shot a
13 stray bullet into the air.

14 122. Realizing that LVFR was mismanaging the entire situation, Plaintiff contacted
15 Human Resources, Jocelyn Azarcon, and filed a formal complaint.

16 123. Plaintiff is only barely acquainted with Administration Chief, Sarah McCrea.

17 124. Plaintiff did not inform Ms. McCrea of her plans to go to Human Resources.

18 125. Interestingly on August 8, 2018 *while she was at the meeting* with Human
19 Resources, on August 8, 2018 Plaintiff got a text message from an Administration
20 Chief, Sarah McCrea saying "*Hey, Lady, [I] just found out you're at Human*
21 *Resources...*"

22 126. The text went on to inquire whether Human Resources requested to meet with
23 Plaintiff or if Plaintiff went to Human Resources on her own initiative.

1 127. The text was confusing to Plaintiff in that it reinforced the concept that she
2 may face consequences if she had gone to Human Resources on her own initiative.

3 128. There was absolutely no work related reason of which Plaintiff was aware for
4 Chief McCrea to (1) know that she had gone to Human Resources or (2) to inquire as
5 to whether Plaintiff went to Human Resources on her own initiative.
6

7 129. The same day, when Plaintiff arrived at work, Captain Sanchez requested to
8 meet with her.
9

10 130. Captain Sanchez seemed particularly interested in whether Plaintiff had taken
11 the initiative to contact Human Resources or if Human Resources requested the
12 meeting.
13

14 131. When Plaintiff declined to respond, Captain Sanchez became cold and distant
15 toward Plaintiff.
16

17 132. In an effort to intimidate Plaintiff, Captain Sanchez made a loud comment,
18 later in the day stating “*Guess who I’m gonna be having lunch with this weekend?*
19 *Chief Willie and I will be sitting down to have lunch together before I leave on my trip*
20 *to Asia. We have lunches together and talk about things here and there.*”
21

22 133. Captain Sanchez clearly directed this comment at Plaintiff.
23

24 134. The comment carried the message that Plaintiff had better keep quiet about the
25 bungled investigation.
26

27 135. On or about August 14, 2018 Chief Jon Stevenson sent a rambling, bizarre text
28 message to Plaintiff.
29

30 136. The text message is ostensibly in support of Plaintiff, but Mr. Stevenson goes
31 on a “tirade” wherein he makes several bizarre and threatening comments to Plaintiff
32
33

1 including:

2 a. "This is NOT going to settle quietly, not by a long shot. I don't know how. I
3 don't know when, but folks who need to hear something are going to hear
4 plenty of it...";
5 b. "...any mistake you make doesn't mean you are a mistake...."
6 c. "...watch this video or else I promise that I will scratch your face into
7 something totally unrecognizable!!! [sic] [smiley face emoji]..."¹

9 137. Chief Jon Stevenson's comments are overtly threatening and bizarre.
10 138. Plaintiff knows Stevenson only by name and reputation and had no significant
11 working relationship with him.
12 139. Telling in Stevenson's commentary is the fact that LVFR permitted free
13 dissemination of this matter throughout the department such that people who barely
14 knew Plaintiff felt emboldened to come forward with commentary.
15 140. On or about September 10, 2018 Plaintiff had a conversation with Rachel
16 Pierce.
17 141. Ms. Pierce informed Plaintiff that LVFR Human Resources interviewed 14
18 people for watching the video.
19 142. Ms. Pierce also said those employees would be "sorted" and disciplined
20 according to the degree of what they did wrong.
21 143. Ms. Pierce only told Plaintiff 3 of the 14 names because she felt that Plaintiff

22
23
24
25
26
27 ¹ The video referenced is called "*The psychology of your future self*" and was posted by ted.com. It is a self-help
28 video posted of talk done by Dan Gilbert wherein he discusses a "*phenomenon he calls the "end of history
illusion" where we somehow imagine that the person we are right now is the person we'll be for the rest of time.
Hint: that's not the case.*"

1 "deserved to know."

2 144. It remains a mystery why Plaintiff is apparently did not "deserve" to know of
3 all her co-employees who watched the video.

4 145. This is particularly disturbing because the three crewmembers who viewed
5 the video and/or had copies thereof were on Plaintiff's crew, men with whom
6 Plaintiff worked closely.

7 146. Jarod Barto, Jason Tullis, Cody Racine and Zach Yeoman all viewed the
8 video and/or had copies thereof.

9 147. Captain Eric Littman, the Union President, found out about Plaintiff's six-
10 page report that she gave to Human Resources, after Ms. Angela Leath (the
11 counselor assigned to Plaintiff through the Employee Assistance Program) spoke
12 with Chief Suarez and Captain Littman.

