

COGBURN LAW OFFICES

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6 *Attorneys for Plaintiff*

7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**

9 KRISTY HENDERSON,
10 Plaintiff,
11 vs.

Case No.:

12 JOHN BONAVENTURA, individually and in
his official capacity as Constable of the Las
13 Vegas Township; LOU TOOMIN, individually
and in his official capacity as Deputy of the Las
14 Vegas Township Constable; THE LAS VEGAS
TOWNSHIP CONSTABLE'S OFFICE, a
15 public entity; CLARK COUNTY, a political
subdivision of the State of Nevada; DOE
16 INDIVIDUALS I-X; and ROE ENTITIES XI-
XX,
17 Defendants.

18
19 Plaintiff, Kristy Henderson ("Henderson" and/or "Plaintiff", by and through her attorney,
20 Andrew L. Rempfer, Esq. and Ryan H. Devine, Esq. of Cogburn Law Offices, hereby complains
21 against Defendants as follows:

22 **GENERALLY**

23 This dispute involves Constable John Bonventura, his sexual harassment of Henderson,
24 his retaliation against her for opposing and rejecting his harassment, his cover ups regarding an
25 ill-conceived reality show and his attempts deceive government officials regarding his illegal
26 acts. Bonaventura is already facing similar accusations in a pending dispute with former
27 Deputies Tim Beckett and Dan Palazzo. In that dispute, Bonaventura was admonished by His
28 Honor District Court Judge Ferenbach for failing to participate in a mandatory settlement

1 conference in good faith.

2 **PARTIES**

3 1. At all times relevant to this Henderson was and is a resident of the County of
4 Clark, State of Nevada.

5 2. Defendant, JOHN BONAVENTURA (hereinafter “the Constable”), is an elected
6 official as the Constable of Las Vegas Township and responsible for the operations of
7 Defendant, the LAS VEGAS TOWNSHIP CONSTABLE’S OFFICE, and the actions of his
8 Deputy, Defendant LOU TOOMIN (hereinafter “Toomin”). The Constable is sued in his
9 individual and official capacities. At all times relevant to this Amended Complaint the Constable
10 was acting under color of state law and as an agent, servant and/or employee of Defendant Clark
11 County.

12 3. Defendant Toomin is a Deputy of the Constable of Las Vegas Township and at all
13 times relevant to this Amended Complaint was responsible for carrying out the tortious and
14 unconstitutional actions constituting Ms. Henderson’s claims for relief at the direction of and/or
15 in concert with the Constable. Toomin is sued in his individual and official capacities. At all
16 times relevant to this Complaint Toomin was acting under color of state law and as an agent,
17 servant and/or employee of Defendant Clark County.

18 4. Defendant CLARK COUNTY is a governmental entity and political subdivision
19 of the State of Nevada and at all times relevant to this Complaint employed, supervised, and/or
20 had statutory responsibility for overseeing the actions of the Las Vegas Township Constable’s
21 Office, the Constable and Toomin.

22 5. Defendant LAS VEGAS TOWNSHIP CONSTABLE’S OFFICE is a public entity
23 created under the authority of Clark County and the Constable through which the Constable and
24 Toomin committed the acts alleged in this Complaint.

25 6. The true names, identities and or capacities, whether individual, corporate,
26 associate or otherwise of Defendants, DOE INDIVIDUALS I-X, inclusive, and ROE ENTITIES
27 XI-XX, inclusive, are unknown or uncertain to Ms. Henderson, who therefore sues said
28 defendants by such fictitious names. Ms. Henderson is informed and believes, and thereon

1 alleges, that each of the Defendants designated herein as a Doe individual and/or Roe entity is or
2 may be responsible in some manner for the events and happenings herein referred to and caused
3 damages thereby to Ms. Henderson as herein alleged; Ms. Henderson will seek leave of this
4 Court to amend this Complaint to insert the true names and capacities of said Defendants when
5 the same have been ascertained by Ms. Henderson, together with appropriate charging
6 allegations, and to join such Defendants in this action.

7 **FACTS RELEVANT TO ALL CLAIMS**

8 7. Henderson realleges and incorporates each and every allegation contained in
9 paragraphs 1 through 6 as though the same were set forth in full herein.

10 8. Henderson was a Deputy Constable in good standing for the Las Vegas Township
11 Constable's Office for several years, having been appointed to that position, pursuant to NRS
12 258.060, by the Constable's predecessor in office, Robert "Bobby G." Gronauer. Part of Ms.
13 Henderson's duties as a Deputy Constable included her carrying firearms and effecting arrests
14 when necessary while acting in the scope of her official duties as a Deputy Constable.

15 9. After the Constable was elected to office Ms. Henderson was directed by Mr.
16 Toomin to appear in a pilot episode for a reality show based upon the operations of the Las
17 Vegas Township Constable's Office, which she did, and was featured prominently in that pilot.

18 10. Also after the Constable was elected to office, he began making inappropriate
19 sexual comments to Henderson on a regular basis, asking her to sit on his face, wear a miniskirt
20 and garters to work, commenting that her "hard body" made a part of his body "hard" and other
21 vulgar and sexually harassing statements. The Constable also made these statements to other
22 duly elected Constables in Clark County regarding Henderson.

23 11. Upon being elected to office the Constable also informed at least one other duly
24 elected Constable in Clark County that he "hated" Las Vegas Deputy Constable Ray Jacoby,

25 12. At some point a copy of the pilot reality show was obtained by a member of the
26 media from the Constable's web-site. In January of 2012, Clark County Commissioners
27 expressed their concerns over the proposed reality show because it depicted several Deputies of
28 the Las Vegas Township Constable's Office using profanity and abusive language with members

1 of the public, drawing weapons on citizens during traffic stops, and other unprofessional and
2 embarrassing behavior.

3 13. On or about January 3, 2012, the Clark County Commission held a hearing about
4 the proposed reality show. Although the Commission had requested the Constable's presence at
5 that hearing, he sent two Deputies instead, claiming he was ill. At that hearing the County
6 Commissioners expressed their extreme displeasure with the video. Deputy John Watkins, on
7 behalf of the Constable, advised the Commission that the video was meant as an internal training
8 video on "what not to do" and that it was never intended for public dissemination. Deputy
9 Watkins assured the Commission the Constable had no intention of moving forward with a
10 reality show.

11 14. In early June 2012, Henderson was questioned by Lt. Hadi Sadjadi as a witness to
12 an occurrence involving Deputy Ray Jacoby that resulted in a citizen's complaint. Henderson
13 was advised it was an informal interview. She was not advised of her rights as a witness under
14 NRS 289, et seq. ("The Peace Officer's Bill of Rights"), she was not given 48 hours notice prior
15 to the interview, she was not advised of her right to representation during the interview, and was
16 advised no disciplinary action would arise as a result of the interview.

17 15. Deputy Ray Jacoby was also interviewed about the incident and was also told that
18 it was an informal interview, he did not need the protections of The Peace Officer's Bill of
19 Rights, and that no disciplinary action would result.

20 16. On or about June 6, 2012, Mr. Jacoby was given a five day suspension without
21 pay as a result of the incident. Henderson was advised by Deputy Chief Dean Lauer that she was
22 being given a verbal warning as a result of the incident.

23 17. Henderson spoke with Deputy Hadi Sadjadi about the disciplinary actions against
24 her and Deputy Jacoby and advised him these actions were done in violation of the Peace
25 Officer's Bill of Rights. She was told to speak with the Constable.

26 18. While speaking with the Constable about the statutory violations Henderson was
27 advised by Bonaventura he could rescind the suspension, but would then suspend Mr. Jacoby for
28 a longer period based upon an unrelated incident. During these discussions Henderson was told

1 the Office would not “love her” again until she “dumped Ray.” She was also told not to worry
2 because the Office needed its “female, its Jew and its black.”

3 19. In early July of 2012, Ms. Henderson was told by Defendant Toomin to write a
4 biography for the reality show as the producers wanted to feature her in it. Henderson expressed
5 her concerns because of the earlier issues with the County Commission and was told by Toomin
6 that it was a secret and she was not to tell anyone. Henderson contacted County Commissioner
7 Steve Sisolak to express her concerns. On July 6, 2012, Ms. Henderson was ordered to write the
8 biography by Toomin. Ms. Henderson complied with the order, but informed her superiors that
9 she was doing so only under fear of reprisal for non-compliance.

10 20. Subsequent to writing the biography Henderson advised Toomin and the
11 Constable that she would not participate in the reality show. On July 13, 2012, Henderson was
12 terminated from the Constable’s Office. The stated reason was that her services were no longer
13 needed.

14 21. Subsequent to her termination Henderson regularly communicated with
15 Commissioner Sisolak regarding the situation, who referred her to the Nevada Office of
16 Diversity, but informed her that there was nothing he could do to help her.

17 22. Henderson has satisfied all conditions precedent prior to filing this suit, including
18 exhausting her administrative remedies with the Equal Employment Opportunity Commission,
19 which has issued her a Right to Sue Letter.

20 23. Less than 90 days have expired since Henderson received her Right to Sue Letter.

21 24. Henderson received her Right to Sue on August 30, 2013.

22 **FIRST CLAIM FOR RELIEF**
23 **(Sexual Harassment (Hostile Work Environment**
24 **in Violation of 42 U.S.C. §2000e-2 & N.R.S. §613.330))**

25 25. Henderson repeats and realleges each and every allegation above as if fully set
26 forth herein.

27 26. 42 U.S.C. §2000e-2(a)(1) (*i.e.*, section 703 of Title VII) states “it shall be an
28 unlawful employment practice for an employer to: (1) fail or refuse to hire or to discharge any
individual, or otherwise to discriminate against any individual with respect to his compensation,

1 terms, conditions, or privileges of employment, because of such individual's race, color, religion,
2 sex, or national origin." Likewise, N.R.S. §613.330, *et. seq.*, contains a similar provision.

3 27. The EEOC and the Courts have declared sexual harassment violates section 703
4 of Title VII. Nevada Courts follow the lead of Courts interpreting Title VII when interpreting
5 N.R.S. §613.330.

6 28. According to 29 C.F.R. §1604.11(a)(3), illegal sexual harassment includes a
7 "hostile environment" in which unwelcome sexual conduct "unreasonably interferes with an
8 individual's job performance" or creates an "intimidating, hostile or offensive working
9 environment."

10 29. Henderson suffered intentional, unwanted harassment from Defendants in the
11 form of his repeated inappropriate conduct, which included but was not limited to:

- 12 a. Asking her to sit on his face;
- 13 b. Wear a miniskirt and garters to work;
- 14 c. Commenting that her "hard body" made a part of his body "hard";
- 15 d. Henderson was told that the Office would not "love her" again until she
16 "dumped Ray." She was also told not to worry because the Office needed
17 its "female, its Jew and its black"; and,
- 18 e. Other vulgar and sexually harassing statements such as telling her he
19 would not "love her" any more if she did not leave Ray.

20 30. The harassment of Henderson was severe and/or pervasive because it was
21 sexually explicit, blunt and crass and because it occurred over an extended period of time: nearly
22 three full months.

23 31. Defendants knew of Henderson's complaints of harassment, or should have
24 known, and did nothing to stop, investigate or properly remediate Henderson's complaints of
25 harassment.

26 32. Defendants' conduct/comments were subjectively and objectively offensive.
27 Henderson had never engaged in such conduct/comments with Defendants and those comments
28 were completely unwelcomed.

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1 33. Given Defendants Bonaventura and/or Toomin were a supervisor; their conduct is
2 automatically imputed to Defendants, which are presumptively liable for his conduct. More
3 specifically stated, it is presumed Bonaventura and/or Toomin's conduct occurred in the course
4 and scope of their employment and Defendants either authorized or ratified their conduct.

5 34. Bonaventura and/or Toomin's harassment of Henderson negatively affected the
6 terms, conditions and/or privileges of her employment because Henderson felt worthless and
7 disaffected due to Bonaventura and/or Toomin's harassment.

8 35. Bonaventura and/or Toomin's harassment would detrimentally affect any
9 reasonable person.

10 36. Defendants discriminated against Henderson by permitting an ongoing pervasive
11 pattern and practice of sexual harassment and by maintaining a sexually hostile work
12 environment, in violation of 42 U.S.C. §2000e, *et. seq.* and/or N.R.S. §613.330, *et. seq.*

13 37. By reason of the continuous nature of Defendants' discriminatory conduct,
14 persistent throughout Henderson's employment while working for Bonaventura, Henderson is
15 entitled to application of the continuing violation doctrine to all of the violations alleged.

16 38. As a direct and proximate result of Defendants' violation of 42 U.S.C. §2000e,
17 *et. seq.* and/or N.R.S. §613.330, *et. seq.*, Henderson has suffered lost wages, lost benefits, lost
18 seniority, lost future earnings, lost employment opportunities, humiliation, embarrassment and
19 loss of self-esteem in excess of \$10,000, in an amount to be determined at trial. Therefore,
20 Henderson seeks all legal and equitable remedies available at law, in addition to all other
21 damages permitted by law.

22 39. Defendants' above-referenced acts were fraudulent, malicious, oppressive and
23 done with intent to harm Henderson. Consequently, Henderson seeks an award of punitive
24 damages in an amount sufficient to punish and deter Defendants from harming other similarly
25 situated employees.

26 40. Henderson has been forced to procure the services of an attorney to represent her
27 in this matter and, pursuant to 42 U.S.C. §2000e-5, *et. seq.* and/or N.R.S. §613.330, *et. seq.*,
28 Henderson is entitled to her attorneys' fees as a result of Defendants' acts.

SECOND CLAIM FOR RELIEF
(Sexual Harassment (Quid Pro Quo)
in Violation of 42 U.S.C. §2000e-2 & N.R.S. §613.330)

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3 41. Henderson repeats and realleges each and every allegation above as if fully set
4 forth herein.

5 42. 42 U.S.C. §2000e-2(a)(1) (*i.e.*, section 703 of Title VII) states “it shall be an
6 unlawful employment practice for an employer to: (1) fail or refuse to hire or to discharge any
7 individual, or otherwise to discriminate against any individual with respect to his compensation,
8 terms, conditions, or privileges of employment, because of such individual’s race, color, religion,
9 sex, or national origin.” Likewise, N.R.S. §613.330, *et. seq.*, contains a similar provision.

10 43. The EEOC and the Courts have declared sexual harassment violates section 703
11 of Title VII. Nevada Courts follow the lead of Courts interpreting Title VII when interpreting
12 N.R.S. §613.330.

13 44. 29 C.F.R. §1604.11(a)(2) notes quid pro quo sexual harassment occurs when
14 submission to or rejection of unwelcome sexual conduct is used as the basis for employment
15 decisions affecting an individual.

16 45. As noted above in paragraphs 9 through 20 and 29-33, Defendants subjected
17 Henderson to sexual comments, all of which were unsolicited and unwelcomed.

18 46. Henderson rejected Defendants’ sexual comments.

19 47. After Henderson rejected Defendants’ sexual comments, Defendants began
20 treating her poorly, concocted a false reason to end her employment and in fact ended her
21 employment.

22 48. Defendants’ treatment of Henderson was intentional and designed with the
23 foreseeable effect of financially impacting Henderson’s income/wages and affecting her
24 emotionally.

25 49. Henderson’s termination was an adverse employment action under Title VII.

26 50. Given Bonaventura and/or Toomin were supervisors; their conduct is
27 automatically imputed to Defendants, which is presumptively liable for their conduct. More
28 specifically stated, it is presumed Bonaventura and/or Toomin’s conduct occurred in the course

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and scope of their employment and Defendants either authorized or ratified his conduct.

51. Bonaventura and/or Toomin’s harassment of Henderson negatively affected the terms, conditions and/or privileges of Henderson’s employment because Henderson felt disaffected due to Defendants’ harassment.

52. Defendants’ harassment would detrimentally affect any reasonable person.

53. Defendants discriminated against Henderson by permitting an ongoing pervasive pattern and practice of quid pro quo sexual harassment, in violation of 42 U.S.C. §2000e, *et. seq.* and/or N.R.S. §613.330, *et. seq.*

54. By reason of the continuous nature of Defendants’ discriminatory conduct, persistent throughout Henderson’s employment, Henderson is entitled to application of the continuing violation doctrine to all of the violations alleged.

55. As a direct and proximate result of Defendants’ violation of 42 U.S.C. §2000e, *et. seq.* and/or N.R.S. §613.330, *et. seq.*, Henderson has suffered lost wages, lost benefits, lost seniority, lost future earnings, lost employment opportunities, humiliation, embarrassment and loss of self-esteem in excess of \$10,000, in an amount to be determined at trial. Therefore, Henderson seeks all legal and equitable remedies available at law, in addition to all other damages permitted by law.

56. Defendants’ above-referenced acts were fraudulent, malicious, oppressive and done with the intent to harm Henderson. Consequently, Henderson seeks an award of punitive damages in an amount sufficient to punish and deter Defendants from harming other similarly situated employees.

57. Henderson has been forced to procure the services of an attorney to represent her in this matter and, pursuant to 42 U.S.C. §2000e-5, *et. seq.* and/or N.R.S. §613.330, *et. seq.*, Arum is entitled to her attorneys’ fees as a result of Defendants’ acts.

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THIRD CLAIM FOR RELIEF
(Retaliation in Violation of 42 U.S.C. § 2000e-3 and/or N.R.S. § 613.340)

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2 58. Henderson repeats and realleges each and every allegation above as if fully set
3 forth herein.

4 59. 42 U.S.C. §2000e-3(a) makes it unlawful for an “employer to discriminate against
5 any of [its] employees ... because he has made a charge, testified, assisted, or participated in any
6 manner in an investigation” regarding an employment practice made illegal by Title VII.
7 Likewise, N.R.S. §613.340, *et. seq.*, contains a similar prohibition.

8 60. Henderson complained to Defendants about their inappropriate conduct generally
9 described in paragraphs 9 through 20 and 29, which are reincorporated here by this reference.

10 61. Henderson’s complaint constituted a protected activity as that phrase is defined by
11 Title VII.

12 62. After complaining, Henderson was terminated on false grounds, i.e., pretext.

13 63. Henderson’s termination constitutes an adverse employment action.

14 64. By reason of the continuous nature of Defendants’ discriminatory conduct,
15 persistent throughout Henderson’s employment, Henderson is entitled to application of the
16 continuing violation doctrine to all violations alleged.

17 65. As a direct and proximate result of Defendants’ violation of 42 U.S.C. §2000e, *et.*
18 *seq.* and/or N.R.S. §613.340, *et. seq.*, Henderson has suffered lost wages, lost benefits, lost
19 seniority, lost future earnings, lost employment opportunities, humiliation, embarrassment and
20 loss of self-esteem in excess of \$10,000, in an amount to be determined at trial. Therefore,
21 Henderson seeks all legal and equitable remedies available at law, in addition to all other
22 damages permitted by law.

23 66. Defendants’ above-referenced acts were fraudulent, malicious, oppressive and
24 done with the intent to harm Henderson. Consequently, Henderson seeks an award of punitive
25 damages in an amount to sufficient to punish and deter Defendant from harming other similarly
26 situated employees.

1 67. Henderson has been forced to procure the services of an attorney to represent her
2 in this matter and, pursuant to 42 U.S.C. §2000e-5, *et. seq.* and/or N.R.S. §613.340, *et. seq.*,
3 Arum is entitled to her attorneys' fees as a result of Defendants' acts.

4 **FOURTH CLAIM FOR RELIEF**
5 **(Breach of Contract)**

6 68. Henderson repeats and realleges each allegation above as if fully set forth herein.

7 69. This Claim for Relief applies to all Defendants as they were either directly
8 responsible for the violations set forth herein or are vicariously liable under Nevada law for
9 and/or ratified the actions and/or inactions of the other Defendants resulting in injury to Ms.
10 Henderson.

11 70. The statutory appointment by the Las Vegas Township Constable's Office
12 constitutes an express and an implied contract between Ms. Henderson and that office.

13 71. The appointment by the Las Vegas Township Constable's Office and consistent
14 with the "Peace Officer's Bill of Rights" as promulgated in NRS Ch. 289 promises and
15 guarantees Ms. Henderson will be treated fairly in all matters of her employment with the office
16 as a peace officer working at that office, including the right to continued employment, except for
17 reasons establishing good and legal cause for termination, consonant with the dictates of NRS
18 Ch. 289 including the due process rights inherent within the statutory framework.

19 72. By committing the acts described throughout the Complaint, Defendants the Las
20 Vegas Township Constable's Office, Toomin and the Constable breached the promise to Ms.
21 Henderson that she would be treated fairly and legally in all matters of her employment.

22 73. As a direct and proximate consequence of Defendants' actions, Ms. Henderson
23 has suffered general damages in an amount in excess of \$10,000, to be determined at trial.

24 74. Henderson has been forced to retain the services of an attorney to prosecute this
25 action, and is therefore entitled to her reasonable attorney's fees and costs.

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FIFTH CLAIM FOR RELIEF

(Violations of NRS 289, et seq. (“The Peace Officer’s Bill of Rights”) and Due Process as Guaranteed by the Fourteenth Amendment to the United States Constitution and Art. 1, § 8(5) of the Nevada Constitution)

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4 75. Henderson repeats and rellaeges each allegation above as if fully set forth herein.

5 76. This Claim for Relief applies to all Defendants as they were either directly
6 responsible for the violations set forth herein or are vicariously liable under Nevada law for
7 and/or ratified the actions and/or inactions of the other defendants resulting in injury to Ms.
8 Henderson.

9 77. Henderson was a “peace officer” as defined in NRS 289.150(5), and thus was
10 covered by the procedural protections provided by the Peace Officer’s Bill of Rights.

11 78. Defendants the Las Vegas Township Constable’s Office and the Constable
12 verbally reprimanded Ms. Henderson on or about June 6, 2012, without providing her with an
13 investigatory hearing or written notice of allegations of misconduct as required by NRS 289.060.

14 79. Defendants the Las Vegas Township Constable’s Office and the Constable
15 verbally reprimanded Ms. Henderson without advising her of her right to representation prior to
16 their taking such punitive action against her as required by NRS 289.080.

17 80. Defendants’ imposition of punitive action against Ms. Henderson without
18 following statutorily required procedures violated her right to Due Process of law as guaranteed
19 by Article 1, section 5 of the Nevada Constitution, because it deprived her of a property interest
20 in her employment without providing her with any procedural or substantive safeguards.

21 81. By enacting NRS 289, et seq., the Nevada legislature created a state right to the
22 protections provided by those statutes to which Henderson had a reasonable expectation that she
23 could rely upon. Defendants’ actions in imposing punitive action upon Henderson without
24 affording her the statutory state rights provided by Nevada statutes constituted a violation of the
25 Due Process clause of the Fourteenth Amendment to the United States Constitution.

26 82. Pursuant to NRS 289.120 Henderson is entitled to appropriate injunctive or other
27 extraordinary relief to prevent the further occurrence of the Defendants’ violations and the taking
28 of any reprisal or retaliatory action by the Defendants against Henderson.

1 83. Defendants' actions resulted in damages to Henderson in an amount in excess of
2 \$10,000.00 to be determined at trial.

3 84. Henderson has been required to retain the services of an attorney to prosecute this
4 action, and is entitled to her reasonable attorney's fees and costs.

5 **SIXTH CLAIM FOR RELIEF**
6 **(Breach of the Duty of Good Faith and Fair Dealing – Contractual and Tortious)**

7 85. Henderson repeats and realleges each allegation above as if fully set forth herein.

8 86. This Claim for Relief applies to all Defendants as they were either directly
9 responsible for the violations set forth herein or are vicariously liable under Nevada law for
10 and/or ratified the actions and/or inactions of the other Defendants resulting in injury to Ms.
11 Henderson.

12 87. The appointment constituting an agreement of employment with the Las Vegas
13 Township Constable's Office contains an express and implied covenant of good faith and fair
14 dealing that Ms. Henderson would be treated fairly by her employer in all matters of employment
15 with the office.

16 88. The actions of Defendants Las Vegas Township Constable's Office, Toomin and
17 the Constable as described throughout this Complaint breached the covenant of good faith and
18 fair dealing.

19 89. Due the employer-employee relationship between Defendants and Henderson, a
20 special element of trust and/or reliance existed giving rise to a tortious breach of this duty of
21 good faith because of Defendants' actions described in this Complaint.

22 90. As a direct and proximate consequence of the actions of Defendants, Ms.
23 Henderson has suffered general and special damages in an amount in excess of \$10,000.00 to be
24 determined at trial.

25 91. Ms. Henderson has been forced to retain an attorney to prosecute this action, and
26 is therefore entitled to her reasonable attorney's fees and costs.
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SEVENTH CLAIM FOR RELIEF
(Wrongful Discharge in Violation of Nevada Public Policy: (1) Termination for Refusing to Engage In Illegal Acts; (2) Termination of a Whistleblower)

92. Henderson repeats and realleges each allegation above as if fully set forth herein.

93. Nevada public policy prohibits termination of an employee who refuses to engage in an employer's actual or perceived illegal acts.

94. Nevada public policy also prohibits termination of an employee who complains to a governmental agency regarding the employer's actual or perceived illegal acts.

95. As described in paragraphs 11 through 21, Henderson was coerced into various activities by Defendants.

96. This included forcing Henderson to illegal interviews, discipline, requiring her to write biographies and demanding she appear in a reality TV show the Clark County Commissioners had already instructed Defendants to forego.

97. Henderson advised Defendants: (1) she refused to engage in any illegal acts/perceived illegal acts, such as appearing on a reality TV show; (2) she had already complained to the Clark County Commissioners about Defendants' acts.

98. Henderson's complaint to the Clark County Commissioners qualified her as a "whistleblower" pursuant to Nevada law.

99. Defendants terminated Henderson because she refused to engage in perceived/illegal acts and/or because she had complained to the Clark County Commissioners about Defendants' perceived/illegal acts.

100. As a direct and proximate result of Defendants' acts, Henderson has suffered damages in excess of \$10,000.

101. Defendants' illegal acts were oppressive, malicious and fraudulent, designed to harm Henderson. Henderson therefore seeks punitive damages to punish Defendants and deter them from harming other employees.

102. Henderson has been forced to retain the services of an attorney to prosecute this matter and is entitled to reasonable costs and attorneys' fees incurred herein.

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PRAYER FOR RELIEF

WHEREFORE, Henderson prays for judgment against the Defendants and relief as follows:

1. For an injunction reinstating Henderson to her former position and salary and benefits while prohibiting the acts complained of herein;

2. For an award of general damages from Defendants in amount in excess of \$10,000.00 to be determined at trial;

3. For compensatory damages from Defendants in an amount in excess of \$10,000.00 to be determined at trial;

4. For special damages from Defendants in an amount in excess of \$10,000.00 to be determined at trial;

5. For equitable relief;

6. For exemplary and punitive damages from the individual Defendants, for Henderson, in an amount to be determined at trial;

7. For an award of nominal damages from Defendants in an amount to be determined at trial;

8. For reasonable attorney's fees and costs incurred in the prosecution of this Complaint;

9. For such other and further relief as this Court may deem appropriate.

Dated this ____ day of October 2013.

Respectfully Submitted By:

COGBURN LAW OFFICES

By _____
ANDREW L. REMPFER, ESQ.
RYAN H. DEVINE, ESQ.
Attorneys for Plaintiff

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JURY DEMAND

Pursuant to Fed. R. Civ. P. 38(b) and the Seventh Amendment to the United States Constitution, Plaintiff hereby demands a jury trial.

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