

according to the findings of investigations performed by Kimberley-Taylor Riley, former Director of Equity and Diversity for the City of Lincoln.

5. Mahler and Plaintiff were recently dispatched to the same fire scene, where Incident Command ordered them to work together. Although Mahler was the Group Supervisor, he refused to speak with Plaintiff and abandoned her and her crew in a burning warehouse with nearly zero visibility.

6. Plaintiff had filed a new internal complaint about Mahler four days before he left her in the warehouse fire.

7. Plaintiff is engaged in a dangerous profession where teamwork is absolutely critical. Plaintiff, and those who happen to work on her team, face obvious irreparable harm if Mahler is allowed to continue retaliating against her while this litigation proceeds.

8. Plaintiff respectfully requests that the Court 1) order the City of Lincoln to immediately initiate disciplinary proceedings against Mahler; 2) enjoin Mahler from assignment/dispatch to any fire scene during the pendency of disciplinary proceedings; and 3) appoint an independent, third-party investigator to investigate Plaintiff's complaint about Mahler's actions at the recent warehouse fire.

9. In support of her Motion for Preliminary Injunction, Plaintiff relies on, and incorporates by reference, her Brief in Support of Motion for Preliminary Injunction and corresponding Indexes of Evidence, which are being filed contemporaneously with this Motion.

WHEREFORE, Plaintiff respectfully requests that the Court enter an order granting the relief requested herein.

REQUEST FOR HEARING

Plaintiff requests an evidentiary hearing on her Motion for Preliminary Injunction. A hearing will allow Plaintiff to obtain supportive testimony from supervisors who are otherwise inaccessible to her, as well as from employees who may fear retaliation from Defendants if they voluntarily provide affidavits.

Dated this 11th day of June 2021.

AMANDA BENSON, Plaintiff

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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 11th day of June 2021, she electronically filed the foregoing Motion for Preliminary Injunction with the Clerk of the Court using the CM/ECF system which sent notification of such filing to all CM/ECF participants.

/s/ Kelly K. Brandon