13 148. Mr. Littman then spoke with Chief Dina Dalessio, who in turn relayed that
14 Mr. Littman was actively and inappropriately and openly discussing the "six page"
15 report Plaintiff gave to Human Resources during a Captain's training.

16 149. Due to LVFR's failure to act, the video was widely circulated, and viewed and
17 discussed by LVFR employees while on duty and while on LVFR property.

18 150. It was soon common knowledge around LVFR that there was a sex video
19 showing Plaintiff.

20 23 151. Despite this ongoing sexual harassment, LVFR failed to act, bungled the
21 investigation, delayed the investigation unnecessarily and generally tried to sweep the
22 incident under the rug, subjecting Plaintiff to continued sexual harassment, and
23 trauma.

24
25
26
27
28

FIRST CAUSE OF ACTION
(Sex Discrimination (Sexual Harassment) and Retaliation in Violation of Title VII)
(Defendant City of Las Vegas Fire and Rescue)

152. Plaintiff incorporates all of the allegations in the preceding paragraphs as though fully set forth herein.

153. During the course of her employment at the LVFR, Plaintiff was subject to an
unwelcome vicious, extreme, outrageous, pervasive and unrelenting campaign of
sexual harassment and gender discrimination when *inter alia*

- a. LVFR allowed its members to view an illegally obtained intimate video of Plaintiff, while on duty, on LVFR property; without Plaintiff's permission;
- b. LVFR continued to allow the video to be passed from employee to employee after Plaintiff complained;
- c. LVFR failed to act to prevent further harm to Plaintiff in its unreasonable and unnecessary delay in investigating the matter;
- d. LVFR refused to properly expand the scope of the investigation to ensure that the matter was contained;
- e. LVFR tacitly encouraged further such behavior by meting out unreasonably light discipline to employees who admitted complicity in the matter;
- f. Captain Joe Vanek called Plaintiff a “[sexual] freak”;
- g. Captain Sanchez called Plaintiff a “hot chick.”

154. Plaintiff voiced her complaints about the matter to Captain Ruben Sanchez, Chief James Suarez and the LVFR Human Resources Department to no avail.

155. After Plaintiff voiced her complaints to the Human Resources Department, Plaintiff was subject to threats to her job, “anonymous” threats to her life and overall

1 hostility from the LVFR.

2 156. Thereby, the LVFR affirmed, ratified and acquiesced in the campaign of
3 harassment and hostile working environment.

4 157. The Defendant's behavior violated 42 U.S.C. § 2000e-2(a) by discriminating
5 against Plaintiff because of her sex, female.

6 158. Due to its illegal actions, Defendant must pay damages in an amount to be
7 determined at trial for back pay, front pay, lost benefits, and compensatory damages
8 for emotional pain, suffering, inconvenience, mental anguish and loss of enjoyment of
9 life.

10 159. Because Defendant is guilty of oppression, fraud or malice, express or implied,
11 Defendant must pay Plaintiff an additional amount for the sake of example and by way
12 of punishment.

13 160. Plaintiff has had to obtain the services of an attorney to protect her rights and
14 secure compensation for the damages incurred as a result of these violations of Title
15 VII and therefore, she is entitled to recover reasonable attorney's fees against
16 Defendants pursuant to 42 U.S.C. §2000e-5(k).

17 **SECOND CAUSE OF ACTION**
18 **(Retaliation under Federal Law, 42 U.S.C. § 2000e-3)**
19 **(Defendant City of Las Vegas Fire and Rescue)**

20 161. Plaintiff incorporates all of the allegations in the preceding paragraphs as
21 though fully set forth herein.

22 162. In violation of 42 U.S.C § 200e-3, Defendant retaliated against Plaintiff after
23 she complained of acts which she reasonably believed were discriminatory. By way
24 of *non-exclusive* example Defendant retaliated against Plaintiff by:

- 1 a. Captain Sanchez's comment that he planned to have lunch with "Chief Willie",
2 a comment clearly intended to intimidate Plaintiff into staying quiet about the
3 bungled investigation by letting her know that Captain Sanchez had the
4 protection of the Head of the Department;
- 5 b. Upon information and belief, Plaintiff's life was threatened by someone in the
6 LVFR when they shot through her vehicle sunroof;
- 7 c. Plaintiff was called a "[sexual] freak" by Captain Joe Vanek;
- 8 d. Plaintiff was told repeatedly that she'd made a mistake in creating the video;
- 9 e. Plaintiff was subject to numerous comments which implied that she was at
10 fault for the situation;
- 11 f. Plaintiff was subject to comments implying that she was morally deficient;
- 12 g. Plaintiff was subject to overt hostility and a generally cold demeanor from her
13 superiors and co-workers after she reported the events to Human Resources;
- 14 h. Plaintiff's name was bandied about the LVFR such that all details of the
15 investigation and harassment were made known to employees who had no
16 direct involvement with the matter subjecting Plaintiff to further distress and
17 humiliation;
- 18 i. Plaintiff was reported to the administration as being potentially mentally
19 unstable;
- 20 j. Captain Sanchez' comment that Plaintiff was a "hot chick";
- 21 k. Chief Jon Stevenson's comment that "This is NOT going to settle quietly, not
22 by a long shot. I don't know how. I don't know when, but folks who need to
23 hear something are going to hear plenty of it." And "any mistake you make
24
- 25
- 26
- 27
- 28

1 doesn't mean you are a mistake."

