

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI  
AT INDEPENDENCE

CHRISTEENA FERGUSON, )  
)  
Plaintiff, )

v. )

Case No.

SOUTHERN JACKSON COUNTY )  
FIRE PROTECTION DISTRICT, )

**JURY TRIAL DEMANDED**

**SERVE:**

**Chief Bill Large** )  
**101 Lotawana Drive** )  
**Lake Lotawana, Missouri 64086** )

Defendant. )

**PETITION FOR DAMAGES**

COMES NOW Christeena Ferguson, by and through the undersigned attorneys, to state and allege the following against Defendant Southern Jackson County Fire Protection District:

**NATURE OF THE CLAIM**

- 1. This is an action for legal relief under Missouri statutory and common law.

**PARTIES**

- 2. Christeena Ferguson is a female adult.

- 3. Defendant Southern Jackson County Fire Protection District (“Defendant”) is and has at all times herein, a Missouri fire protection district and Missouri citizen.

- 4. Defendant operates a fire protection district from its headquarters at 101 Lotawana Drive, Lake Lotawana, Jackson County, Missouri 64086, in the eastern portion of Jackson County, Missouri.

5. At all times relevant herein, Defendant engaged in an industry affecting commerce and had six or more employees for each working day in each of twenty or more calendar weeks in both 2021 and 2022.

6. At all times relevant herein, Defendant offered out to the general public, services, for the peace, comfort, health, welfare and safety of the general public.

7. Defendant also operates locations in Lee's Summit, Missouri and Blue Springs, Missouri, both in the eastern portion of Jackson County, Missouri.

### JURISDICTION AND VENUE

8. Defendant is subject to the general personal jurisdiction of this Court as it is a Missouri citizen.

9. Defendant is subject to specific personal jurisdiction of this Court because it committed tortious acts in the State of Missouri.

10. Venue is proper in the Circuit Court of Jackson County, Missouri, at Independence, in that Defendant's discriminatory practices were committed in Jackson County, Missouri, specifically the eastern portion of Jackson County.

### CONDITIONS PRECEDENT

11. On December 9, 2022, Plaintiff timely filed her Charge of Discrimination with the Missouri Commission on Human Rights ("MCHR") and the Equal Employment Opportunity Commission ("EEOC"), alleging sex-based harassment against Defendant. A true and accurate copy of the Charge is attached hereto as **Exhibit A** and incorporated herein by reference.

12. On or about August 29, 2023, the MCHR issued Plaintiff a Notice of Right to Sue. A copy of the Notice of Right to Sue is attached hereto as **Exhibit B** and incorporated herein by reference.

FACTUAL ALLEGATIONS COMMON TO ALL COUNTS

13. Plaintiff started working for Defendant on or about April 29, 2022.
14. Plaintiff was employed as a Prehospital Registered Nurse at Defendant's locations in Jackson County, Missouri at the time of her hire.
15. On or about June 14, 2022, at approximately 9:00 a.m., Plaintiff was sitting next to then-Engineer, (and subsequently named Captain) [REDACTED] ("Mr. [REDACTED]") at a Station 1 dining room table. Mr. [REDACTED] served as Acting Chief prior to being promoted to Captain.
16. Plaintiff had mentioned to Mr. [REDACTED] that she was in a wedding of someone that they both knew.
17. The next thing Plaintiff knew, Mr. [REDACTED] was showing her his phone and it was very inappropriate consisting of disgusting, provocative pictures of the individual they both knew, which made Plaintiff feel very uncomfortable and she looked away immediately.
18. Mr. [REDACTED] said "keep this between us." Plaintiff was very uncomfortable because she didn't understand why a leader would be showing her inappropriate pictures of my friend.
19. Later, Plaintiff and Mr. [REDACTED] were sitting in chairs between engines and bay doors and Captain [REDACTED] said, "everyone's making comments about your boobs."
20. On or about June 16, 2022, at approximately 6:33 a.m., while on duty, Mr. [REDACTED] sent Plaintiff an Instagram reel about playing, fingering a woman's vagina.
21. On or about June 18, 2022, Mr. [REDACTED] invited Plaintiff to go to a band with some of his friends as a crew member outing.
22. Plaintiff told Captain [REDACTED] on Snapchat that she did not want any funny business happening, no flirting, nothing sexual, this would be just friends.
23. Mr. [REDACTED] agreed and made rules about not talking about work, no discussing

outside outings at work.

