

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO**

Civil Action No. \_\_\_\_\_

JENNIFER TAYLOR

Plaintiff,

v.

COLORADO RIVER FIRE RESCUE also known as COLORADO RIVER FIRE  
PROTECTION DISTRICT

Defendant.

---

**COMPLAINT AND JURY DEMAND**

---

Plaintiff, Jennifer Taylor, through her undersigned counsel, Killian, Davis, Richter & Mayle, PC, submits this Complaint and Jury Demand, and allege as follows:

**PARTIES AND JURISDICTION**

1. The acts complained of occurred in Colorado.
2. Plaintiff Jennifer Taylor (“Ms. Taylor”) is a resident of Colorado, and has been at all relevant times hereto.
3. Defendant, Colorado River Fire Rescue also known as Colorado River Fire Protection District (hereinafter “CRFR”), is a special district in Colorado established and authorized under Title 32 of the Colorado Revised Statutes. It is a public entity that was established to provide fire, EMS, hazardous materials and rescue response for the Town of New Castle, the Town of Silt, the City of Rifle and surrounding areas.
4. CRFR is an employer as defined by 42 U.S.C. § 2000e(b).

5. Ms. Taylor was an employee of CRFR as defined by 42 U.S.C. § 2000e(f).

6. Ms. Taylor's claims for relief arise out of Title VII of the American Civil Rights Act of 1964, as amended.

7. On March 8, 2017, Ms. Taylor filed a charge of discrimination with the Equal Employment Opportunity Commission ("EEOC").

8. On July 31, 2017, Ms. Taylor submitted a supplemental charge of discrimination.

9. On December 28, 2017, the EEOC issued a Notice of Right to Sue to Ms. Taylor.

10. Ms. Taylor filed this Complaint within ninety days of her receipt of the Notice of Right to Sue.

11. Jurisdiction is proper pursuant to 28 U.S.C. § 1331.

12. Venue is proper pursuant to 28 U.S.C. § 1391.

### **GENERAL ALLEGATIONS**

13. Plaintiff incorporates by reference each and every paragraph of this Complaint.

14. Ms. Taylor has been an employee of Colorado River Fire Rescue, or its predecessors from approximately January 1, 2007, until the present.

15. Colorado River Fire Rescue has over 100 employees.

16. Ms. Taylor's position with Colorado River Fire Rescue is Firefighter/Paramedic.

17. In May of 2017, Ms. Taylor was one of only two female full-time female Firefighter/Paramedic's employed by Colorado River Fire Rescue.

18. While working for Colorado River Fire Rescue, Ms. Taylor was subject to sexual harassment and discrimination based on her gender (female).

19. During Ms. Taylor's entire time with the Colorado River Fire Rescue, she has been subject to gender discrimination and sexual harassment.

20. Some of the most recent gender discrimination and sexual harassment Ms. Taylor was subjected to includes, but is not limited to the following events pleaded below.

21. On or around May 13, 2016, Ms. Taylor had to leave the station to attend a training.

22. Ms. Taylor was still logged onto her work computer when she left.

23. At the time, Ms. Taylor's computer screen background was a picture of her family.

24. While Ms. Taylor was at the training, she was called to respond to a 911 call.

25. After completing the 911 call, Ms. Taylor returned to the station later that day.

26. When Ms. Taylor returned to the station and went back to her computer, she found that her computer screen background had been changed to a pornographic picture of two men performing mutual oral sexual intercourse on one another.

27. Ms. Taylor immediately shouted in shock and other employees came over to observe.

28. Ms. Taylor was humiliated and embarrassed that this had been done to her.

29. Another employee took a photograph of the computer screen with the pornographic image on it to document what had happened.

30. Information Technology Director, John Gredig, then tried to fix Ms. Taylor's computer.

31. Mr. Gredig searched Internet Explorer and determined that while Ms. Taylor was gone, someone had entered a search for "Big Hairy Dicks" and had pulled up numerous other pornographic images.

32. Mr. Gredig cleared this information from the Internet Explorer history and replaced the pornographic background image with the picture of Ms. Taylor's family.

33. Mr. Gredig reported the incident to Fire Chief Jones.

34. Ms. Taylor submitted a written statement of what had happened to Fire Chief Jones.

35. It was determined that three male employees, Ben Park, Jeff Clymer, and Wyatt May, had changed the background image on Ms. Taylor's computer while Ms. Taylor was out.