2 1. Chief Jon Stevenson's comment to "watch this video or else I promise that I
3 will scratch your face into something totally unrecognizable!!! [smiley face
4 emoji]."

5 163. The non-exclusive list of behavior complained of above also constitutes
6 retaliatory harassment and the creation of an illegally hostile environment.

7 164. Plaintiff may be unaware of additional detrimental acts constituting retaliation
8 in that it harmed her in the workplace.

9 165. The actions and conduct by Defendant constitutes illegal retaliation, prohibited
10 by federal statutes.

11 166. Due to its illegal actions, Defendant must pay damages in an amount to be
12 determined at trial for back pay, front pay, lost benefits, and compensatory damages
13 for emotional pain, suffering, inconvenience, mental anguish and loss of enjoyment of
14 life.

15 167. Because Defendant is guilty of oppression, fraud or malice, express or implied,
16 Defendant must pay Plaintiff an additional amount for the sake of example and by way
17 of punishment.

18 168. Plaintiff has had to obtain the services of an attorney to protect her rights and
19 secure compensation for the damages incurred when LVFR violated Title VII, and
20 therefore, she is entitled to recover reasonable attorney's fees against Defendant
21 pursuant to Title VII.

22 ///

23 ///

24
25
26
27
28

THIRD CAUSE OF ACTION
(42 U.S.C. §1983 Equal Protection)
(Defendant City of Henderson)

169. Plaintiff incorporates all of the allegations in the preceding paragraphs as though fully set forth herein.

170. Defendant was acting under color of state law at all times described herein.

171. As described herein, Defendant City of Henderson deprived Plaintiff of her right to equal protection by discriminating against her on the basis of her gender and ensuring that Plaintiff was subject to harassment, ridicule, invasion of privacy, harm to career and threat in violation of the Fourteenth Amendment and 42 U.S.C. § 1983.

172. Alternatively, Defendant deprived Plaintiff of her right to equal protection by irrationally and/or arbitrarily subjecting plaintiff to differential treatment for reasons unrelated to a legitimate governmental objective.

173. Specifically, the City of Henderson demonstrably has a pattern and practice of permitting its employees, while on duty and/or on City of Henderson property to disseminate videos depicting intimate acts, without the knowledge or consent of the individual so depicted.

174. Had such a pattern or practice not existed within the City of Henderson the actions complained of generally herein would not have occurred.

175. Upon information and belief, Mr. Hannig not only shared the video with members of the Henderson Fire Department, but also with members of the City of Las Vegas Fire and Rescue, Plaintiff's employer.

176. The Court should award Plaintiff compensatory damages against Defendant for the stress, anxiety, pain, humiliation and trauma she has suffered in an amount to be

1 determined at trial.

2 177. Defendant's conduct was reckless and malicious and violated Plaintiff's clearly
3 established constitutional rights and therefore the Court should award Plaintiff
4 punitive damages in an amount to be determined at trial.

5 178. The Court should award Plaintiff reasonable attorney's fees and litigation costs
6 and expenses including expert witness fees against Defendant pursuant to 42 U.S.C.
7 1988.

9 **FOURTH CAUSE OF ACTION**
10 **(42 U.S.C. §1983 Equal Protection)**
11 **(Defendant City of Las Vegas)**

12 179. Plaintiff incorporates all of the allegations in the preceding paragraphs as
13 though fully set forth herein.

14 180. Defendant was acting under color of state law at all times described herein.

15 181. As described herein, Defendant City of Las Vegas deprived Plaintiff of her
16 right to equal protection by discriminating against her on the basis of her gender and
17 ensuring that Plaintiff was subject to harassment, ridicule, invasion of privacy, harm to
18 career and threat in violation of the Fourteenth Amendment and 42 U.S.C. § 1983.

19 182. Alternatively, Defendant deprived Plaintiff of her right to equal protection by
20 irrationally and/or arbitrarily subjecting plaintiff to differential treatment for reasons
21 unrelated to a legitimate governmental objective.

22 183. Specifically, the City of Las Vegas demonstrably has a pattern and practice of
23 permitting its employees, while on duty and/or on City of Las Vegas property to
24 disseminate videos which depict intimate acts, without the knowledge or consent of
25 the individual so depicted.