24. Plaintiff made it very clear that this was nothing more than a crew member outing. At this outing nothing happened, and Mr. [REDACTED] and his friend left before Plaintiff did.

25. On or about June 21, 2022, on-shift Station 1 and Station 2 for Defendant Fire Protection District met at the boat dock at Lake Lotawana for the arrival and launch of Boat 2.

26. During this time crews were taking turns going out on the boat. While waiting at the dock with other district employees, including [REDACTED] Mr. [REDACTED] sent Plaintiff a Snapchat that stated, "is it bad that I want to see [REDACTED] naked?"

27. On or about June 22, 2022, Mr. [REDACTED] asked Plaintiff if she had talked to her ex-boyfriend, and Plaintiff explained the situation.

28. Next Mr. [REDACTED] asked if Plaintiff was getting back together with her ex-boyfriend. Plaintiff said, I didn't know.

29. A couple of minutes later Mr. [REDACTED] asked if Plaintiff wanted to come over in the morning after shift for a beer, but Plaintiff declined.

30. On or about June 23, 2022, at approximately 9:13 a.m., Mr. [REDACTED] told Plaintiff through message that he hurt his ankle by stepping off the curb.

31. Plaintiff told him he probably strained it, and that her ankle gives out often.

32. At approximately 9:18 a.m., Mr. [REDACTED] said if Plaintiff would have stopped for a beer it wouldn't have happened.

33. On or about July 16, 2022, at approximately 9:00 a.m., Mr. [REDACTED] asked Plaintiff what she was doing that day.

34. Again, Plaintiff made a comment about coming by for a beer.

35. Plaintiff asked where the band was, Mr. [REDACTED] told her and offered to be designated

driver.

36. Plaintiff informed Mr. [REDACTED] that she might, but Plaintiff again also made it clear there was nothing sexual in nature and it was just coworkers going out.

37. Mr. [REDACTED] replied, "nope."

38. Plaintiff then told Mr. [REDACTED] she was not going to go because of the other plans.

39. At or about 9:16 a.m., Mr. [REDACTED] messaged Plaintiff "Lol ok. Well I'm in bed.. naked Lol. I'm going to take a nap."

40. Plaintiff replied "TMI! I'm gonna nap too."

41. On or about July 22, 2022, Plaintiff messaged Mr. [REDACTED] saying how the shift was rough.

42. Mr. [REDACTED] agreed and asked if Plaintiff was home yet.

43. Plaintiff told Mr. [REDACTED] no I just left BP on Highway 7.

44. Mr. [REDACTED] asked Plaintiff if she wanted to stop by to debrief about the shift.

45. Plaintiff did subsequently stop by his apartment.

46. During this time, Plaintiff and Mr. [REDACTED] talked about the shift and at approximately 10:00 a.m., Plaintiff was getting ready to leave and Mr. [REDACTED] got up and stated "yeah you have two choices, get in bed or leave."

47. Plaintiff immediately got up and said "oh wow, nope" and left.

48. Plaintiff felt extremely uncomfortable and wanted to leave as soon as possible.

49. About 5 minutes later on snapchat Mr. [REDACTED] sent Plaintiff a message stating, "can I tell you something inappropriate?" To which Plaintiff replied, "NO!"

50. On or about July 26, 2022, on a call, Mr. [REDACTED] put his hand on Plaintiff's back and kept it there in the back of the ambulance.

51. On or about July 27, 2022, Mr. [REDACTED] messaged Plaintiff asking what Plaintiff was doing tomorrow.

52. Plaintiff replied, nothing why, and Mr. [REDACTED] again asked Plaintiff if she wanted to come over again.

53. Plaintiff replied with, no, I was working and Plaintiff addressed how the comment Mr. [REDACTED] made when Plaintiff was over debriefing about work and only talking about work how it was not funny to Plaintiff; it made Plaintiff very uncomfortable.

54. Plaintiff again said to Mr. [REDACTED] that they were friends and nothing more can come of it.

55. Mr. [REDACTED] replied that he didn't mean it in a sexual nature.

56. Due to having to work with Mr. [REDACTED] as a supervisor located at Station 1 and being on the same shift at Station 2 with the potential of working under him, Plaintiff responded in a way she thought would avoid any potential retaliation or prejudice on the shift.