36. These male employees admitted to changing Ms. Taylor's computer screen background.

37. Colorado River Fire Rescue sent one of the male employees, Jeff Clymer, home for 12 hours over the incident.

38. No other discipline was given to any employee over the incident involving Ms. Taylor's computer until after Ms. Taylor submitted a charge of discrimination with the EEOC.

39. None of the male employees who participated in this incident were demoted, suspended, or terminated for the incident.

40. Fire Chief Jones told Ms. Taylor that the incident was Ms. Taylor's fault and that Ms. Taylor needed to watch how she behaved around the male firefighters.

41. Ms. Taylor was retaliated against and subject to further harassment because she reported the incident with her computer.

42. In the days and weeks following the incident with the computer, Ms. Taylor's computer screen background was changed again multiple times in order to humiliate her. On one occasion Ms. Taylor's computer screen background was changed to a picture of "My Little Ponies." On another occasion, Ms. Taylor's computer screen background was changed to a

picture of a unicorn defecating a rainbow.

43. Ms. Taylor reported these incidents to her superiors, but was told that it was “no big deal” and to “let it go.”

44. No investigation was done in response to these incidents and no corrective action or discipline was taken until after Ms. Taylor submitted a charge of discrimination with the EEOC.

45. On another occasion a male employee, Jeff Kaiser, was complaining about Jennifer Taylor to another male employee, Cody Lister. Mr. Kaiser stated that Ms. Taylor did not deserve to work for Colorado River Fire Rescue because she was a female and that no females should have the right to work for the Colorado River Fire Rescue.

46. Mr. Lister reported Mr. Kaiser’s comments to Battalion Chief Kevin Alvey. Chief Alvey took no corrective action in response.

47. Mr. Lister also reported to Ms. Taylor what Mr. Kaiser had said. Ms. Taylor reported the comments to Battalion Chief Tim Lavin. Chief Lavin took no corrective action in response.

48. On other occasions Mr. Kaiser made comments directly to Ms. Taylor and in front of other employees that Ms. Taylor should not be able to work for Colorado River Fire Rescue because she is a female.

49. No disciplinary or corrective action was taken toward Mr. Kaiser for these comments until after Ms. Taylor submitted a charge of discrimination with the EEOC.

50. On another occasion a male Lieutenant, Randy Hill, was standing in the kitchen and was told that Sierra Carroll, who is the other full-time female at the department, would be

working with Ms. Taylor for a period of time. Lieutenant Hill stated in response, "Great. The last thing we need around here is another goddamn vagina."

51. Ms. Taylor reported this incident to her Battalion Chief Tim Lavin. However, no disciplinary or corrective action was taken until after Ms. Taylor submitted a charge of discrimination with the EEOC.

52. On another occasion, Fire Chief Rob Jones said to Ms. Taylor that she could not attend a confined space rescue training. Chief Jones said that Ms. Taylor could not attend the training because she was female and because she was female she was not strong enough to perform a confined space rescue. Chief Jones said that because Ms. Taylor is a female and not strong enough, she would never be sent on a confined space rescue. No disciplinary or corrective action was taken.

53. On another occasion, Ms. Taylor was interested in attending a conference for women in fire rescue. In order to attend the conference, Ms. Taylor needed to submit a letter of support from her Battalion Chief.

54. Ms. Taylor asked Battalion Chief Tim Lavin for a letter of support so that she could attend the conference. However, Chief Lavin stated that he would not provide a letter of support for Ms. Taylor to attend the conference for women in fire service. Other male employees were permitted to attend other training conferences.

55. In the months following these incidents, Ms. Taylor was retaliated against for complaining about these incidents and denied promotional opportunities because of her gender and because she complained about gender discrimination and sexual harassment.

56. In the fall of 2016, Colorado River Fire Rescue posted an internal job posting for

a Lieutenant position. Ms. Taylor applied for the position.

57. Ms. Taylor met the requirements for the position and was well qualified for the position.

58. Ms. Taylor interviewed and presented for the position with a panel of employees for Colorado River Fire Rescue, including Chief Jones. During the interview/presentation, Ms. Taylor attempted to bring up whether gender diversity would be beneficial to the department. Fire Chief Jones indicated that this would not be addressed and told Ms. Taylor to wrap up the interview/presentation.