1 184. Had such a pattern or practice not existed within the City of Las Vegas the
2 actions complained of generally herein would not have occurred.

185. Further, the City of Las Vegas has a demonstrable pattern and practice of
1
2 ignoring, delaying or otherwise unreasonably handling complaints of sexual
3 harassment, detailed more fully herein, which is a violation of Plaintiff's civil rights as
4 outlined in Title VII.

8 186. The Court should award Plaintiff compensatory damages against Defendant for
9 the stress, anxiety, pain, humiliation and trauma she has suffered in an amount to be
10 determined at trial.

188. The Court should award Plaintiff reasonable attorney's fees and litigation costs
189 and expenses including expert witness fees against Defendant pursuant to 42 U.S.C.
190 1988.

FIFTH CAUSE OF ACTION
(42 U.S.C. §1983 Equal Protection)
(Defendant Nathan Hannig)

189. Plaintiff incorporates all of the allegations in the preceding paragraphs as
though fully set forth herein.

190. Defendant was acting under color of state law at all times described herein.

25 191. As described herein, Defendant Nathan Hannig deprived Plaintiff of her right
26 to equal protection by discriminating against her on the basis of her gender and
27 ensuring that Plaintiff was subject to harassment, ridicule, invasion of privacy, harm to

1 career and threat in violation of the Fourteenth Amendment and 42 U.S.C. § 1983.

2 192. Alternatively, Defendant deprived Plaintiff of her right to equal protection by
3 irrationally and/or arbitrarily subjecting plaintiff to differential treatment for reasons
4 unrelated to a legitimate governmental objective, specifically, Mr. Hannig
5 intentionally, deliberately and maliciously shared intimate video of Plaintiff while on
6 duty at Henderson Fire Department.

7 193. Upon information and belief, Mr. Hannig not only shared the video with
8 members of the Henderson Fire Department, but also with members of the City of Las
9 Vegas Fire and Rescue, Plaintiff's employer.

10 194. The Court should award Plaintiff compensatory damages against Defendant for
11 the stress, anxiety, pain, humiliation and trauma she has suffered in an amount to be
12 determined at trial.

13 195. Defendant's conduct was reckless and malicious and violated Plaintiff's clearly
14 established constitutional rights and therefore the Court should award Plaintiff
15 punitive damages in an amount to be determined at trial.

16 196. The Court should award Plaintiff reasonable attorney's fees and litigation costs
17 and expenses including expert witness fees against Defendant pursuant to 42 U.S.C.
18 1988.

20 **SIXTH CAUSE OF ACTION**
21 (42 U.S.C. §1983 Equal Protection)

22 (Defendants Mario Rueda, Ruben Sanchez, James Suarez, Jonathan Cuff, Joseph "Joe"
23 Vanek, Jarod Barto, Jason Tullis, Cody Racine and Zach Yeoman, Jon Stevenson,
24 William McDonald)

25 197. Plaintiff incorporates all of the allegations in the preceding paragraphs as
26 though fully set forth herein.

1 198. Defendants were acting under color of state law at all times described herein.

2 199. As described herein, Defendants and each of them, deprived Plaintiff of her
3 right to equal protection by discriminating against her on the basis of her gender and
4 ensuring that Plaintiff was subject to harassment, ridicule, invasion of privacy, harm to
5 career and threat in violation of the Fourteenth Amendment and 42 U.S.C. § 1983.
6

7 200. Alternatively, Defendant deprived Plaintiff of her right to equal protection by
8 irrationally and/or arbitrarily subjecting plaintiff to differential treatment for reasons
9 unrelated to a legitimate governmental objective.

10 201. The various deprivations included but were not limited to:

- 11 a. Mario Rueda knowingly viewing an intimate video of Plaintiff while on duty,
12 on LVFR property, and shared the same with other members of the LVFR;
- 13 b. Mario Rueda knew, or should have known that the video was not meant for
14 public consumption and should not have been shared with anyone;
- 15 c. Ruben Sanchez called Plaintiff a “hot chick” after she reported the video
16 incident;
- 17 d. Ruben Sanchez’ and James Suarez’ attempt to protect the male employees who
18 viewed or had copies of the video, instead of appropriately responding to the
19 situation;
- 20 e. Ruben Sanchez’ and James Suarez’ attempt to keep the matter from reaching
21 the LVFR administration;
- 22 f. Jonathan Cuff refused to provide information about the sharing of the video
23 and his unreasonable delay in reporting the matter to Plaintiff and his utter
24 failure to report the matter to anyone at LVFR other than Plaintiff;