57. Plaintiff replied, I wanted to touch base with Mr. [REDACTED] letting Mr. [REDACTED] know Plaintiff didn't like the comment.

58. After the last comment made, Plaintiff started to analyze the previous interactions which made her even more uncomfortable due to the sexual nature and the length of time that it has been going on without realizing it.

59. August 1, 2022 was Plaintiff's first day back on shift since confronting Mr. [REDACTED] about how inappropriate and uncomfortable she was.

60. While driving to work Plaintiff's anxiety built up and she was dreading seeing Mr. [REDACTED] due to not knowing how interactions would be.

61. Once Plaintiff arrived at Station 2, she realized this was going to affect her ability

to perform her responsibilities and duties.

62. Plaintiff then asked to speak to Captain [REDACTED] about the situation, as it was affecting her.

63. Plaintiff submitted a written complaint to management of Southern Jackson County Fire Protection District on or about August 1, 2022.

64. Plaintiff subsequently spoke with Defendant's Chief [REDACTED] regarding her complaint.

65. Mr. [REDACTED] continued to be employed by Defendant following Plaintiff's discussion with Chief [REDACTED]

66. Since the time of her August 1, 2022 written complaint, Mr. [REDACTED] has subsequently been promoted to Captain.

67. On or about September 6, 2022, Plaintiff resigned from full-time employment with Defendant, and changed to part-time employment, because Defendant deliberately rendered her working conditions so intolerable that she was forced to switch to part-time employment.

68. In December 2022, Plaintiff resigned her employment with Defendant as a result of Defendant deliberately rendering Plaintiff's working conditions so intolerable that she was forced to quit her job.

**COUNT I  
MHRA**

**Sexual Harassment/ Hostile Work Environment in Violation of R.S.Mo. § 213.055**

69. Plaintiff incorporates by reference the allegations in all other paragraphs of this Petition as if fully set forth herein.

70. During her employment with Defendant, Plaintiff was subjected to harassment and/or hostile work environment based on her sex, which included but were not limited to, repeated

inappropriate communications by management of Defendant, along with inappropriate touching, to which she did not consent.

71. Plaintiff's female sex was a motivating factor in the harassing conduct she suffered.

72. The unwelcome sexual harassment was sufficiently severe or pervasive as to alter the conditions of her employment and create an abusive, hostile, intimidating and offensive working environment because of her sex.

73. The harassment was subjectively intimidating and/or offensive to Plaintiff and would have been so intimidating and/or offensive to a reasonable person.

74. This unwelcome sexual harassment adversely affected Plaintiff's terms, conditions, and privileges of her employment.

75. At all times relevant to the allegations herein, Mr. [REDACTED] and Chief [REDACTED] were agents, servants, and employees of Defendant and were at all such times acting within the scope and course of their agency and employment; and/or, they directly acted in the interests of Defendant; and/or their actions were expressly authorized by Defendant; and/or, his actions were ratified by Defendant; and/or, Defendant acted as a proxy/alter-ego of Defendant. Therefore, Defendant is liable for the actions of Mr. [REDACTED] and Chief [REDACTED] under all theories pled herein.

76. Defendant is vicariously liable for the conduct of Mr. [REDACTED] because he was a supervisor to Plaintiff.

77. As a direct and proximate result of Defendant's conduct described herein Plaintiff has suffered from, and is expected to continue to suffer from, degradation, pain, anguish, anxiety, and emotional distress.

WHEREFORE, Plaintiff prays for a judgment against Defendant on Count I of her Petition, for a finding that she has been subjected to unlawful conduct prohibited by R.S.Mo. §213.055; for

an award of compensatory damages; an award of front and back pay, for her costs expended; for her reasonable attorneys' fees; for post-judgment interest, and for other and further relief the Court deems just and proper, in excess of the jurisdictional authority of this Court.

**COUNT II**  
**MHRA**  
**Constructive Discharge in Violation of R.S.Mo. § 213.055**

78. Plaintiff incorporates by reference the allegations in all other paragraphs of this Petition as if fully set forth herein.

79. During her employment with Defendant, Plaintiff was subjected to harassment and/or hostile work environment based on her sex, which included but were not limited to, repeated inappropriate communications by management of Defendant, along with inappropriate touching, to which she did not consent.

80. Plaintiff's female sex was a motivating factor in the harassing conduct she suffered.

81. The unwelcome sexual harassment was sufficiently severe or pervasive as to alter the conditions of her employment and create an abusive, hostile, intimidating and offensive working environment because of her sex.

82. The harassment was subjectively intimidating and/or offensive to Plaintiff and would have been so intimidating and/or offensive to a reasonable person.

83. This unwelcome sexual harassment adversely affected Plaintiff's terms, conditions, and privileges of her employment.

84. Due to the unwelcome sexual harassment to which she was subjected during her employment with Defendant, Plaintiff changed from full-time to part-time employment with Defendant.

85. Due to the unwelcome sexual harassment to which she was subjected during her

employment with Defendant, Defendant deliberately rendering Plaintiff's working conditions so intolerable that she was forced to quit her job, and Defendant's failure to properly address this harassment, Plaintiff fully resigned from employment with Defendant in December 2022.

86. At all times relevant to the allegations herein, Mr. [REDACTED] and Chief [REDACTED] were agents, servants, and employees of Defendant and were at all such times acting within the scope and course of their agency and employment; and/or, they directly acted in the interests of Defendant; and/or their actions were expressly authorized by Defendant; and/or, his actions were ratified by Defendant; and/or, Defendant acted as a proxy/alter-ego of Defendant. Therefore, Defendant is liable for the actions of Mr. [REDACTED] and Chief [REDACTED] under all theories pled herein.

87. Defendant is vicariously liable for the conduct of Mr. [REDACTED] because he was a supervisor to Plaintiff.

88. As a direct and proximate result of Defendant's conduct described herein Plaintiff has suffered from, and is expected to continue to suffer from, degradation, pain, anguish, anxiety, and emotional distress.

WHEREFORE, Plaintiff prays for a judgment against Defendant on Count II of her Petition, for a finding that she has been subjected to unlawful conduct prohibited by R.S.Mo. §213.055; for an award of compensatory damages; an award of front and back pay, for her costs expended; for her reasonable attorneys' fees; for post-judgment interest, and for other and further relief the Court deems just and proper, in excess of the jurisdictional authority of this Court.

### COUNT III

#### **Sexual Harassment/Discrimination in Public Accommodations In Violation of the Missouri Human Rights Act, R.S.Mo. § 213.065**

89. Plaintiff incorporates by reference all other paragraphs of this Petition as though fully set forth herein.

90. At all times relevant to the allegations in this Petition, Defendant offered to the general public services, privileges, and facilities.

91. Plaintiff was discriminated against on the basis of her sex in that she was subjected to sexual harassment and discrimination, to which she did not consent.

92. Plaintiff was deprived of the full, free, and equal use and enjoyment of the privileges, facilities, advantages or accommodations by way of the Defendant's actions and inactions.

93. As a direct and proximate result of Defendant's conduct described herein Plaintiff has suffered, and is expected to continue to suffer from, degradation, pain, anguish, anxiety, and emotional distress.

94. Defendant directly and/or indirectly discriminated against Plaintiff based on her sex in that Mr. [REDACTED] using Defendant's facility and while acting directly in their interests as their agent, servant, employee and proxy, repeatedly engaged in sexual harassment and discrimination against Plaintiff, to which she did not consent.

95. At all times relevant to the allegations herein, Mr. [REDACTED] and Mr. [REDACTED] were agents, servants, and employees of Defendant and were at all such times acting within the scope and course of their agency and employment; and/or, they directly acted in the interests of Defendant; and/or their actions were expressly authorized by Defendant; and/or, his actions were ratified by Defendant; and/or, Defendant acted as a proxy /alter-ego of Defendant. Therefore, Defendant is liable for the actions of Mr. [REDACTED] and Mr. [REDACTED] under all theories pled herein.

WHEREFORE, Plaintiff prays for judgment against Defendant on the claims brought in her Petition, for a finding that she has been subjected to unlawful conduct prohibited by R.S.Mo.

§ 213.065 *et seq.*; for an award of compensatory; for her costs expended; for her reasonable attorneys' fees; and for other and further relief the Court deems just and proper.

**JURY TRIAL DEMAND**

Plaintiff hereby demands a trial by jury of all triable issues alleged herein.

**HOLMAN SCHIAVONE, LLC**

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