59. Ms. Taylor was not allowed the full amount of time for the interview/presentation as the male employees who applied for the position.

60. Ms. Taylor was not selected for the position. A male employee was selected for the position.

61. Additionally, several male employees who applied for the position were put on a promotion list, indicating that they would be eligible for promotion at a later date.

62. Ms. Taylor was not placed on the promotion list.

63. Ms. Taylor was denied the promotion and also not placed on the promotion list because of her gender and because she complained about gender discrimination and sexual harassment.

64. No females are in a leadership position at Colorado River Fire Rescue.

65. Subsequently, in the fall of 2016, Colorado River Fire Rescue posted an internal job posting for an EMS Coordinator Position.

66. Ms. Taylor applied for the position.

67. Ms. Taylor met the requirement for the position and was well qualified for the position.

68. However, Fire Chief Jones informed Ms. Taylor that she would not even be allowed to test for the position. Fire Chief Jones told Ms. Taylor that she was not qualified for the position because she was not an officer and she did not have facility transport experience. Ms. Taylor indicated in response that she was an officer, that she had facility transport experience, and that this information was indicated on her resume and application materials. Chief Jones said he was not aware of that, indicating he had not even reviewed my resume and application materials.

69. Ms. Taylor was not allowed to test for the position even after she pointed out that she was qualified for the position.

70. A male was hired for the position.

71. Ms. Taylor was denied the promotion because of her gender and because she complained about gender discrimination and sexual harassment.

72. Ms. Taylor filed a Charge of Discrimination with the EEOC on March 8, 2017.

73. Since that time, Ms. Taylor been retaliated against for reporting the above referenced discriminatory conduct and for filing a Charge of Discrimination. Ms. Taylor also been subject to additional harassment and disparate treatment since filing her charge of discrimination with the EEOC.

74. On April 7, 2017, Ms. Taylor was training at Station 61. While she was training, Ben Park, one of the male firefighters who was responsible for putting pornography on her computer, came up to her and punched her.

75. Lt. Joe Kronkowitz observed Mr. Park punch Ms. Taylor.

76. Lt. Kronkowitz did not reprimand or counsel Mr. Park despite having seen him punch Ms. Taylor.

77. Lt. Kronkowitz did not report having observed Mr. Park punch Ms. Taylor.

78. At the time, Lt. Kronkowitz was aware that Ms. Taylor had previously reported Mr. Park's conduct.

79. Ms. Taylor was physically injured as a result of being punched by Mr. Park.

80. On April 10, 2017, Ms. Taylor reported the incident in writing to Chief Jones.

81. In response to reporting being punched, Ms. Taylor was told to report to a workers' compensation doctor, Dr. Kelly.

82. Ms. Taylor reported to Dr. Kelly who placed her on light duty.

83. However, Colorado River Fire Rescue would not allow Ms. Taylor to work while she was on light duty restrictions.

84. There was a significant amount of light duty work that Ms. Taylor could have performed, but Colorado River Fire Rescue would not allow her to work.

85. Ms. Taylor reported this issue in writing to Chief Jones.

86. However, Ms. Taylor was still not permitted to work while she was on light duty restriction even though light duty work was available.

87. Because she was not permitted to work, she was forced to use her PTO and had to use approximately 144 hours, while she was on light duty restriction.

88. Colorado River Fire Rescue did not allow Ms. Taylor to return to work until she had no restrictions, which was not until June of 2017.

89. Colorado River Fire Rescue did not investigate the above referenced acts of harassment and discrimination until after Ms. Taylor filed a Charge of Discrimination with the EEOC despite her previously reporting these acts or individuals in leadership at Colorado River Fire Rescue having observed the events.

90. After Ms. Taylor filed a charge of discrimination the Colorado River Fire Rescue conducted an investigation into some of Ms. Taylor's allegations.

91. As a part of its investigation, the Colorado River Fire Rescue confirmed the following allegations:

- a. Ms. Taylor's computer screen was altered to a pornographic picture without her consent.
- b. None of the male employees who participated in the computer screen incident were demoted, suspended, or terminated for the incident.
- c. Jeff Kaiser stated that Ms. Taylor 'did not deserved to work for CRFR because she is a female and that no females should have the right to work at CRFR.'
- d. Lt. Randy Hill was standing in the kitchen and was told that Sierra Carrol would be working with Ms. Taylor for a period of time. Lt. Hill stated in

response, “Great. The last thing we need around here is another goddamn vagina.”

- e. Ms. Taylor reported Lt. Hill’s comments to Battalion Chief Tim Lavin and no disciplinary action was taken.”
- f. Ben Park hit Ms. Taylor.

92. Even after conducting an investigation and substantiating these allegations, none of the male firefighter who participated in the sexual harassment and discrimination described above were terminated.

93. Colorado River Fire Rescue did not even terminate Ben Park after it confirmed that he was involved in putting pornography on Ms. Taylor’s computer and that he punched Ms. Taylor.

94. Only after Ms. Taylor filed a charge of discrimination with the EEOC, Mr. Park was suspended 144 hours.

95. However, Mr. Park was allowed to return from his suspension after only 48 hours.

96. Colorado River Fire Rescue’s handling of the harassment and discrimination Ms. Taylor experienced has sent a message that it will tolerate male employees engaging in overt sexual harassment and even physical violence toward female employees without fear of termination or even significant discipline.

97. Since filing a charge of discrimination with the EEOC, Ms. Taylor has continued to experience discrimination, hostile work environment, and overall poor treatment due to having reported and complained about sexual harassment and gender discrimination.

98. Since filing a charge of discrimination with EEOC, Ms. Taylor has been denied opportunities to participate in work functions, trainings, and work groups due to her having reported and complained about sexual harassment and gender discrimination.

**FIRST CLAIM FOR RELIEF**  
**TITLE VII OF THE CIVIL RIGHTS ACT OF 1964, AS AMENDED**  
**(Sexual Harassment – Hostile Work Environment)**  
**42 U.S.C. § 2000e et. seq.**

99. Plaintiff incorporates by reference each and every paragraph of this Complaint.

100. It is unlawful for an employer to intentionally refuse to hire or to intentionally discharge any person or otherwise discriminate against any person with respect to compensation, tenure, conditions, or privileges of employment because of such person's sex.

101. 42 U.S.C. § 2000e-2(a) provides that:

It shall be an unlawful employment practice for an employer—

(1) to fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex, or national origin;

or

(2) to limit, segregate, or classify his employees or applicants for employment in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual's race, color, religion, sex, or national origin.

102. Ms. Taylor was subjected to intentional discrimination because of her sex (female) by the intentional conduct of plaintiff's co-workers, consisting of conduct of an unwelcomed sexual nature, such as sexually explicit comments and conduct.

103. The sexually-explicit comments and conduct was severe and pervasive.

104. The sexually-explicit comments and conduct detrimentally affected Ms. Taylor.

105. The sexually-explicit comments and conduct would have detrimentally affected a reasonable person of the same sex in Ms. Taylor's position.

106. Supervisors and Management level employees, knew or should have known of the alleged sexual harassment described above.

107. Supervisors and Management level employees failed to implement prompt and appropriate corrective action.

108. Ms. Taylor incurred injuries, damages, and losses as a result of sexual harassment hostile work environment created by her co-workers' sexually-explicit comments and conduct.

**SECOND CLAIM FOR RELIEF**  
**TITLE VII OF THE CIVIL RIGHTS ACT OF 1964, AS AMENDED (Sex Discrimination**  
**- Terms, Conditions, and Privileges of Employment)**  
**42 U.S.C. § 2000e- et. seq.**

109. Plaintiff incorporates by reference each and every paragraph of this Complaint.

110. It is unlawful for an employer to intentionally refuse to hire or to intentionally discharge any person or otherwise discriminate against any person with respect to compensation, tenure, conditions, or privileges of employment because of such person's sex.

111. 42 U.S.C. § 2000e-2(a) provides that:

It shall be an unlawful employment practice for an employer—

(1) to fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex, or national origin; or

(2) to limit, segregate, or classify his employees or applicants for employment in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual's race, color, religion, sex, or national origin.

112. Ms. Taylor is in a protected class status based on her sex (female).

113. The sexually harassment and gender discrimination to which Ms. Taylor was subjected impacted the terms, conditions, and privileges of Ms. Taylor's employment with CRFR.

114. CRFR's supervisors and managers were aware of the sexual harassment and gender discrimination to which Ms. Taylor was subjected.

115. Management level and human resources employees failed to implement prompt and appropriate corrective action

116. Ms. Taylor's sex (female) was a motivating factor in CRFR's conduct.

117. Employees not of Ms. Taylor's protected class status were not subject to different terms, conditions, and privileges of their employment with CRFR due to sexual harassment and gender.

118. Ms. Taylor was denied promotions, raises, training, and other employment opportunities due to her gender.

119. Ms. Taylor was subjected to disparate treatment due to her gender.

120. Ms. Taylor incurred injuries, damages, and losses as a result of her different terms, conditions, and privileges of her employment with CRFR.

**THIRD CLAIM FOR RELIEF**  
**TITLE VII OF THE CIVIL RIGHTS ACT OF 1964, AS AMENDED (Retaliation)**  
**42 U.S.C. § 2000e et. seq.**

121. Plaintiff incorporates by reference each and every paragraph of this Complaint.

122. Ms. Taylor reported and complained about sexual harassment and gender discrimination to her managers and supervisors at CRFR.

123. As a result of complaining about sexual harassment and gender discrimination, Ms. Taylor was subjected to retaliation, including but not limited to additional sexual harassment and gender discrimination, disparate treatment, physical violence, and denial of promotions, raises, training, and other employment opportunities.

124. Ms. Taylor filed a Charge of Discrimination with the EEOC complaining about sexual harassment and gender discrimination.

125. As a result of filing a Charge of Discrimination with the EEOC concerning sexual harassment and gender discrimination, Ms. Taylor was subjected to retaliation, including but not limited to additional sexual harassment and gender discrimination, disparate treatment, physical violence, and denial of promotions, raises, training, and other employment opportunities.

126. Ms. Taylor sustained injuries, damages, and losses as a result of the retaliation to which CRFR subjected her.

**DAMAGES FOR VIOLATION OF TITLE VII OF THE CIVIL RIGHTS ACT OF 1964,**  
**AS AMENDED**

42 U.S.C. § 2000e et. seq.

127. Plaintiff incorporates by reference each and every paragraph of this Complaint.

128. CRFR's intentional discrimination in violation of Title VII of the Civil Rights Act of 1964, as amended, entitles Ms. Taylor to an award of back pay, including pre-judgment and post-judgment interest, she would have been entitled to had she been promoted until the last day of trial.

129. Ms. Taylor's back pay damages include lost wages and benefits, taking into consideration any increases in salary and benefits that Ms. Taylor would have received had she not been discriminated against.

130. CRFR's intentional discrimination in violation of Title VII of the Civil Rights Act of 1964, as amended, entitles Ms. Taylor to promotion to the positions for which she applied or, in the alternative if promotion is unavailable, an award damages for future loss of earnings (front pay), including post-judgment interest, for the period from the last day of the trial forward.

131. Ms. Taylor's front pay damages include lost wages and benefits, taking into consideration any increases in salary and benefits that Ms. Taylor would have received had she not been discriminated against.

132. CRFR's intentional discrimination in violation of Title VII of the Civil Rights Act of 1964, as amended, entitles Ms. Taylor to an award of compensatory damages, including pre-judgment and post-judgment interest, for future pecuniary losses, emotional pain, suffering, inconvenience, mental anguish, loss of enjoyment of life, and other nonpecuniary losses.

133. CRFR's intentional discrimination in violation of Title VII of the Civil Rights Act of 1964, as amended, entitles Ms. Taylor to an award of damages for expenses Ms. Taylor has incurred as a result of CRFR's conduct.

134. CRFR's acts of intentional discrimination and failing to prevent or protect Ms. Taylor from sexual harassment hostile work environment were done with malice or reckless indifference to Ms. Taylor's federally-protected rights under Title VII of the Civil Rights Act of 1964, as amended.

135. CRFR's acts of intentional discrimination and failing to prevent or protect Ms. Taylor from sexual harassment hostile work environment, done with malice or reckless indifference to Ms. Taylor's federally-protected rights under Title VII of the Civil Rights Act of 1964, as amended, entitles Ms. Taylor to an award of punitive damages, including pre-judgment and post-judgment interest, in addition to compensatory damages. Ms. Taylor is entitled to punitive damages to punish CRFR for its misconduct and to warn others against doing the same.

136. 42 U.S.C. § 2000e-5(k) provides that:

In any action or proceeding under this subchapter the court, in its discretion, may allow the prevailing party . . . a reasonable attorney's fee (including expert fees) as part of the costs . . . .

137. Ms. Taylor is entitled to an award of attorneys' fees and litigation costs.

WHEREFORE, plaintiff respectfully requests:

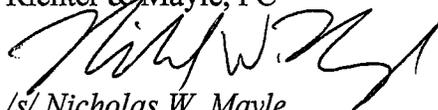
A Judgment to be entered against Defendant for monetary injuries, damages, and losses in an amount to be proven at trial;

- B. Pre-judgment and post-judgment interest;
- C. Costs of litigation, including expert witness fees;
- D. Reasonable attorney's fee;
- E. Exemplary/punitive damages; and
- F. Such other and further relief as the Court deems just and proper.

**PLAINTIFF DEMANDS A TRIAL BY JURY ON ALL ISSUES.**

DATED this 23<sup>rd</sup> day of February, 2018

KILLIAN DAVIS  
Richter & Mayle, PC



/s/ Nicholas W. Mayle

---

Nicholas W. Mayle, Esq.  
Attorneys for Plaintiff  
202 North 7th Street  
Post Office Box 4859  
Grand Junction, CO 81502  
Phone: (970) 241-0707  
Fax: (970) 242-8375  
[nick@killianlaw.com](mailto:nick@killianlaw.com)

JS 44 (Rev. 12/12)

### CIVIL COVER SHEET

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

**I. (a) PLAINTIFFS**

Jennifer Taylor

**DEFENDANTS**

Colorado River Fire Rescue aka Colorado River Fire Protection District

(b) County of Residence of First Listed Plaintiff Garfield

(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant Garfield

(IN U.S. PLAINTIFF CASES ONLY)

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

Attorneys (If Known)

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

KILLIAN DAVIS Richter & Mayle, PC  
202 North 7th Street, Grand Junction, CO 81502  
(970) 241-0707

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

- 1 U.S. Government Plaintiff
- 3 Federal Question (U.S. Government Not a Party)
- 2 U.S. Government Defendant
- 4 Diversity (Indicate Citizenship of Parties in Item III)

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

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

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

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Tort Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<b>PERSONAL INJURY</b> <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other  <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act  <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157  <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark  <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))  <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS			
<input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input checked="" type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<b>Habeas Corpus:</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <b>Other:</b> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

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

- 1 Original Proceeding
- 2 Removed from State Court
- 3 Remanded from Appellate Court
- 4 Reinstated or Reopened
- 5 Transferred from Another District (specify)
- 6 Multidistrict Litigation

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  
 42 U.S.C Section 2000e et. seq.,  
 Brief description of cause:  
 Sexual Harassment-Hostile Work Environment, Sex Discrimination, Retaliation

**VII. REQUESTED IN COMPLAINT:**

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ CHECK YES only if demanded in complaint:  
 JURY DEMAND:  Yes  No

**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE

DOCKET NUMBER

DATE  
Friday, February 23, 2018

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPLYING IFP \_\_\_\_\_ JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_

**INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44**

## Authority For Civil Cover Sheet

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

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.  
 United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.  
 United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.  
 Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.  
 Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; NOTE: federal question actions take precedence over diversity cases.)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerk(s) in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.
- V. Origin.** Place an "X" in one of the six boxes.  
 Original Proceedings. (1) Cases which originate in the United States district courts.  
 Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.  
 Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.  
 Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.  
 Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.  
 Multidistrict Litigation. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.  
 Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.  
 Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

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

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the
District of Colorado

Jennifer Taylor

Plaintiff

v.

Colorado River Fire Rescue aka Colorado River Fire
Protection District

Defendant

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Colorado River Fire Rescue aka Colorado River Fire Protection District
1850 Railroad Avenue
Rifle, CO 81650

A lawsuit has been filed against you.

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

Nicholas W. Mayle, Esq.
Killian Davis Richter & maile, P.C
P.O. Box 4859
Grand Junction, CO 81502

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

CLERK OF COURT

Date:

Signature of Clerk or Deputy Clerk

AO 440 (Rev. 12/09) Summons in a Civil Action (Page 2)

Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE**

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

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

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

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

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

I returned the summons unexecuted because \_\_\_\_\_ ; or

Other *(specify)*:

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_ 0.00.

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

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc: