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NO. _____

JEFFERSON CIRCUIT COURT
DIVISION ____ ()
JUDGE _____

SHANNON LAUDER

and

JEFFREY LAUDER

PLAINTIFFS

v.

LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT
d/b/a LOUISVILLE METRO POLICE DEPARTMENT,
ex rel. Craig Greenberg, in his official capacity as Mayor; Jacquelyn
Gwinn-Villaroel, in her official capacity as Chief of Police; Maj.
Mindy Vance, in her official capacity as Sixth Division Major; Maj.
Brian Kuriger, in his official capacity as Major of the Special
Investigations Unit, and; Lauren Carby, in her official capacity as
Sergeant, and; all other officers, employees, and agents of the
Louisville/Jefferson County Metro Police Department d/b/a
Louisville Metro Police Department mentioned herein in their
official capacities.

Serve: Mayor Craig Greenberg
Louisville Metro Hall
527 West Jefferson Street
Louisville, Kentucky 40202

and

JACQUELYN GWINN-VILLAROEL, in her individual capacity
Louisville Metro Police Department
2911 Taylor Boulevard
Louisville, Kentucky 40208

Serve: Jacquelyn Gwinn-Villaroel
2911 Taylor Boulevard
Louisville, Kentucky 40208

and

Presiding Judge: HON. PATRICIA "TISH". MORRIS (630457)

COM : 000001 of 000049

NOT ORIGINAL

DOCUMENT

07/30/2024 11:39:51

AM

MINDY VANCE, in her individual capacity
Louisville Metro Police Department
2911 Taylor Boulevard
Louisville, Kentucky 40208

MEDIA5033

Serve: Mindy Vance
3303 Ronnie Lee Circle
Louisville, Kentucky 40299

and

BRIAN KURIGER, in his individual capacity
Louisville Metro Police Department
2911 Taylor Boulevard
Louisville, Kentucky 40208

Serve: Brian Kuriger
10508 Vista Hills Boulevard
Louisville, Kentucky 40291

And

LAUREN CARBY, in her individual capacity
Louisville Metro Police Department
2911 Taylor Boulevard
Louisville, Kentucky 40208

Serve: Lauren Carby
17202 Polo Hills Place
Louisville, KY 40245

And

MAYOR CRAIG GREENBERG, in his individual capacity

Serve: Louisville Metro Hall
527 West Jefferson Street
4th Floor
Louisville, Kentucky 40202

DEFENDANTS

VERIFIED COMPLAINT

Presiding Judge: HON. PATRICIA "TISH". MORRIS (630457)

COM : 000002 of 000049

NOT ORIGINAL

DOCUMENT

07/30/2024 11:39:51

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Come now the plaintiffs, Shannon Lauder and Jeffrey Lauder, by counsel and for their causes of action and claims for relief state as follows:

MEDIA5033

JURISDICTION AND VENUE

1. Plaintiff, Shannon Lauder (hereinafter “Shannon”), is and was at all times relevant, a resident of Oldham County, Kentucky, and employed by Louisville Metro Government (hereinafter “Louisville Metro”) d/b/a Louisville Metro Police Department (hereinafter “LMPD”) in Jefferson County, Kentucky.

2. Plaintiff, Jeffrey Lauder (hereinafter “Jeff”), is and was at all times relevant, a resident of Oldham County, Kentucky, and employed by Defendant Louisville Metro at LMPD, in Jefferson County, Kentucky.

3. Defendant Louisville/Jefferson County Metro Government (hereinafter “Louisville Metro) d/b/a Louisville Metro Police Department (hereinafter “LMPD”) began operations on January 6, 2003, as part of the creation of the consolidated city-county government. LMPD was formed by the merger of the Jefferson County Police Department and the Louisville Division of Police.

4. Defendant Louisville Metro is a “municipality” and “municipal corporation.” See Louisville/Jefferson County Metro Government Code of Ordinances, § 10.06.

5. Defendant Louisville Metro is a “Consolidated Local Government” and “shall have all powers and privileges that cities of the first class and their countries are, or may hereafter be, authorized to exercise under the Constitution and the general laws of the Commonwealth of Kentucky.” KRS § 67C.101(2)(a).

6. Defendant Louisville Metro, as a statutorily defined “City,” has the capacity to “sue and be sued.” See KRS § 82.081; KRS § 83.240.

Presiding Judge: HON. PATRICIA "TISH". MORRIS (630457)

COM : 000003 of 000049

NOT ORIGINAL

07/30/2024 11:39:51

MEDIA5033

DOCUMENT

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7. Defendant Louisville Metro has the statutory authority to “expend funds necessary to insure any of its employees, officials, and property against any liability . . . arising out of an act or omission committed in the scope and course of performing legal duties.” KRS § 65.150(1).

8. Upon information and belief, Defendant Louisville Metro self-insures for such liability up to \$500,000.00. Beyond that amount, upon information and belief, Louisville Metro participates in the Louisville Area Governmental Self Insurance Trust (LAGIT) which insures Louisville Metro’s liability through a private insurance carrier for in excess of \$10,000,000.00. LAGIT is registered with the Kentucky Department of Insurance as a “liability self-insurance group.” LAGIT has a Department of Insurance ID, 300065.

9. The purchase and provision for such funds by a county or city represents an indirect waiver of any immunity for tort claims that might be asserted directly against Louisville Metro. *Lexington-Fayette Urban Cty. Gov’t v. Smolcic*, 142 S.W.3d 128, n.2 (Ky. 2004) (Unlike express statutory authority waivers of immunity for the state or state agencies, the waiver “does not have to be direct.”).

10. Defendant, Jacquelyn Gwinn-Villaroel (hereinafter “Gwinn-Villaroel”), in her individual capacity, at all times relevant, was and is employed by Louisville Metro at LMPD where she served, amongst other roles, as “Chief of Police”. Gwinn-Villaroel served as Chief of Police from January 2023 to June 2024. Gwinn-Villaroel was suspended on June 12, 2024. Gwinn-Villaroel resigned from her position on June 25, 2024. Upon information and belief, she resides in Jefferson County, Kentucky.

11. Defendant, Mindy Vance (hereinafter “Vance”), in her individual capacity, at all times relevant, was and is employed by Louisville Metro at LMPD where she serves as “Sixth Division

Presiding Judge: HON. PATRICIA "TISH". MORRIS (630457)

COM : 000004 of 000049

NOT ORIGINAL

DOCUMENT

07/30/2024 11:39:51

AM

Major” and resides in Jefferson County, Kentucky. Vance was transferred to the Sixth Division on August 27, 2023.

MEDIA5033

12. Defendant, Brian Kuriger (hereinafter “Kuriger”), in his individual capacity, at all times relevant, was and is employed by Louisville Metro at LMPD where he currently serves as “Special Investigations Division Major”, and resides in Jefferson County, Kentucky. Brian Kuriger was transferred to the Special Investigations Division (“SID”) on January 3, 2023. Kuriger was suspended by LMPD on June 25, 2024.

13. Defendant, Lauren Carby (hereinafter “Carby”), in her individual capacity, at all times relevant, was and is employed by Louisville Metro at LMPD where she serves as “Sergeant” and resides in Jefferson County, Kentucky.

14. Defendant Mayor Craig Greenberg (hereinafter “Mayor Greenberg”), in his individual capacity, currently serves as the Mayor of Louisville, Kentucky, and resides within the State.

15. That, “[a]ll executive and administrative power of the government shall be vested in the office of the mayor,” KRS § 67C.105(1). The Chief of Police is responsible for all duties, regulations, policies, and procedures for the Louisville Metro Police Department and has authority over the agents and employees of the department, subject only to the mayor’s authority. Lou. Metro Ord. § 36.02.

16. Plaintiffs’ causes of action arise under the Kentucky Civil Rights Act, as codified in KRS Chapter 344, et seq., the Kentucky Whistleblower Act, as codified in KRS § 61.102 and § 61.103, various other Kentucky Revised Statutes, Louisville Metro at LMPD’s Policies/Standard Operating Procedures, common law ministerial duties, and from events that took place in the Commonwealth of Kentucky.

Presiding Judge: HON. PATRICIA "TISH". MORRIS (630457)

COM : 000005 of 000049

NOT ORIGINAL

DOCUMENT

07/30/2024 11:39:51

AM

17. Plaintiffs' damages exceed the jurisdictional threshold requirement, and therefore, this honorable Court has proper jurisdiction over the matter(s).

MEDIA5033

OVERVIEW

18. The LMPD has gotten far adrift of its mission, to "*deliver professional effective services fairly and ethically at all times to all people in order to prevent crime, control crime, and enhance the overall quality of life for citizens and visitors.*"

19. As evidenced by this Complaint and the various other lawsuits plaguing the LMPD and the City of Louisville, it is clear that LMPD Leadership has consistently abused its power and thus fostered the continuation and evolution of a toxic and hostile work environment.

20. Plaintiffs Shannon and Jeff Lauder began their employment with Louisville Metro at LMPD on June 30, 2008.

21. Since that time, Shannon and Jeff have been exemplary employees for LMPD, as evidenced by their ranks and their various professional accomplishments, discussed in more detail *infra*.

22. Defendants Vance and Kuriger were also employed by LMPD during this time, with Defendants Vance and Kuriger as well as Plaintiffs Shannon and Jeff often vying for the same promotions and professional acknowledgements.

23. On August 1, 2020, the Lauders hosted an open house to celebrate their recent professional accomplishments and the retirement of a cherished colleague, the late Sergeant Tim Stokes.

24. Defendant Carby attended the Lauders' open house and confronted Jeff regarding her belief that Shannon was having an affair.

25. Shannon spoke with Defendant Carby to clear the air and dispel this rumor, to no avail.

Presiding Judge: HON. PATRICIA "TISH". MORRIS (630457)

COM : 000006 of 000049

NOT ORIGINAL

DOCUMENT

07/30/2024 11:39:51

AM

26. Over the following months, this rumor spread like wildfire through LMPD.

27. Although these rumors were addressed by the Lauders with various members of LMPD

MEDIA5033

Leadership, including but not limited to Chief Yvette Gentry, Chief Erika Shields, and Defendants Vance and Gwinn-Villaroel, no action was taken to address the hostile work environment or prevent further harm to the Lauders' reputations and careers.

28. Nonetheless, despite the dysfunction within the LMPD, the strain of the rumors on their professional reputations, the unfair treatment by LMPD Leadership, and the unwillingness of LMPD Leadership to enforce appropriate workplace behavior, the Lauders remained committed to the mission of the department and resolved to lead the LMPD by example.

29. The harassment only intensified. What may have at one time started out as healthy competition between colleagues had evolved into full-blown professional jealousy and resulted in a severely toxic and hostile work environment. Taunts, sexual comments, and unwanted advances had become the norm and allegations of officer misconduct were rampant throughout the department.

30. Following a workplace dispute completely unrelated to the rumor between Defendant Carby and Shannon, Defendant Vance began targeting the Lauders.

31. Defendant Vance pressured Defendant Carby to file a formal complaint regarding the Lauders.

32. When Carby refused to do so, Defendant Vance took matters into her own hands, informed Defendant Gwinn-Villaroel of the information she had learned in the PST meeting, and pressured Defendant Gwinn-Villaroel to file a formal PSU case against the Lauders - in direct violation of Peer Support Team ("PST") policy and the accompanying confidentiality required of PST meetings.

Presiding Judge: HON. PATRICIA "TISH" MORRIS (630457)

COM : 000007 of 000049

NOT ORIGINAL

DOCUMENT

07/30/2024 11:39:51

AM

33. Defendant Kuriger was named the Lead Investigator on the PSU case.

34. This was not Shannon's first encounter with Defendant Kuriger as they had been colleagues vying for similar promotions in the past and Shannon had been sexualized by him, as discussed *infra*.

MEDIA5033

35. Shannon was sexually harassed by Defendant Kuriger during the investigative proceedings.

36. Jeff contacted the Fraternal Order of Police in an effort to address the breach of confidentiality and violations of Kentucky law that had led to the PSU case against Shannon and Jeff.

37. Ultimately, the FOP addressed the breach of confidentiality by filing a lawsuit on behalf of all of the officers in the PST meeting at issue, and Hon. Ann Bailey Smith ruled that LMPD had violated Kentucky law.

38. Nonetheless, Shannon and Jeff continued to be subjected to retaliation and disparate treatment in the workplace.

39. Shannon wrote a letter to LMPD Leadership, specifically Defendant Chief Gwinn-Villaroel, outlining numerous LMPD policy violations.

40. Shannon's letter made it all the way to the office of the Mayor of Louisville, who failed to take any action whatsoever. This only served to embolden Defendant Chief Gwinn-Villaroel and enabled her to take no action to improve the work environment at LMPD.

41. Despite undertaking various efforts to solve these issues internally within the LMPD, Shannon was forced to step up as a leader within the LMPD on May 22, 2024. This is the day that Defendant Gwinn-Villaroel called an urgent meeting with the intention of promoting Defendant Kuriger to the top of her command staff at LMPD.

Presiding Judge: HON. PATRICIA "TISH". MORRIS (630457)

COM : 000008 of 000049

NOT ORIGINAL

DOCUMENT

07/30/2024 11:39:51

AM

42. At this point, Shannon was forced to come forward in a more public manner about the treatment she had been subjected to by Defendant Kuriger so as not to further enable the toxic work environment at LMPD.

MEDIA5033

43. The Lauders are not the only victims of harassment and discrimination at the hands of Louisville Metro at LMPD. Defendant Carby since filed a lawsuit on June 20, 2024, acknowledging that:

- a. Major Vance orchestrated the PST meeting and falsely stated that it was for the purpose of Carby coming forward about the party;
- b. Defendant Carby left the PST meeting targeting Shannon because she felt that was the only opportunity for the department to shift gears and focus on the true problems plaguing the department;
- c. Following the PST meeting, Major Vance repeatedly and consistently pressured Carby to report the alleged events at the party;
- d. Major Vance also repeatedly and consistently pressured Carby to pursue a claim regarding the alleged events at the party;
- e. Carby feared adverse consequences in the workplace due to her actions, including her refusal to report;
- f. When Carby refused to file a formal complaint, Vance took it into her own hands to disseminate this confidential information so that an investigation could be pursued, in direct violation of PST protocol and policy;
- g. The leadership misconduct is rampant throughout the LMPD and remains unchecked; and

Presiding Judge: HON. PATRICIA "TISH". MORRIS (630457)

COM : 000009 of 000049

NOT ORIGINAL

DOCUMENT

07/30/2024 11:39:51

AM

- h. It was widely known that there is a longstanding bitter conflict between Defendant Vance and Shannon.

MEDIA5033

44. Recently, the pervasiveness of the toxic culture of LMPD, as well as the poor leadership of its administration, have been under public spotlight, as evidenced by:

- a. Breonna Taylor’s tragic death following execution of a materially false search warrant, which was approved by the LMPD;
- b. The controversy surrounding the newly appointed Chief Gwinn-Villaroel’s brief suspension of LMPD officers caught throwing slushies at civilian pedestrians as they walked along Louisville streets, which she handed down on or about July 2023;
- c. Then Chief Gwinn-Villaroel’s committing perjury when she wrongly testified during a civil trial on or about November 19, 2023, that she had not been wearing a body camera when she arrived on the scene of a deadly accident; and
- d. LMPD’s now infamous false arrest of Scottie Scheffler, the World’s top ranked (and upon information and belief “calmest”) golfer on May 17, 2024, only to have exposed the fact that the arresting officer did not have his body camera on at the time of arrest, a direct LMPD policy violation.

45. The United States Department of Justice has also weighed in on the LMPD’s litany of failures, violations, and shortcomings following the tragic death of Breonna Taylor, noting:

- a. Serious concerns that the LMPD does not adequately investigate reports of sexual misconduct and domestic violence, including such allegations made against its own officers;

Presiding Judge: HON. PATRICIA "TISH". MORRIS (630457)

COM : 000010 of 000049

NOT ORIGINAL

DOCUMENT

AM

07/30/2024 11:39:51

MEDIA5033

- b. LMPD's failure to adequately support and supervise its officers, and address their problematic conduct; and
- c. LMPD's internal accountability systems are flawed.

FACTS GIVING RISE TO THIS LAWSUIT

46. Shannon and Jeff are dedicated and loyal employees of Louisville Metro at LMPD, having served the City of Louisville for over sixteen years. Of note:

- a. Shannon progressed through the ranks of LMPD and was promoted to "Major" on July 21, 2020.
- b. Jeff progressed through the ranks of LMPD and was promoted to "Lieutenant" on August 28, 2020, and was later appointed Commander of LMPD's SWAT Team.

47. On August 1, 2020, Shannon and Jeff hosted an open house of approximately twenty friends, neighbors, and colleagues to celebrate their recent professional accomplishments and the retirement of late Sergeant Tim Stokes. Guests came and went throughout the day.

48. One guest, Defendant Lauren Carby, Shannon's long-time friend of nearly ten years, attended the gathering for a few hours.

49. During the gathering, Defendant Carby confronted Jeff with the allegation that Shannon had been having an affair.¹

50. Jeff and Shannon informed Defendant Carby that her allegation was entirely untrue and asked Defendant Carby not to perpetuate any rumors.

¹ Defendant Carby concluded that Shannon was having an affair, yet she had no evidence of such. Shannon and the LMPD detective that Defendant Carby accused Shannon of having an affair with had been tasked with traveling to Thailand to teach the Royal Thai Police how to investigate sexual assault allegations. To prepare for this assignment and ensure that the LMPD was well-represented on the international stage, Shannon and the aforementioned detective spent time preparing the presentation and curriculum. Upon information and belief, it seems that this is the entire basis of Defendant Carby's allegation, yet Shannon was just fulfilling her duties and responsibilities to LMPD.

NOT ORIGINAL

DOCUMENT

07/30/2024 11:39:51

AM

51. Nonetheless, in the months that followed, Shannon was made aware by her colleagues that Defendant Carby continued to perpetuate this rumor at work, and that, like a game of telephone, it had rapidly grown more sexually explicit and had taken on a life of its own.

MEDIA5033

52. Jeff and Shannon understood that reacting or responding to the rumors in any manner or form could serve to perpetuate them further, and decided to let the rumors fade with the passage of time.

53. Again, Shannon attempted to quash these rumors by addressing them directly with Defendant Carby, but to no avail.

54. Jeff and Shannon were also experiencing a hostile work environment at the hands of Defendant Kuriger during this time.

55. By way of background, Jeff was assigned as the Basic Training Sergeant at the LMPD Training Academy from April 2019 through September 2020, and Defendant Kuriger was Jeff's direct supervisor.

56. Defendant Kuriger engaged in extremely inappropriate behavior, namely by:

- a. Making comments about female officers' bodies, including Shannon's body;
- b. Making disparaging comments about and to Shannon;
- c. Social media stalking new recruits and their significant others, and making sexual comments about them; and
- d. Receiving lap dances from female recruits at training academy graduation parties.

57. By December of 2020, the rumors had spread at LMPD to the point that it began to negatively affect Shannon and Jeff's ability to fulfill their professional responsibilities and lead their respective teams within LMPD to the best of their ability.

58. By December of 2020, Jeff and Shannon's work environment had become hostile.

Presiding Judge: HON. PATRICIA "TISH". MORRIS (630457)

COM : 000012 of 000049

NOT ORIGINAL

DOCUMENT

07/30/2024 11:39:51

AM

59. LMPD policy and procedure requires the reporting of sexual harassment.

60. Shannon informed then Lieutenant Colonel Josh Judah (hereinafter “Lt. Col. Judah”) and Interim Chief Yvette Gentry (hereinafter “Chief Gentry”) of the harassment she was experiencing, including ongoing rumors of a sexual nature.

MEDIA5033

61. Chief Gentry provided Shannon with understanding and support, and confided in Shannon that:

- a. She understood what Shannon was going through;
- b. That, she, too, had been the subject of gender discrimination during her time serving in leadership roles as a female in the police force; and
- c. Due to her history of experiencing gender discrimination in the form of sexual harassment, she often elected to forego work trips.

62. On or about January 19, 2021, Chief Gentry stepped down and Erika Shields was sworn in as Chief of LMPD.

63. Chief Shields had clearly heard of the rumors circulating through the workplace regarding Shannon and Jeff, and took it upon herself to reprimand Shannon in a meeting that took place between them on March 19, 2021.

64. Shannon responded to Chief Shields’ reprimands, explaining that the rumors were not true and that they were affecting the workplace.

65. Chief Shields advised Shannon that she would not have to deal with the harassment if she were “fatter and uglier.”

66. After this March 19, 2021 meeting, Chief Shields began treating Shannon differently than her peers, including by publicly lashing out at her during meetings.

Presiding Judge: HON. PATRICIA "TISH". MORRIS (630457)

COM : 000013 of 000049

NOT ORIGINAL

DOCUMENT

AM

07/30/2024 11:39:51

MEDIA5033

67. Chief Shields was eventually approached by colleagues who informed her that they had taken notice of her disparate treatment of Shannon.

68. Nearly a year had passed since the March 19, 2021 meeting, when Chief Shields finally invited Shannon to her office to apologize for her disparate treatment of her Chief Shields explained that she had been treating Shannon differently because she was a woman and she felt it necessary to be harder on her than the men because a career in law enforcement for women who have the potential to excel in leadership positions is uniquely difficult.

69. In the Fall of 2021, Defendant Kuriger was promoted to the rank of Major and transferred to the Seventh Division.

70. Defendant Kuriger utilized bribery to recruit Shannon's subordinates to transfer out of her division to work for him and be a part of his "super squad."

71. On or about May 20, 2022, Shannon and Defendant Vance had a difference of professional opinion regarding how to respond following an armed gunman event.

72. Shannon and Defendant Vance were called into their superior's office to discuss this incident in further detail.

73. Following that meeting, Shannon expressed to her superiors that she feared Defendant Vance would retaliate against her consistent with her history of retaliation against fellow officers.

74. Shannon's fear was quickly realized.

75. On or about July 12, 2022, Jeff, Commander of the SWAT team at the time, was called into a meeting with Defendant Vance to discuss the state of SWAT, as Defendant Vance had been promoted to a role that supervised the SWAT team.

Presiding Judge: HON. PATRICIA "TISH". MORRIS (630457)

COM : 000014 of 000049

NOT ORIGINAL

DOCUMENT

07/30/2024 11:39:51

AM

76. During this July 12, 2022 meeting, although concerned about potential retaliation, Jeff shared the following concerns with Defendant Vance:

MEDIA5033

- a. He wanted to improve the toxic environment left by the previous SWAT commander;
- b. Rumors had been percolating through the LMPD about him and his wife;
- c. Obscene statements had been made to him by his superior in front of the SWAT team;
- d. Offensive and sexually inappropriate reading materials had been left on his desk.

77. Defendant Vance did not address the hostile work environment concerns described by Jeff, nor did she offer to help or implement any changes to address the rumors and harassment.

78. Jeff’s fear of retaliation would soon also be realized.

79. On or about August 5, 2022, Jeff was informed by a SWAT member that Defendant Vance had questioned Jeff’s ability to lead the SWAT team and expressed disdain for Shannon.

80. Sometime after May 25, 2022, and in conjunction with the rising tension between Defendant Vance and the Lauders, Defendants Vance and Carby scheduled a meeting with the Peer Support Team (“PST”) and members of the Domestic Violence Unit (“DVU”).

81. The Mission of the Peer Support Team and the importance of confidentiality surrounding Peer Support Team meetings and communications is evidence in the PST Operations Manual:

2.0 Mission Statement

The Louisville Metro Police Department recognizes that its members are the agency’s most valuable asset. Therefore, maintaining officer wellness is of the utmost priority. The PST exists to support officer wellness through trauma informed interventions and emotional support with a focus on normalizing stress reactions to critical and/or traumatic incidents. The PST provides support to any department member in need for both on-duty and off-duty incidents.

10.0 Confidentiality

Presiding Judge: HON. PATRICIA "TISH". MORRIS (630457)

COM : 000015 of 000049

NOT ORIGINAL

DOCUMENT

07/30/2024 11:39:51

AM

Members of the PST will maintain the strictest confidentiality while engaged in team operations. While working with department member, a team member may only share information gained from confidential communication with officers with members of PST command, the Police Counselor, and/or Louisville Metro Government's Employee Assistance Program (EAP) personnel to obtain services for the member they are serving. At no time will any member of PST share any privileged information with anyone outside of the PST. Doing so is grounds for immediate dismissal from the team and/or further disciplinary action. Threats to harm one's self and/or others are not covered under confidentiality per Section 9.6.

82. Defendant Vance's manipulation of the PST, her involvement and role in the PST meeting, and the actions she took next are in direct violation of the Peer Support Team policy and protocol, including its Mission.

83. Defendant Vance disregarded the importance of PST confidentiality, and further violated PST policy by participating in the meeting in the manner she did. Specifically:

- a. Defendant Vance was "commander" of the PST at the time at the time the meeting took place and led the meeting in the role of "counselor" in violation of PST Operations Manual ("LMPOM – PST – OM") Sec. 3.0 and. Sec. 4.
- b. Defendant Vance remained in the position of PST "commander" while having "other command responsibilities within the Special Operations Division," in violation of LMPOM – PST – OM Sec. 4.1;
- c. Defendant Vance remained the PST commander following her promotion to "Major," in violation of LMPOM – PST – OM Sec. 4.1.

84. During the confidential PST meeting called by Defendants Vance and Carby, the rumors regarding Shannon and Jeff were repeated, and Defendant Vance pressured Defendant Carby to file a formal complaint against Shannon and Jeff.

85. Despite pressure from Defendant Vance, Defendant Carby was firm in stating she did not want to file a formal complaint.

Presiding Judge: HON. PATRICIA "TISH". MORRIS (630457)

COM : 000016 of 000049

NOT ORIGINAL

DOCUMENT

07/30/2024 11:39:51

AM

86. When Carby refused to do so, Defendant Vance took matters into her own hands, by reporting the information that she had gleaned from the confidential PST meeting with another

MEDIA5033

Major in the Department, again violating PST Policy. LMPOM – PST – OM Sec. 10.0 and 10.1.

87. That officer reached out to Defendant Carby to again ask if she wanted to file a formal complaint and Defendant Carby reiterated that she did not want to do so.

88. Defendant Vance breached PST confidentiality yet again when she informed Defendant Chief Jacquelyn Gwinn-Villaroel of the rumor shared during the PST meeting.

89. Upon information and belief, Defendant Vance pushed Defendant Gwinn-Villaroel to initiate PSU case 22-036 against Shannon and Jeff under then Chief Shields' name.

90. This PSU case was illegally initiated based on confidential information obtained from a PST meeting, but a preliminary investigation was also not conducted prior to its initiation as required by PSU Operations Manual Sec. 3, 2.10.4, and LMPD's own Standard Operating Procedure (SOP) 2.10.4. Further, the investigation of the PSU case was assigned to the Jefferson County Attorney's Office in direct violation of the applicable Collective Bargaining Agreement (hereinafter "CBA"), LMPD's own SOP's 2.10.1 and 2.10.4, and KRS 15.520(5)(a).

91. Defendant Vance continued her retaliation against Jeff in his role as SWAT commander:

- a. On November 2, 2022, Defendant Vance spoke with one of Jeff's superiors and requested Jeff's removal as SWAT commander. Jeff complained to this superior about the rumors and harassment he and Shannon had endured.
- b. On November 28, 2022, another SWAT officer advised Jeff that Defendant Vance had told him "Jeff better watch out because he is getting close to being removed."

Presiding Judge: HON. PATRICIA "TISH". MORRIS (630457)

COM : 000017 of 000049

NOT ORIGINAL

DOCUMENT

07/30/2024 11:39:51

AM

92. In the meantime, on or about November 7, 2022, Jeff filed a formal grievance concerning the impropriety of the administrative investigation being conducted by the Office of the Jefferson County Attorney; Jeff won his grievance on November 29, 2022.

MEDIA5033

93. Upon winning his grievance, PSU case 22-036 as related to Jeff, was reassigned to Lieutenant Godfrey, but Shannon's PSU case remained with the same investigator from the Office of the Jefferson County Attorney.

94. On or about December 10, 2022, Jeff received a call from his brother, who informed Jeff that he had recently attended a fundraiser during which a former LMPD officer informed him that Defendant Vance's husband, also with the LMPD, had called and discussed details of the PSU case against Shannon and Jeff with him.

95. Due to the mishandling of these investigations, Jeff and Shannon have been forced to answer intrusive questions from numerous professional acquaintances, city council members, colleagues, family, and friends, none of whom work for LMPD.

96. On December 20, 2022, Jeff again raised his concern with one of his superiors that the initiation of PSU case 22-036 violated Kentucky law.

97. On January 3, 2023, Defendant Kuriger became head of the Special Investigation Division (hereinafter "SID"), placing him in charge of the PSU and the PIU.

98. On January 5, 2023, Jeff informed Defendant Kuriger, now head of the SID, that PSU case 22-036 had been initiated against him and his wife in violation of Kentucky law.

99. Defendant Kuriger subsequently assigned himself as lead investigator of PSU case #22-036.

100. On January 27, 2023, Shannon reached out to Lt. Godfrey, the recently assigned PSU commander, to request an update on PSU case 22-036 and asked whether Defendant Vance was

Presiding Judge: HON. PATRICIA "TISH". MORRIS (630457)

COM : 000018 of 000049

NOT ORIGINAL

DOCUMENT

07/30/2024 11:39:51

AM

going to be investigated as she had disclosed confidential information gleaned from a PST meeting in which she served as counselor.

MEDIA5033

101. That *very* same day Shannon was retaliated against in the form of a second PSU case 23-007 being opened against her, in violation of KRS 36.250-36.270 and the aforementioned PST policy.

102. On January 30, 2023, Defendant Kuriger formally served Shannon with the letter describing the initiation of this second PSU case against her.

103. Shannon, having spoken out so many times about the blatant violations of law and policy, tried again. She asked Defendant Kuriger what was being done about the violation of PST confidentiality that led to the initiation of PSU case 22-036, and Defendant Kuriger refused to give a direct response.

104. Having not received a response, Shannon complained directly to Defendant Chief Gwinn-Villaroel in a meeting on February 2, 2023 that Defendant Vance had violated PST confidentiality and Kentucky law. Shannon also explained that she had previously reported her harassment to many of her superiors, and that she was frustrated that nothing had been done.

105. During this meeting on February 2, 2023, Defendant Chief Gwinn-Villaroel did not want to address Shannon's complaints and informed Shannon that the entire situation frustrated her because it pre-dated her becoming Chief of LMPD and should have been addressed by her predecessors, but failed to offer to help or support Shannon.

106. Having received no recourse, Jeff called the Fraternal Order of Police (hereinafter "FOP") and reported that PSU cases 22-036 and 23-007 were opened and being conducted in violation of Kentucky law and LMPD policy, and that his and Shannon's rights were being violated.

Presiding Judge: HON. PATRICIA "TISH". MORRIS (630457)

COM : 000019 of 000049

NOT ORIGINAL

DOCUMENT

07/30/2024 11:39:51

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107. On or about February 10, 2023, FOP President Ryan Nichols met with Defendant Gwinn-Villaroel, SID commander Defendant Kuriger, and a former SID commander to inform them

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that:

- a. Kentucky law had been violated upon initiation of the subject PSU cases;
- b. They broke the law each time they conducted an interview regarding what was discussed during a PST meeting as PST meetings are strictly confidential;
- c. Interviews conducted based on information gleaned from a breach of PST confidentiality are illegal.

108. The FOP and LMPD agreed that interviews of Jeff and Shannon would proceed but that no additional PSU investigations would be conducted.

109. Defendant Kuriger conducted the interviews of Jeff and Shannon.

110. On or about February 24, 2023, Jeff was interviewed under oath and threat of being fired if he failed to answer questions.

111. Defendant Kuriger expressly denied Jeff the opportunity to have a union representative present during his interview.

112. During his interview, Jeff reported to Defendant Kuriger that both he and Shannon had been subjected to a hostile work environment due to Defendant Carby's propagation of the false rumors that she had spread about them and that this rumor and the resulting harassment had damaged their careers.

113. Jeff further explained to Defendant Kuriger that he had previously reported the harassment to Defendant Vance, and that Shannon had reported the harassment to Chief Gentry, and Chief Shields. Jeff expressed his frustration that no corrective action had been taken and cited the various LMPD SOPs pertaining to sexual harassment that had been violated.

Presiding Judge: HON. PATRICIA "TISH". MORRIS (630457)

COM : 000020 of 000049

NOT ORIGINAL

DOCUMENT

07/30/2024 11:39:51

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114. Shannon was interviewed, under oath, on February 26, 2023, with the understanding that she could be terminated for failure to answer questions.

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115. Defendant Kuriger expressly denied Shannon the opportunity to have a union representative present during her interview.

116. Shannon's interview took place late on a Sunday night in a vacant building with two male supervisors present, Defendant Kuriger and Lieutenant James McGaha.

117. Upon information and belief, at the time Jeff and Shannon's interviews took place, neither Defendant Kuriger nor Lt. McGaha had received the requisite training on how to properly conduct PSU interviews, as mandated by the applicable CBA Article 17 and PSU Operations Manual Sec. 4.

118. There were no female officers present during Shannon's interview.

119. Defendant Kuriger, who had made sexual comments about Shannon's body, who had made disparaging comments about Shannon to her and her husband, and who was known for making sexual comments about and receiving lap dances from recruits, took the lead questioning Shannon.

120. The setting in which Shannon's interview was conducted served only to further harass and discomfort Shannon due to her prior knowledge of Defendant Kuriger's sexually harassing behavior towards women and his publicized attraction to her.

121. During her interview, Shannon reported to Defendant Kuriger the harassment she had endured, and explained that she had reported such to Chief Gentry in 2020. When Shannon attempted to list each instance in which she had reported the harassment, Defendant Kuriger repeatedly cut her off, not allowing her to finish. Shannon insisted that she be allowed to complete her explanation as the fact that she had reported the harassment years prior to the

Presiding Judge: HON. PATRICIA "TISH". MORRIS (630457)

COM : 000021 of 000049

NOT ORIGINAL

DOCUMENT

07/30/2024 11:39:51

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investigation was relevant. She went on to detail her reporting of the harassment to Chief Shields and told Defendant Kuriger that Jeff had reported the same to Defendant Vance.

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122. During her interview, Shannon provided examples of how the rumors and harassment had affected her and Jeff's work. Shannon directed Defendant Kuriger to comments that had been posted on LMPD's official social media pages, and explained that sexual and inappropriate reading materials were left on Jeff's desk in the department.

123. Defendant Kuriger did not request or seek to discover any proof of Shannon's complaints nor did he offer any help or support.

124. Instead, Defendant Kuriger continued his improper line of questioning, which seemed aimed at getting Shannon to acquiesce to what was clear to her were Defendant Kuriger's preconceived conclusions regarding the subject matter of his investigation.

125. During her interview, Defendant Kuriger's line of questioning was inappropriate as his questions were not rooted in fact or evidence, and were in violation of PSU interview policy.

126. Not only did Defendant Kuriger disregard Shannon and Jeff's complaints during their interviews, he also violated PST confidentiality, their marital privilege, and their *Weingarten* rights.

127. As if that were not enough, Defendant Kuriger proceeded to violate the agreement between the LMPD and FOP and Kentucky law by scheduling and conducting additional interviews upon completion of Jeff and Shannon's interviews.

128. As a result, the FOP filed lawsuit No. 23-CI-001510 on March 7, 2023 in the Jefferson County Circuit Court on behalf of all officers in the PST meeting at issue.

129. While the FOP's lawsuit was pending in Court, it became apparent that Defendant Vance breached PST confidentiality a second time.

Presiding Judge: HON. PATRICIA "TISH". MORRIS (630457)

COM : 000022 of 000049

NOT ORIGINAL

DOCUMENT

07/30/2024 11:39:51

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130. On March 15, 2023, an LMPD Lieutenant wrote Defendant Chief Gwinn-Villaroel a memo titled “Violation of Peer Support Confidentiality” informing her of an incident wherein Defendant Vance had violated his right to PST confidentiality. The Lieutenant further wrote that at the time he confided in Defendant Vance he felt safe to do so due to her position of PST “commander”, but that he deeply regretted placing his trust in her recognizing that she is a toxic leader who should never have been entrusted in the role of commander of PST. He further cited Defendant Vance’s violation of Kentucky law and requested she be held accountable for her actions.

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131. A copy of the aforementioned March 15, 2023 memo that was sent to Defendant Chief Gwinn-Villaroel was also sent to Defendant Kuriger and Lt. Godfrey.

132. On August 2, 2023, PSU case #23-046 was initiated against Defendant Vance for violating the aforementioned Lieutenant’s PST confidentiality.

133. During her interview as part of the investigation of PSU case #23-046, Defendant Vance acknowledged the confidentiality of PST meetings/interactions and confessed to violating PST Policy when she a) remained in her position as Commander of the PST and b) again remained in her position as Commander of the PST after being promoted to the rank of Major.

134. On or about April 5, 2024, Jeff filed a formal grievance seeking relief regarding LMPD’s refusal to complete his annual performance evaluation for years 2022 and 2023, which he understood to be a clear act of retaliation by LMPD against him for reporting various violations of Kentucky law and internal policy. Jeff won his grievance on April 29, 2024.

135. It was Defendant Vance’s duty to complete Jeff’s performance evaluation for year 2022, and to date, it remains incomplete.

Presiding Judge: HON. PATRICIA "TISH". MORRIS (630457)

COM : 000023 of 000049

NOT ORIGINAL

DOCUMENT

07/30/2024 11:39:51

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136. In 2023, Shannon and another Major applied for and were accepted to attend a coveted leadership program through Leadership Louisville.

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137. The other Major's request to attend the leadership program was approved on November 27, 2023.

138. On December 19, 2023, Shannon emailed Lieutenant Commander Ryan Bates and inquired as to why her request to attend the leadership program had not yet been approved even though the other Major's request had been.

139. That same day, LTC Bates called Shannon and informed her that Defendant Chief Gwinn-Villaroel requested an in-person meeting in her office at 5:00 pm to discuss the issue in further detail.

140. Shannon met with Defendant Chief Gwinn-Villaroel and LTC Bates regarding her request to attend the leadership program, and the topic of the PSU cases pending against Shannon was brought up.

141. Shannon spoke out yet again – explaining that the rumors continued to be propagated against her and Jeff, and that extensive damage had been done to their reputations and careers due to the repeated failure of their superiors to take corrective action.

142. During this same meeting, it became clear that Defendant Chief Gwinn-Villaroel was punishing Shannon for speaking out when she questioned Shannon as to how a letter/memorandum Shannon had written to her identifying numerous LMPD policy violations, violations of Kentucky law, and general concerns she had regarding PSU operations, had made its way to Defendant Mayor Greenberg's office.

Presiding Judge: HON. PATRICIA "TISH". MORRIS (630457)

COM : 000024 of 000049

NOT ORIGINAL

DOCUMENT

07/30/2024 11:39:51

AM

143. Defendant Chief Gwinn-Villaroel chastised Shannon at length, making it clear to her that the letter/memorandum should never have gotten outside of the LMPD as she did not want anyone else getting involved.

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144. By way of background, Shannon had sent a memorandum to Defendant Chief Gwinn-Villaroel identifying numerous procedural failures, policy violations, and violations of Kentucky law on November 15, 2023, and the Chief had requested specific examples, which prompted Shannon to author a more detailed memo on November 23, 2023.

145. Shannon's letter/memorandum offered to help Defendant Chief Gwinn-Villaroel strategize ways to correct the failures and violations she had observed because Shannon remained committed to the LMPD and serving the people of Louisville and the surrounding communities.

146. Shannon's letter and memorandum were met without meaningful response and no action was taken to address the issues Shannon had identified in her memo

147. Although Shannon's letter/memo had made it to Defendant Mayor Greenberg's office, neither Defendant Mayor Greenberg nor his staff contacted Shannon and Defendant Mayor Greenberg failed to take any steps to correct the toxicity running rampant throughout the LMPD at the time.

148. Upon information and belief, this served to embolden Defendant Chief Gwinn-Villaroel, further enabling her to take no action to improve the work environment at LMPD.

149. After Defendant Chief Gwinn-Villaroel had bullied Shannon regarding her letter/memorandum reaching Defendant Mayor Greenberg's office, she approved Shannon's attendance at the leadership program with the caveat that she was not to drink alcohol while in attendance.

Presiding Judge: HON. PATRICIA "TISH". MORRIS (630457)

COM : 000025 of 000049

NOT ORIGINAL

DOCUMENT

07/30/2024 11:39:51

AM

150. No such restrictions were placed on the other Major whose attendance at the leadership program had been approved.

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151. Defendant Chief Gwinn-Villaroel's disparate treatment of Shannon constituted yet another act of retaliation against her, this time for blowing the whistle in the form of a letter outlining various procedural violations, policy violations, and violations of Kentucky law that she had observed within the PSU of LMPD and for the letter/memorandum reaching Defendant Mayor Greenberg's office.

152. A most egregious act of retaliation was carried out against Shannon by Defendant Chief Gwinn-Villaroel on March 13, 2024, when just hours before it was set to commence, Shannon was informed without explanation that she had been removed from participating in an internal meeting.

153. The purpose of the meeting was to prepare for protests that were planned to take place concurrent with a Louisville City Council meeting the following day.

154. This act of retaliation placed Shannon, her team, and the community at large in danger by preventing Shannon from performing her duties, including strategizing her team's response to the planned protests, to the best of her ability.

155. At the conclusion of the meeting, Shannon was forced to call other officers that were present at the meeting so that she could obtain the information that she needed secondhand to ensure she could properly prepare her subordinates to respond to the protests.

156. The FOP's lawsuit against the LMPD regarding its handling of PSU investigations is ongoing, but information revealed as a result of the lawsuit has made it clear that the LMPD and the implementation of its policies and procedures is wrought with injustice; that the rampant misconduct throughout LMPD has proved damaging to the department and its officers:

Presiding Judge: HON. PATRICIA "TISH". MORRIS (630457)

COM : 000026 of 000049

NOT ORIGINAL

DOCUMENT

07/30/2024 11:39:51

AM

- a. On April 18, 2024, Hon. Ann Bailey Smith granted in part the FOP's Motion for Summary Judgment in its lawsuit against LMPD, holding in pertinent part that, **MEDIA5033**
- “[t]he Court finds that the FOP has shown an immediate and irreparable injury as a result of the LMPD's violation of KRS 65.1591(3) that consists of the ‘chilling effect’ among those FOP members who need peer support counseling but will not do so due to the fear that LMPD will misuse the information revealed in the sessions. Further immediate and irreparable injury is suffered by those officers who are the subjects of Professional Standards Units investigations #22-036 and #23-007, who will be professionally tainted by such investigations.”
- b. Hon. Ann Bailey Smith further temporarily enjoined LMPD from continuing or beginning anew any investigation or disciplinary proceedings that were initiated based on or resulting from information learned during peer support counseling sessions, including but not limited to PSU investigations 22-036 and 23-007.

157. Notably, at the time of Hon. Ann Bailey Smith's enjoining LMPD from continuing the investigation on March 18, 2024, a total of 528 days had passed since PSU case 22-036 had been initiated, yet LMPD SOP 2.10.1 states that every attempt should be made to complete PSU investigations within 45 days of their initiation.

158. On or about May 22, 2024, Defendant Chief Gwinn-Villaroel, called an urgent meeting of all command staff members ranked Major and above.

159. During the meeting, Defendant Chief Gwinn-Villaroel spoke to her command staff in an aggressive, threatening manner and encouraged anyone who had a problem with her to turn in their gun and badge.

Presiding Judge: HON. PATRICIA "TISH". MORRIS (630457)

COM : 000027 of 000049

NOT ORIGINAL

DOCUMENT

07/30/2024 11:39:51

AM

160. During the meeting, Defendant Chief Gwinn-Villaroel specifically asked Shannon if she had a problem working alongside anyone present.

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161. Because she was singled out, Shannon felt compelled to speak up and explained that she could not work with Defendant Brian Kuriger as he had sexually harassed and attacked her.

162. Approximately one minute later, with complete disregard for Shannon's concerns, Defendant Chief Gwinn-Villaroel announced to the entire room that she would be promoting Defendant Kuriger to the top of her command staff.

163. Prior to the command staff meeting, Shannon had been actively searching for a way to report Defendant Kuriger's harassing conduct towards her but had not found an avenue to make such a report as she had been ordered by LMPD not to speak of anything involving either PSU case pending against her.

164. This, in conjunction with the fact that her claims of retaliation and a hostile work environment had been completely ignored by her superiors, left Shannon without recourse, if she were to handle her harassment in-house.

165. Although she understood she had the option to file a lawsuit, Shannon hoped and believed that Defendant Kuriger's conduct towards her would be dealt with internally.

166. Following the meeting, Shannon was ordered to write a memorandum detailing the harassment she had experienced at the hands of Defendant Kuriger, which she was required to submit no later than the end of her next tour of duty, effectively 4 p.m. the following day.

167. Shannon was concerned about complying with this request, as it was her understanding that she remained under direct order not to discuss the facts of the incidents surrounding PSU investigations #22-036 and #23-007.

Presiding Judge: HON. PATRICIA "TISH". MORRIS (630457)

COM : 000028 of 000049

NOT ORIGINAL

DOCUMENT

07/30/2024 11:39:51

AM

168. On May 23, 2024, Lt. Col. Ryan Bates informed Shannon that with Defendant Chief Gwinn-Villaroel's approval, he was countermending the gag order(s) only to the extent needed for her to detail her allegations against Defendant Kuriger at the command staff meeting and that the gag order(s) Shannon was under otherwise remained in place.

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169. Shannon complied as ordered and submitted a memorandum before the end of her next tour of duty.

170. The same day, another Major publicly taunted Shannon at an officer appreciation luncheon, when he sarcastically announced to a group of Shannon's subordinates that he had heard he should not speak to officers in the First Division without a lawyer present.

171. To date, neither Shannon nor Jeff have been made aware that LMPD has initiated an investigation into the harassment propagated by Defendant Carby, the impropriety surrounding the manner in which confidential PST information was gleaned by Defendant Vance and fed to the Chief's Office that led to the initiation of PSU cases 22-036 and 23-007, or the additional PSU interviews conducted by Defendant Kuriger in breach of the FOP's agreement with LMPD and Kentucky law.

172. Since the initiation of the PSU cases against Shannon and Jeff, both have been passed up for promotions for which they were the most qualified candidate. Most recently, Jeff was passed up for promotion on August 22, 2023, and Shannon on May 22, 2024.

TROUBLED HISTORY OF LMPD

173. LMPD and its administration have been troubled by allegations of misconduct, corruption, and incompetence for years.

174. Following Chief Shields' resignation, Defendant Mayor Greenberg conducted an expensive, extensive, and secretive nationwide search to find LMPD's new Chief.

Presiding Judge: HON. PATRICIA "TISH". MORRIS (630457)

COM : 000029 of 000049

NOT ORIGINAL

DOCUMENT

07/30/2024 11:39:51

AM

175. Following the search, Defendant Chief Gwinn-Villaroel was appointed as LMPD’s permanent chief on July 20, 2023.

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176. New leadership at LMPD has done little to resolve these allegations. Since Defendant Gwinn-Villaroel’s installment by Defendant Mayor Greenberg as permanent Chief of the LMPD on August 26, 2023, many of these allegations have intensified. The very public, embarrassing, and reckless missteps on the part of Louisville Metro at LMPD and Defendant Chief Gwinn-Villaroel include but are not limited to:

- a. controversy surrounding the new chief’s brief suspension of LMPD officers caught throwing slushies at civilian pedestrians as they walked along Louisville streets which she handed down on or about July 2023;
- b. then Chief Gwinn-Villaroel’s committing perjury when she wrongly testified during a civil trial on or about November 19, 2023, that she had not been wearing a body camera when she arrived on the scene of a deadly accident; and
- c. LMPD’s now infamous false arrest of Scottie Scheffler, the World’s top ranked (and upon information and belief “calmest”) golfer on May 17, 2024, only to have exposed the fact that the arresting officer did not have his body camera on at the time of arrest, which constituted a direct LMPD policy violation.

177. Defendant Gwinn-Villaroel’s misconduct should have been anticipated by Defendant Mayor Greenberg: a simple open records request in Georgia, where Defendant Gwinn-Villaroel had been employed previously, revealed that then Chief Gwinn-Villaroel had been previously suspended by the Atlanta Police Department in 2003 for attempting to access investigative files from a narcotics trafficking investigation targeting a relative of hers, and for untruthfulness after

Presiding Judge: HON. PATRICIA "TISH". MORRIS (630457)

COM : 000030 of 000049

NOT ORIGINAL

DOCUMENT

07/30/2024 11:39:51

AM

she repeatedly denied searching a colleague's desk and removing a file until she was shown a covertly recorded video of her doing so.

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178. Even after Defendant Gwinn-Villaroel's misconduct in Georgia came to light, Defendant Mayor Greenberg doubled down on his appointment of her as he is quoted stating, "[w]hile the policy violation did not come up during the interview process, it would not have changed the decision that Jacquelyn Gwinn-Villaroel was the best candidate for the position."

179. Defendant Mayor Greenberg's hiring/appointment of Defendant Gwinn-Villaroel as Chief of LMPD was an oversight at best.

180. Defendant Mayor Greenberg's continued decision to retain Defendant Gwinn-Villaroel in the position of Chief of LMPD after each of the aforementioned incidents took place, coupled with the revelation that she had been previously suspended by the Atlanta Police Department for untruthfulness regarding her violation(s) of policy, was wholly reckless.

181. On June 12, 2024, a reporter with Wave 3 News contacted Defendant Mayor Greenberg's office requesting comment regarding a story she planned to break at 5:30 p.m. the same day.

182. Instead of providing comment on the story, Defendant Mayor Greenberg's office called an emergency press conference for 5:30 p.m., the same time the story was set to break.

183. Shortly after Defendant Mayor Greenberg's emergency press conference aired, Louisville's Wave 3 broke the news that Defendant Chief Gwinn-Villaroel had announced her plan to promote Defendant Kuriger to the top of her command staff approximately one minute after Shannon stated that she could not work with him. An audio recording of the meeting accompanied the story's breaking.

Presiding Judge: HON. PATRICIA "TISH". MORRIS (630457)

COM : 000031 of 000049

NOT ORIGINAL

DOCUMENT

07/30/2024 11:39:51

AM

184. Subsequently, on June 25, 2024, Defendant Greenberg held a second live press conference that was broadcast throughout the City of Louisville wherein, amongst other things, the suspensions of Shannon, Jeff, and Defendant Kuriger were announced.

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185. Defendant Mayor Greenberg's decision to call a live television press conference wherein Shannon and Jeff's suspensions were announced on live television which served to further damage their reputations and careers. This is yet another example of Defendant Louisville Metro and LMPD's retaliatory conduct against them for shedding light on the shocking and disturbing failures in leadership of LMPD and its administration.

186. Time and time again, Shannon and Jeff exemplified true leadership by bravely reporting and bringing to light LMPD Leadership's failures and the toxic culture it created and perpetuated over the years.

187. Each time Jeff and Shannon reported the error of LMPD's ways, including violations of law, their heroic efforts were silenced in the form of the implementation of gag order(s) and refusal to consider them for leadership opportunities, career advancement and/or promotions.

188. Due to LMPD Leadership's failures, Defendant Chief Gwinn-Villaroel's lack of oversight of her subordinates within LMPD, and Defendant Mayor Greenberg's lack of oversight over Defendant Chief Gwinn-Villaroel, what started as a small rumor was allowed to infest the workplace and evolve into a debilitating vehicle for harassment, a hostile work environment, and culture of rampant toxicity.

189. During Defendant Gwinn-Villaroel's tenure as Chief, Defendant Mayor Greenberg knew or should have known of LMPD's broken and failing leadership, the toxic culture amongst its rank and file, and that his own police force was guilty of committing multiple violations of the very law it is sworn to follow and enforce for the protection of the community it serves.

Presiding Judge: HON. PATRICIA "TISH". MORRIS (630457)

COM : 000032 of 000049

NOT ORIGINAL

DOCUMENT

07/30/2024 11:39:51

AM

MEDIA5033

190. It was incumbent upon Defendant Mayor Greenberg that he be the leader he was elected to be and make changes within the LMPD from the top down long before the news story broke exposing Defendant Chief Gwinn-Villaroel’s negative and dangerous leadership style further tarnishing LMPD’s reputation.

191. Defendants Louisville Metro at LMPD, Gwinn-Villaroel, and Greenberg’s failures, oversights, and/or decisions not to take appropriate and adequate corrective action are especially alarming and reckless in light of the fact that all three defendants played an active part in the ongoing negotiation of the terms of a consent decree with the United States Department of Justice (hereinafter “DOJ”) following the DOJ’s damning report of Louisville Metro at LMPD of March 8, 2023.

192. The DOJ report addressed a litany of failures, violations, and shortcomings within LMPD and by its administration that were unearthed during its investigation of the same on the heels of Breonna Taylor’s tragic death.

193. In its report, amongst other things, the DOJ stated it had serious concerns that LMPD does not adequately investigate reports of sexual misconduct and domestic violence, including such allegations made against its own officers.

194. The DOJ illustrated the direct effect LMPD’s policing culture has on the community it is supposed to serve and protect by revealing that in 2022, domestic violence homicides in Louisville had reached their highest point in four years.

195. The DOJ’s report further cites LMPD’s lack of proper supervision and accountability as a substantial factor of LMPD’s legal violations – specifically that LMPD fails to adequately support and supervise its officers. It continues to state that LMPD supervisors regularly fail to identify, document, and address problematic conduct by officers under their command, and that

Presiding Judge: HON. PATRICIA "TISH". MORRIS (630457)

COM : 000033 of 000049

NOT ORIGINAL

DOCUMENT

07/30/2024 11:39:51

AM

ineffective supervision results from inadequate training and from supervisors' reluctance or refusal to confront officers about violations. (emphasis added).

MEDIA5033

196. The DOJ report further takes issue with LMPD's training of its supervisors, stating that while LMPD offers supervisor training, some supervisors only attend the training months or years after being promoted and that its training academy has failed to ensure training for officers across LMPD that is consistent with law and policy.

197. In continuation, the DOJ report states, "[a] top LMPD official told us that some supervisors 'are just winging it.'"

198. The DOJ report also cites LMPD's flawed internal accountability systems as concerning stating that, "[e]ven when LMPD investigates, its internal affairs units fail to conduct thorough, impartial, and timely investigations. That the internal affairs units fail to objectively investigate alleged misconduct and that it consistently found dozens of internal investigations it had reviewed regarding a variety of misconduct allegations to be flawed. A long list of internal investigation flaws included: 1) a significant delay of weeks sometimes months before interviewing the officers involved; 2) investigators often asking leading questions, priming officers to give certain answers; 3) investigators failing to run down leads, including neglecting to interview potential witnesses; 4) failing to look into additional violations when administrative investigations uncover evidence of policy violations beyond those alleged in the initial complaint, and; 5) investigators drawing inferences in favor of officers or against civilians that are not supported by the evidence, seeking to justify officers' actions. (emphasis added).

199. In its report, the DOJ emphasized that "[s]trong internal investigations are important for civilians harmed by misconduct, accused officers, and a police department's standing in the community.

Presiding Judge: HON. PATRICIA "TISH". MORRIS (630457)

COM : 000034 of 000049

200. Moreover, the DOJ stressed that “[s]trong supervision and accountability systems enhance the professionalism of a police force, help officers succeed, and root out officers who undermine not only their own credibility but that of the whole police department. In Louisville, these systems would help protect both LMPD and the communities it serves from future violations of the type described throughout this report . . .”

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201. The future harm the DOJ was concerned about as written in its report of March 8, 2023, is the very harm Shannon and Jeff complained of suffering from time and time again to their superiors and the very harm they continue to suffer today.

COUNT I

LMPD’S VIOLATION OF KRS 61.102(1) INJURING SHANNON

WHISTLEBLOWER/RETALIATION

202. Plaintiff Shannon Lauder hereby incorporates by reference as if set forth fully herein, every averment, allegation, and statement contained in the previous paragraphs of this Complaint.

203. At all times relevant, Defendant Louisville Metro at LMPD was and is the employer of Shannon within the meaning of KRS 61.101(2).

204. Shannon reported, disclosed, and otherwise brought to the attention of Defendant Louisville Metro at LMPD, a law enforcement agency within the meaning of KRS 61.102(1), facts and information regarding the actual violation(s) of laws of the Commonwealth of Kentucky, actual violations of policies and rules of Louisville Metro Government and LMPD, and actual instances of mismanagement and abuse of authority by Defendant Chief of Police Jacquelyn Gwinn-Villaroel, Defendant Vance, and Defendant Kuriger.

Presiding Judge: HON. PATRICIA "TISH". MORRIS (630457)

COM : 000035 of 000049

NOT ORIGINAL

DOCUMENT

07/30/2024 11:39:51

AM

205. As a result of Shannon’s disclosures, she has been subjected to reprisal, retaliation, and the direct and indirect use of official authority and influence of a nature tending to discourage, depress, dissuade, deter, and/or prevent such reports from being made.

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206. Defendants’ reprisal, retaliation, and other wrongful actions against Shannon because of her reports violates KRS 61.102(1).

207. Defendant Louisville Metro at LMPD’s reprisal, retaliation, and other wrongful actions against Shannon were in reckless disregard of her rights.

208. Defendant Louisville Metro at LMPD is vicariously liable for the action of its employees.

209. The retaliation by Defendant Louisville Metro at LMPD, including Defendants Maj. Vance and Sgt. Carby, violates KRS 61.102(1), and, as a direct and proximate result, she has suffered damage to her reputation and career, has lost wages in the past and will continue to lose wages in the future, employment benefits, and professional opportunities in an amount that exceeds the minimal jurisdictional limits of this Court.

210. By reason of the continuous nature of Defendants’ conduct, Shannon is entitled to the extent necessary to application of the continuing violation doctrine.

211. As a result of Defendants negligence, Shannon is entitled to compensatory damages, as well as other legal and equitable remedies.

212. Shannon is further entitled to punitive damages for gross negligence.

COUNT II

LMPD’S VIOLATION OF KRS 61.102(1) INJURING JEFF

WHISTLEBLOWER/RETALIATION

213. Plaintiff Jeff Lauder hereby incorporates by reference as if set forth fully herein, every averment, allegation, and statement contained in the previous paragraphs of this Complaint.

Presiding Judge: HON. PATRICIA "TISH". MORRIS (630457)

COM : 000036 of 000049

NOT ORIGINAL

DOCUMENT

07/30/2024 11:39:51

AM

214. At all times relevant, Plaintiff Jeff was and is employed by Defendant Louisville Metro Government at LMPD.

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215. Jeff reported, disclosed, and otherwise brought to the attention of Defendant Louisville Metro at LMPD, a law enforcement agency within the meaning of KRS 61.102(1), facts and information regarding the actual violation(s) of laws of the Commonwealth of Kentucky, the actual violations of policies and rules of Louisville Metro at LMPD, and the actual instances of mismanagement and abuse of authority by Defendant Chief of Police Jackie Gwinn-Villaroel, Defendant Vance, and Defendant Kuriger.

216. As a result of Jeff's disclosures, he has been subjected to reprisal and the direct and indirect use of official authority and influence of a nature tending to discourage, depress, dissuade, deter, and/or prevent such reports from being made.

217. Defendants' reprisal, retaliation, and other wrongful actions against Jeff because of his reports violates KRS 61.102(1).

218. Defendant Louisville Metro at LMPD's reprisal, retaliation, and other wrongful actions against Jeff were in reckless disregard of his rights.

219. Defendant Louisville Metro at LMPD is vicariously liable for the action of its employees.

220. The retaliation by Defendant Louisville Metro at LMPD violated KRS 61.102(1), and, as a direct and proximate result, he has suffered damage to his reputation and career, lost wages in the past and will continue to lose wages in the future, employment benefits, and professional opportunities in an amount that exceeds the minimal jurisdictional limits of this Court.

221. By reason of the continuous nature of Defendants' conduct, Jeff is entitled, to the extent necessary, to application of the continuing violation doctrine.

Presiding Judge: HON. PATRICIA "TISH". MORRIS (630457)

COM : 000037 of 000049

NOT ORIGINAL

DOCUMENT

07/30/2024 11:39:51

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222. As a result of Defendants negligence, Jeff is entitled to compensatory damages and other legal and equitable remedies.

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223. Jeff is further entitled to punitive damages for gross negligence.

COUNT III

VIOLATION OF KRS § 344

DISCRIMINATION AGAINST SHANNON

224. Plaintiff Shannon hereby incorporates by reference, as if set forth fully herein, every averment, allegation, and statement contained in the previous paragraphs of this Complaint.

225. Plaintiff Shannon is a female, making her a member of a protected class within KRS §344.

226. Defendant Louisville Metro at LMPD is an employer within the meaning of KRS §344.

227. The Kentucky Civil Rights Act (hereinafter “KCRA”) makes it unlawful for an employer to discriminate against an employee on the basis of gender. KRS §344.040(a) makes it an unlawful practice for an employer to fail or refuse to hire, or to discharge any individual, or otherwise to discriminate against an individual with respect to compensation, terms, conditions, or privileges of employment because of the individual’s gender.

228. That Shannon engaged in a protected activity by reporting sexual harassment and misconduct.

229. That Shannon further engaged in protected activity by reporting and/or participating in internal affairs investigations.

230. KRS §344.280 makes it unlawful to conspire to retaliate or discriminate against a person because she has opposed a practice declared unlawful by this chapter or because she has made a

Presiding Judge: HON. PATRICIA "TISH". MORRIS (630457)

COM : 000038 of 000049

NOT ORIGINAL

DOCUMENT

07/30/2024 11:39:51

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charge, filed a complaint, testified, assisted, or participated in any manner in any investigation, proceeding, or hearing under KRS §344.

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231. As described herein, Defendant Louisville Metro at LMPD violated the guarantees afforded to the Shannon under Kentucky Law, KRS § 344 *et seq.*

232. That Shannon was subjected to unwelcome derogatory comments, harassment, and other misconduct on the job because of her protected class status.

233. That Shannon was and remains subject to discrimination regarding employment terms, conditions, and privileges because of her protected class status.

234. Moreover, employees of Defendant Louisville Metro at LMPD treated Shannon disparately from her peers, retaliated, and conspired to retaliate against her in violation of KRS § 344.280 due to her protected class status.

235. Defendant Louisville Metro at LMPD created and subjected Shannon to a workplace environment permeated with discrimination, insult, and harassment.

236. Defendant Louisville Metro at LMPD and named individual-capacity defendants, its employees, knew about Shannon's harassment and repeatedly failed to take action to protect her against the same.

237. Defendant Louisville Metro at LMPD is vicariously liable for the action of its employees.

238. As a direct and proximate result of the discriminatory conduct aforementioned, Shannon has suffered damage to her reputation and career, lost wages and will continue to lose wages in the future, employment benefits, and professional opportunities in an amount that exceeds the minimal jurisdictional limits of this Court.

Presiding Judge: HON. PATRICIA "TISH". MORRIS (630457)

COM : 000039 of 000049

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07/30/2024 11:39:51

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239. By reason of the continuous nature of Defendant Louisville Metro at LMPD’s discriminatory conduct, Shannon is entitled, to the extent necessary, to application of the continuing violation doctrine.

240. As a result of Defendants’ negligence, Shannon is entitled to compensatory damages and other legal and equitable remedies.

241. Shannon is further entitled to punitive damages for gross negligence.

COUNT IV

HOSTILE WORK ENVIRONMENT

242. Plaintiffs hereby incorporate by reference, as if set forth fully herein, every averment, allegation, and statement contained in the previous paragraphs of this Complaint.

243. At all times relevant, Defendant Louisville Metro at LMPD had a duty to provide a safe and professional work environment for its employees to work.

244. Defendant Louisville Metro at LMPD breached its duty to provide a safe and professional work environment to Shannon and Jeff.

245. Shannon was at all times relevant subjected to unwelcome harassment of a general and sexual nature while under the employ of LMPD, creating a hostile work environment.

246. Jeff was at all times relevant subjected to unwelcome harassment of a general and sexual nature while under the employ of LMPD, creating a hostile work environment.

247. The harassment of Shannon and Jeff was and is at the hands of LMPD employees.

248. Shannon and Jeff reported the harassment to LMPD, who knows or should have known of the harassment.

249. LMPD discriminated against Shannon and Jeff by permitting an ongoing, severe, and pervasive pattern and practice of harassment against them creating a hostile work environment.

Presiding Judge: HON. PATRICIA "TISH". MORRIS (630457)

COM : 000040 of 000049

NOT ORIGINAL

DOCUMENT

07/30/2024 11:39:51

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250. Defendant Louisville Metro at LMPD is vicariously liable for the action of its employees.

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251. As a direct and proximate result of Louisville Metro at LMPD's failure to provide Shannon and Jeff a safe and professional work environment, they have and will continue to suffer harm to their reputations and careers, loss of past and future wages, employment benefits, and professional opportunities in an amount that exceeds the minimal jurisdictional limits of this Court.

252. By reason of the continuous nature of Defendant Louisville Metro at LMPD's negligence, Jeff and Shannon are entitled to compensatory damages and other legal and equitable remedies.

253. Jeff and Shannon are further entitled to punitive damages for Defendants gross negligence.

COUNT V

NEGLIGENT HIRING OF DEFENDANT GWINN-VILLAROEL

254. Plaintiffs hereby incorporate by reference, as if set forth fully herein, every averment, allegation, and statement contained in the previous paragraphs of this Complaint.

255. Defendants Louisville Metro and Greenberg had a ministerial duty to exercise reasonable care in hiring/appointing individual-capacity Defendant Gwinn-Villaroel for/to the position of Chief of LMPD.

256. Defendants Louisville Metro and Greenberg reasonably knew or should have known that Defendant Gwinn-Villaroel was unfit and/or incompetent to serve in the position of Chief of LMPD.

Presiding Judge: HON. PATRICIA "TISH". MORRIS (630457)

COM : 000041 of 000049

NOT ORIGINAL

DOCUMENT

07/30/2024 11:39:51

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257. Defendants Louisville Metro and Greenberg's appointment of Defendant Gwinn-Villaroel to the position of Chief of LMPD amounts to negligence as it created a foreseeable risk of harm to her subordinates, including Jeff and Shannon, and the Louisville community at large.

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258. As a direct and proximate result of Defendants Louisville Metro and Greenberg's negligence, Shannon and Jeff have suffered and continue to suffer damage to their reputations and careers, have lost and will continue to lose wages in the future, employment benefits, and professional opportunities in an amount that exceeds the minimal jurisdictional limits of this Court.

259. As a result of Defendants Louisville Metro and Greenberg's negligence, Shannon and Jeff are entitled to compensatory damages and other legal and equitable remedies.

260. Jeff and Shannon are further entitled to punitive damages for Defendants gross negligence.

COUNT VI

NEGLIGENT SUPERVISION AND RETENTION

OF DEFENDANT GWINN-VILLAROEL

261. Plaintiffs hereby incorporate by reference, as if set forth fully herein, every averment, allegation, and statement contained in the previous paragraphs of this Complaint.

262. Defendants Louisville Metro and Greenberg had a ministerial duty to exercise reasonable care in supervising and retaining individual-capacity Defendant Gwinn-Villaroel in her position as Chief of LMPD.

263. For reasons aforementioned, Defendants Louisville Metro and Greenberg reasonably knew or should have known that Defendant Gwinn-Villaroel was unfit and/or incompetent to serve in the position of Chief of LMPD.

Presiding Judge: HON. PATRICIA "TISH". MORRIS (630457)

COM : 000042 of 000049

NOT ORIGINAL

DOCUMENT

07/30/2024 11:39:51

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264. Defendants Louisville Metro and Greenberg’s continuous decision to retain Defendant Gwinn-Villaroel in the position of Chief of LMPD after learning of her suspension by the Atlanta Police Department and the facts underlying it, her committing perjury on the witness stand during a civil trial, and after receiving notice of LMPD’s committing multiple violations of policy and law, was made with reckless disregard for the health and safety of her subordinates, including Jeff and Shannon, and the Louisville community at large.

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265. As a direct and proximate result of Defendants Louisville Metro and Greenberg’s negligence, Shannon and Jeff have suffered and continue to suffer damage to their reputations and careers, have lost and will continue to lose wages in the future, employment benefits, and professional opportunities in an amount that exceeds the minimal jurisdictional limits of this Court.

266. As a result of Defendants Louisville Metro and Greenberg’s negligence, Shannon and Jeff are entitled to compensatory damages and other legal and equitable remedies.

267. Defendants Louisville Metro and Greenberg’s reckless supervision and retention of Defendant Gwinn-Villaroel amounts to gross negligence and as such, Jeff and Shannon are further entitled to punitive damages.

COUNT VII

NEGLIGENT TRAINING, SUPERVISION, AND RETENTION

OF OTHER INDIVIDUAL CAPACITY DEFENDANTS

268. Plaintiffs hereby incorporate by reference, as if set forth fully herein, every averment, allegation, and statement contained in the previous paragraphs of this Complaint.

Presiding Judge: HON. PATRICIA "TISH". MORRIS (630457)

COM : 000043 of 000049

NOT ORIGINAL

DOCUMENT

07/30/2024 11:39:51

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269. Defendants Louisville Metro at LMPD, Gwinn-Villaroel, and Greenberg had a ministerial duty to exercise reasonable care in training, supervising, and retaining the named individual-capacity defendants.

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270. As relates to Defendants Greenberg and Gwinn-Villaroel, "All executive and administrative power of the government shall be vested in the office of the mayor," KRS § 67C.105(1). The Chief of Police is responsible for all duties, regulations, policies, and procedures for the Louisville Metro Police Department and has authority over the agents and employees of the department, subject only to the mayor's authority. Lou. Metro Ord. § 36.02.

271. Defendants Louisville Metro at LMPD, Gwinn-Villaroel, and Greenberg, negligently placed the named individual-capacity defendants in a position to cause foreseeable harm to Jeff and Shannon, which could reasonably have been avoided had they taken reasonable care in training, supervising, and retaining them.

272. Defendants Louisville Metro at LMPD, Gwinn-Villaroel, and Greenberg knew or should have known of the named individual-capacity defendants' propensity for the sort of conduct that caused Shannon and Jeff injury.

273. As a direct and proximate result of Defendants Louisville Metro at LMPD, Gwinn-Villaroel, and Greenberg's negligence, Shannon and Jeff have suffered and continue to suffer damage to the reputations and careers, have lost and will continue to lose wages in the future, employment benefits, and professional opportunities in an amount that exceeds the minimal jurisdictional limits of this Court.

274. Defendant Louisville Metro at LMPD is vicariously liable for the action of its employees.

Presiding Judge: HON. PATRICIA "TISH". MORRIS (630457)

COM : 000044 of 000049

NOT ORIGINAL

DOCUMENT

07/30/2024 11:39:51

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275. As a result of Defendants Louisville Metro at LMPD, Gwinn-Villaroel, and Greenberg’s negligence, Shannon and Jeff are entitled to compensatory damages and other legal and equitable remedies.

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276. Jeff and Shannon are further entitled to punitive damages for Defendants gross negligence.

COUNT VIII

STATUTORY VIOLATIONS/NEGLIGENCE PER SE

277. Plaintiffs hereby incorporate by reference, as if set forth fully herein, every averment, allegation, and statement contained in the previous paragraphs of this Complaint.

278. Defendant Louisville Metro at LMPD and named individual capacity defendants owed Jeff and Shannon statutory ministerial duties to handle complaints against them in accordance with KRS § 15.520.

279. That Jeff and Shannon fit the classification of person(s) KRS § 15.520 was enacted to protect.

280. The violations of statutory duties by defendants are ministerial and actionable pursuant to KRS § 446.070.

281. Defendants breached those statutory duties as prescribed by KRS § 15.520.

282. Defendants’ breach of their statutory duties caused harm to Jeff and Shannon.

283. As a result, Jeff and Shannon are entitled to compensatory damages for the harm caused to their reputations and careers, loss of past and future wages, employment benefits, and professional opportunities in an amount that exceeds the minimal jurisdictional limits of this Court.

Presiding Judge: HON. PATRICIA "TISH". MORRIS (630457)

COM : 000045 of 000049

NOT ORIGINAL

DOCUMENT

07/30/2024 11:39:51

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284. Jeff and Shannon are further entitled to punitive damages for Defendants’ gross negligence.

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COUNT XI

GENERAL NEGLIGENCE

285. Plaintiffs hereby incorporate by reference, as if set forth fully herein, every averment, allegation, and statement contained in the previous paragraphs of this Complaint.

286. Defendants Gwinn-Villaroel, Vance, Carby, Kuriger, and Greenberg in their individual capacities, owed common-law ministerial duties to Jeff and Shannon, including ministerial duties found in statute, regulations, caselaw, standard operating procedures, policies and through professional customs and practices, including but not limited to investigating and/or taking corrective action in response to Jeff and Shannon’s direct reports of experiencing harassment and observing various violations of Kentucky law, LMPD’s policies and procedures, and violations of LMPD’s customs, among other duties.

287. Defendants breached those ministerial duties.

288. Defendants’ breach of those duties caused harm to Jeff and Shannon.

289. As a result, Jeff and Shannon are entitled to compensatory damages for the harm caused to their reputations and careers, loss of future wages, employment benefits, and professional opportunities in an amount that exceeds the minimal jurisdictional limits of this Court.

290. Jeff and Shannon are further entitled to punitive damages for Defendants’ gross negligence.

DEMAND FOR RELIEF AND TRIAL BY JURY

291. As a direct and proximate result of the aforementioned conduct, Plaintiffs Jeff and Shannon have suffered permanent harm to their reputations and careers, have and will continue

Presiding Judge: HON. PATRICIA "TISH". MORRIS (630457)

COM : 000046 of 000049

NOT ORIGINAL

DOCUMENT

07/30/2024 11:39:51

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to suffer from loss of wages both past and future, employment benefits, and loss of professional opportunities in an amount that exceeds the minimal jurisdictional limits of this Court.

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WHEREFORE, Plaintiffs respectfully demand the following:

- a. Judgment against official capacity defendants for compensatory and punitive damages;
- b. Judgment against individual capacity defendants for compensatory and punitive damages, both jointly and severally;
- c. A trial by jury on all issues so triable;
- d. Costs expended in this matter, including but not limited to litigation costs and expenses and reasonable attorneys' fees plus pre and post judgment interest; and
- e. Such further relief in law or equity as this honorable Court may deem just, proper, and equitable, including but not limited to the right to amend this Complaint.

Respectfully submitted,

/s/ Jared J. Smith

Jared J. Smith, Esq. (#94507)

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Counsel for Plaintiffs

Presiding Judge: HON. PATRICIA "TISH". MORRIS (630457)

COM : 000047 of 000049

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07/30/2024

11:39:51 AM

VERIFICATION

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I, Shannon Lauder, have read the foregoing and the matters of fact therein set forth are true, as I verily believe.

Executed in Jefferson County, Kentucky this 29 day of July, 2024.

SHANNON LAUDER

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF JEFFERSON)

Sworn to and subscribed before me, a Notary Public, Within and for the Commonwealth of Kentucky at large, by Shannon Lauder, on this 29 day of JULY, 2024.

Notary Public

October 28 2027

Commission Expires

KYNP81669

Commission Number (Notary ID)