- 1 g. Joseph "Joe" Vanek, referred to Plaintiff as a "[sexual] freak";
- 2 h. Jarod Barto, Jason Tullis, Cody Racine and Zach Yeoman all viewed the video
- 3 and/or had copies of the video and/or disseminated copies of the video to
- 4 others while on duty, on LVFR property, and did so knowing that the video
- 5 was (a) inappropriate for a work environment and (b) not meant for public
- 6 consumption (c) not viewed with permission or even knowledge of Plaintiff
- 7 under circumstances in which they knew, or should have known, would cause
- 8 significant harm to Plaintiff;
- 9 i. "John Doe" shot Plaintiff's sunroof in an attempt to intimidate her into keeping
- 10 quiet about the harassment and retaliation;
- 11 j. Mr. Hannig intentionally, deliberately and maliciously shared intimate video
- 12 of Plaintiff while on duty at Henderson Fire Department;
- 13 k. Upon information and belief, Mr. Hannig not only shared the video with
- 14 members of the Henderson Fire Department, but also with members of the City
- 15 of Las Vegas Fire and Rescue, Plaintiff's employer.
- 16 l. Chief Jon Stevenson sent Plaintiff a bizarre and threatening series of text
- 17 messages in response to his knowledge of the incident,
- 18 m. Joe Vanek called Plaintiff a "[sexual] freak"
- 19 n. William McDonald failed to adequately enforce policies related to
- 20 confidentiality of complaints, allowed rumors to run rampant about Plaintiff,
- 21 failed to ensure that a reasonable and timely investigation was conducted and
- 22 generally created and participated in an environment where such lapses and
- 23 sexual misconduct were not only permissible, but tacitly encouraged.
- 24
- 25
- 26
- 27
- 28

1 202. The Court should award Plaintiff compensatory damages against Defendant for
2 the stress, anxiety, pain, humiliation and trauma she has suffered in an amount to be
3 determined at trial.

4 203. Defendant's conduct was reckless and malicious and violated Plaintiff's clearly
5 established constitutional rights and therefore the Court should award Plaintiff
6 punitive damages in an amount to be determined at trial.

7 204. The Court should award Plaintiff reasonable attorney's fees and litigation costs
8 and expenses including expert witness fees against Defendant pursuant to 42 U.S.C.
9 1988.

10
11 **SEVENTH CAUSE OF ACTION**
12 (Civil Conspiracy)

13 **(Defendants Mario Rueda, Ruben Sanchez, James Suarez, Jonathan Cuff, Joseph "Joe"
14 Vanek, Jarod Barto, Jason Tullis, Cody Racine and Zach Yeoman, Jon Stevenson,
15 William McDonald, Nathan Hannig, City of Las Vegas, City of Henderson)**

16 205. Plaintiff incorporates all of the allegations in the preceding paragraphs as
17 though fully set forth herein.

18 206. The Defendants, and each of them, conspired, co-ordinated, met, discussed,
19 and/or engaged in other behavior and concerted action to accomplish the unlawful
20 objective of depriving Plaintiff of rights due to her under the above mentioned Federal
21 and State laws and to cause harm to Plaintiff.

22 207. Such concerted action did cause harm to Plaintiff including but not limited to
23 severe emotional distress, pecuniary loss and damage to reputation.

24 208. Defendants must pay damages in an amount to be determined at trial but
25 exceeding \$25,000 for back pay, front pay, lost benefits, and compensatory damages
26 for emotional pain, suffering, inconvenience, mental anguish and loss of enjoyment of
27
28

1 life because they engaged in illegal actions.

2 209. Because Defendants are guilty of oppression, fraud or malice, express or
3 implied, Defendants must pay Plaintiff an additional amount for the sake of example
4 and by way of punishment.

5 210. Plaintiff has had to obtain the services of an attorney to protect her rights and
6 secure compensation for the damages incurred as a result of these violations and
7 therefore, she is entitled to recover reasonable attorney's fees against Defendants.

8

9 **EIGHTH CAUSE OF ACTION**
10 **(Intentional/Negligent Infliction of Emotional Distress)**
11 **(All Defendants)**

12 211. Plaintiff incorporates all of the allegations in the preceding paragraphs as
13 though fully set forth herein.

14 212. Defendants' conduct toward Plaintiff was extreme and outrageous and caused
15 significant emotional harm, headaches, sleeplessness and various physical and mental
16 distress.

17 213. Defendants' conduct was extreme, outrageous, and undertaken with either
18 intent or, reckless disregard for causing Plaintiff emotional distress.

19 214. Defendants had a duty to refrain from engaging in the hostile and retaliatory
20 acts as described above.

21 215. Defendants breached that duty.

22 216. Defendants intentional or negligent conduct was the legal, actual, proximate
23 cause of Plaintiff's extreme and/or severe emotional distress by engaging in the
24 conduct described herein.

25 217. Defendants must pay damages in an amount to be determined at trial but

1 exceeding \$25,000f or back pay, front pay, lost benefits, and compensatory damages
2 for emotional pain, suffering, inconvenience, mental anguish and loss of enjoyment of
3 life because they engaged in illegal actions.

4 218. Because Defendants are guilty of oppression, fraud or malice, express or
5 implied, Defendants must pay Plaintiff an additional amount for the sake of example
6 and by way of punishment.

7 219. Plaintiff has had to obtain the services of an attorney to protect her rights and
8 secure compensation for the damages incurred as a result of these violations and
9 therefore, she is entitled to recover reasonable attorney's fees against Defendants.

10
11 **NINTH CAUSE OF ACTION**
12 **(Negligent Supervision/Training/Hiring/Retention)**
13 **(Defendant City of Henderson, Defendant City of Las Vegas)**

14 220. Plaintiff incorporates all of the allegations in the preceding paragraphs as
15 though fully set forth herein.

16 221. Defendant City of Las Vegas studiously ignored Plaintiff's multiple
17 complaints regarding the retaliation and harassment she suffered.

18 222. City of Las Vegas failed to train its employees to report instances of obvious
19 sexual harassment.

20 223. Specifically, a number of employees attended the EMS training on June 4,
21 2018, and upon information and belief, not a single employee bothered to report the
22 sexual harassment to anyone in a management role.

23 224. Likely because the employees were too busy engaging in the viewing and
24 sharing of the video to be bothered with reporting.

25 225. Further, any number of employees viewed or heard about the video in the

1 ensuing aftermath, and none of them reported the same either.

2 226. Defendant City of Las Vegas knew or should have known of its employees
3 proclivities for improper, unreasonable, outrageous, harassing and retaliatory actions
4 such that an exercise of reasonable care would have stopped and or prevented such
5 conduct.

6 227. Defendant City of Henderson knew or should have known of Nathan Hannig's
7 proclivities for improper, unreasonable, outrageous, harassing and retaliatory actions
8 such that an exercise of reasonable care would have stopped and or prevented such
9 conduct.

10 228. Defendants City of Las Vegas and City of Henderson's failure to supervise its
11 employees and address this conduct in an appropriate way caused injury to Plaintiff.

12 229. Defendants must pay damages in an amount to be determined at trial, but
13 exceeding \$25,000 for back pay, front pay, lost benefits, and compensatory damages
14 for emotional pain, suffering, inconvenience, mental anguish and loss of enjoyment of
15 life because they engaged in illegal actions.

16 230. Because Defendants are guilty of oppression, fraud or malice, express or
17 implied, Defendants must pay Plaintiff an additional amount for the sake of example
18 and by way of punishment.

19 231. Plaintiff has had to obtain the services of an attorney to protect her rights and
20 secure compensation for the damages incurred as a result of these violations and
21 therefore, she is entitled to recover reasonable attorney's fees against Defendants.

22 ///

23 ///

24

TENTH CAUSE OF ACTION
(Public Disclosure)
(All Defendants)

232. Plaintiff incorporates all of the allegations in the preceding paragraphs as though fully set forth herein.

233. Plaintiff had a reasonable expectation of privacy in the video created for her
then boyfriend within the context of a romantic relationship.

234. Defendant Hannig violated that expectation when he willingly shared the video with one or more of the Defendants and upon information and belief with other, as yet unknown members of the Henderson Fire Department.

235. Upon information and belief, Defendants other than Hannig continued to disseminate the video throughout the LVFR.

236. Certain members of the LVFR continued to discuss the matter openly, without disseminating the video further, thereby subjecting Plaintiff's reputation to further harm as private information regarding Plaintiff was disseminated freely throughout the LVFR.

237. Defendants knew or should have known that such dissemination of a private video and/or free and open discussion of the same, was likely to be highly offensive and harmful not only to Plaintiff, but to a reasonable person of ordinary sensibilities.

238. Defendants must pay damages in an amount to be determined at trial, but exceeding \$25,000 for back pay, front pay, lost benefits, and compensatory damages for emotional pain, suffering, inconvenience, mental anguish and loss of enjoyment of life because they engaged in illegal actions

239 Because Defendants are guilty of oppression, fraud or malice, express or

1 implied, Defendants must pay Plaintiff an additional amount for the sake of example
2 and by way of punishment.

3 240. Plaintiff has had to obtain the services of an attorney to protect her rights and
4 secure compensation for the damages incurred as a result of these violations and
5 therefore, she is entitled to recover reasonable attorney's fees against Defendants.
6

7 **ELEVENTH CAUSE OF ACTION**
8 **(Violation of NRS 200.780 Unlawful Dissemination of Intimate Image)**
9 **(Defendants Hannig, Mario Rueda, Jarod Barto, Jason Tullis, Cody Racine, Zach**
10 **Yeoman)**

11 241. Plaintiff incorporates all of the allegations in the preceding paragraphs as
12 though fully set forth herein.

13 242. NRS 200.780 provides *inter alia* that it shall be illegal to disseminate an
14 intimate image of a person without their consent.

15 243. The Defendants knowingly disseminated an intimate image of Plaintiff through
16 electronic means.

17 244. Plaintiff did not consent to the dissemination of the image by any means, nor
18 by electronic means.

19 245. Defendants disseminated the image(s) with intent to harm Plaintiff.

20 246. Defendants knew or should have known that such dissemination of a private
21 video was likely to be highly offensive and harmful not only to Plaintiff, but to a
22 reasonable person of ordinary sensibilities.

23 247. Defendants must pay damages in an amount to be determined at trial, but
24 exceeding \$25,000 for compensatory damages for emotional pain, suffering,
25 inconvenience, mental anguish and loss of enjoyment of life because they engaged in
26 illegal actions.
27
28

1 248. Because Defendants are guilty of oppression, fraud or malice, express or
2 implied, Defendants must pay Plaintiff an additional amount for the sake of example
3 and by way of punishment.

4 249. Plaintiff has had to obtain the services of an attorney to protect her rights and
5 secure compensation for the damages incurred as a result of these violations and
6 therefore, she is entitled to recover reasonable attorney's fees against Defendants.

7
8 Dated this 5th day of March, 2019.

9
10 Respectfully submitted,

11 **HKM EMPLOYMENT ATTORNEYS, LLP**

12 By: /s/ Jenny L. Foley
13 JENNY L. FOLEY, PHD., ESQ.
14 Nevada Bar No. 9017
15 E-mail: jfoley@hkm.com
16 MARTA D. KURSHUMOVA
17 Nevada Bar No. 14728
18 E-mail: mkurshumova@hkm.com
19 1785 East Sahara, Suite 300
20 Las Vegas, Nevada 89104
21 Tel: (702) 805-8340
22 Fax: (702) 625-3893
23 *Attorney for Plaintiff*

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFF

JANE DOE, An Individual

Clark

(EXCEPT IN U.S. PLAINTIFF CASES)

(b) County of Residence of First Listed Plaintiff

(c) Attorneys (Firm Name, Address, and Telephone Number)

HKM Employment Attorneys LLP

Jenny L. Foley, Ph.D., Esq.

1785 East Sahara Ave, Suite 325, Las Vegas, NV 89104

702-577-3029

DEFENDANTS

CITY OF LAS VEGAS, CITY OF HENDERSON, NATHAN HANNIG, an Individual, MARIO RUEDA, an Individual, RUBEN SANCHEZ, an Individual, JAMES SUAREZ, an Individual; et al. ORPORATIONS I-X.

Clark

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

<input type="checkbox"/> 1 U.S. Government Plaintiff	<input type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)
<input type="checkbox"/> 2 U.S. Government Defendant	<input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

	PTF	DEF		PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	PERSONAL INJURY	PERSONAL INJURY	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 375 False Claims Act
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 365 Personal Injury - Product Liability	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 376 Qui Tam (31 USC 3729(a))
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 367 Health Care/ Pharmaceutical Personal Injury Product Liability	PROPERTY RIGHTS	<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 330 Federal Employers' Liability	<input type="checkbox"/> 820 Copyrights	<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 830 Patent	<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 350 Motor Vehicle	PERSONAL PROPERTY	<input type="checkbox"/> 835 Patent - Abbreviated New Drug Application	<input type="checkbox"/> 450 Commerce
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans)	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 460 Deportation
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 371 Truth in Lending	SOCIAL SECURITY	<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 861 HIA (1395ff)	<input type="checkbox"/> 480 Consumer Credit
<input type="checkbox"/> 190 Other Contract		<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 862 Black Lung (923)	<input type="checkbox"/> 490 Cable/Sat TV
<input type="checkbox"/> 195 Contract Product Liability			<input type="checkbox"/> 863 DIWC/DIWW (405(g))	<input type="checkbox"/> 850 Securities/Commodities/ Exchange
<input type="checkbox"/> 196 Franchise			<input type="checkbox"/> 864 SSID Title XVI	<input type="checkbox"/> 890 Other Statutory Actions
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	<input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 891 Agricultural Acts
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 440 Other Civil Rights	Habeas Corpus:	FEDERAL TAX SUITS	<input type="checkbox"/> 893 Environmental Matters
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 463 Alien Detainee	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)	<input type="checkbox"/> 895 Freedom of Information Act
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 896 Arbitration
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 443 Housing/ Accommodations	<input type="checkbox"/> 530 General		<input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 445 Amer. w/Disabilities - Employment	<input type="checkbox"/> 535 Death Penalty		<input type="checkbox"/> 950 Constitutionality of State Statutes
<input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 446 Amer. w/Disabilities - Other	Other:		
	<input type="checkbox"/> 448 Education	<input type="checkbox"/> 540 Mandamus & Other		
		<input type="checkbox"/> 550 Civil Rights		
		<input type="checkbox"/> 555 Prison Condition		
		<input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement		

V. ORIGIN (Place an "X" in One Box Only)

<input type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from Another District (specify)	<input type="checkbox"/> 6 Multidistrict Litigation - Transfer	<input type="checkbox"/> 8 Multidistrict Litigation - Direct File
--	---	--	---	--	--	---

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
42, USC, 2000 ET. SEQ.

VI. CAUSE OF ACTION

Brief description of cause:
Unlawful workplace discrimination based on race, color, national origin and for retaliation under Title VII of the Civil Rights Act of 1964

VII. REQUESTED IN COMPLAINT:

 CHECK IF THIS IS A CLASS ACTION
UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: Yes No

VIII. RELATED CASE(S)

IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44**Authority For Civil Cover Sheet**

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
 United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
 United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
 Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
 Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.
 Original Proceedings. (1) Cases which originate in the United States district courts.
 Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.
 Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
 Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
 Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
 Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
 Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7. Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
 Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
 Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.

UNITED STATES DISTRICT COURT
for the

_____ District of _____

Plaintiff(s)

v.

Civil Action No.

Defendant(s)

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
on *(date)* _____; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
on *(date)* _____; or

I returned the summons unexecuted because _____; or

Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

_____ *Printed name and title*

_____ *Server's address*

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT
for the

_____ District of _____

Plaintiff(s)

v.

Civil Action No.

Defendant(s)

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
on *(date)* _____; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
on *(date)* _____; or

I returned the summons unexecuted because _____; or

Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT
for the

_____ District of _____

Plaintiff(s)

v.

Civil Action No.

Defendant(s)

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
on *(date)* _____; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
on *(date)* _____; or

I returned the summons unexecuted because _____; or

Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

_____ *Printed name and title*

_____ *Server's address*

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT
for the

_____ District of _____

Plaintiff(s)

v.

Civil Action No.

Defendant(s)

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
on *(date)* _____; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
on *(date)* _____; or

I returned the summons unexecuted because _____; or

Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

_____ *Printed name and title*

_____ *Server's address*

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT
for the

_____ District of _____

Plaintiff(s)

v.

Civil Action No.

Defendant(s)

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
on *(date)* _____; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
on *(date)* _____; or

I returned the summons unexecuted because _____; or

Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

_____ *Printed name and title*

_____ *Server's address*

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT
for the

_____ District of _____

Plaintiff(s)

v.

Civil Action No.

Defendant(s)

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
on *(date)* _____; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
on *(date)* _____; or

I returned the summons unexecuted because _____; or

Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT
for the

_____ District of _____

Plaintiff(s)

v.

Civil Action No.

Defendant(s)

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
on *(date)* _____; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
on *(date)* _____; or

I returned the summons unexecuted because _____; or

Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

_____ *Printed name and title*

_____ *Server's address*

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT
for the

_____ District of _____

Plaintiff(s)

v.

Civil Action No.

Defendant(s)

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
on *(date)* _____; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
on *(date)* _____; or

I returned the summons unexecuted because _____; or

Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

_____ *Printed name and title*

_____ *Server's address*

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT
for the

_____ District of _____

Plaintiff(s)

v.

Civil Action No.

Defendant(s)

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
on *(date)* _____; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
on *(date)* _____; or

I returned the summons unexecuted because _____; or

Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT
for the

_____ District of _____

Plaintiff(s)

v.

Civil Action No.

Defendant(s)

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
on *(date)* _____; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
on *(date)* _____; or

I returned the summons unexecuted because _____; or

Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

_____ *Printed name and title*

_____ *Server's address*

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT
for the

_____ District of _____

Plaintiff(s)

v.

Civil Action No.

Defendant(s)

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
on *(date)* _____; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
on *(date)* _____; or

I returned the summons unexecuted because _____; or

Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT
for the

_____ District of _____

Plaintiff(s)

v.

Civil Action No.

Defendant(s)

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
on *(date)* _____; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
on *(date)* _____; or

I returned the summons unexecuted because _____; or

Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT
for the

_____ District of _____

Plaintiff(s)

v.

Civil Action No.

Defendant(s)

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
on *(date)* _____; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
on *(date)* _____; or

I returned the summons unexecuted because _____; or

Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

I declare under penalty of perjury that this information is true.

Date: _____

*Server's signature**Printed name and title**Server's address*

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT
for the

_____ District of _____

Plaintiff(s)

v.

Civil Action No.

Defendant(s)

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
on *(date)* _____; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
on *(date)* _____; or

I returned the summons unexecuted because _____; or

Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT
for the

_____ District of _____

Plaintiff(s)

v.

Civil Action No.

Defendant(s)

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
on *(date)* _____; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
on *(date)* _____; or

I returned the summons unexecuted because _____; or

Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc: