

THE CIRCUIT COURT OF THE COUNTY OF ST. LOUIS
STATE OF MISSOURI

ROXANNE RUPPEL,)
)
Plaintiff,)
)
v.)
)
CITY OF VALLEY PARK,)
)
(Serve at: Marguerite Wilburn)
City Clerk)
320 Benton)
Valley Park, MO 63088))
)
)
Defendant.)

2007 MAR 7 PM 9:39

Cause No.: *[Handwritten Signature]*

Division No.: 0892-CC-01043

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PETITION

COMES NOW plaintiff Roxanne Ruppel and as grounds for this petition states and alleges as follows.

1. On or about January 15, 2002 she was employed by defendant City of Valley Park.
2. On or about December 2006 after long standing request she entered into a romantic relationship with the Mayor of the city Mr. Jeff Whittaker.
3. Subsequently various member of the city counsel became upset with plaintiff and blamed her exclusively for this relationship.
4. As far as is known to plaintiff the mayor was never sanctioned, censured, disciplined or impeached in any way.
5. On or about June 5, 2007 the city counsel sought to discipline plaintiff for putting a stamp on the campaign literature of one Steve Drake. This attempted discipline was a pretense and was carried out because they were upset with the romantic relationship. Other persons

including Marguerite Wilburn who was urging plaintiff's discipline had violated ordinances extensively in using city employees to assist in various aspects of their political campaigns. These were violations far more extensive than the violation plaintiff was accused of. The attempted discipline was inconsistent with the rules and regulations of the city and when Plaintiff pointed this out, the city withdrew its effort to discipline her.

6. At about the time of this attempted discipline referred to in the preceding paragraph, the Mayor advised plaintiff that the counsel would leave plaintiff alone if she would terminate the romantic relationship but in fact he also advised that "there is nothing they can do" and "you are protected" in the event that she continued the relationship.

7. Plaintiff continued the relationship relying in part upon Mr. Whitaker's assurances.

8. Subsequently on or about August 1, 2007 the city counsel demoted plaintiff's status and changed her employment to part time thus cutting her pay substantially and depriving her of her family insurance.

9. Subsequently on or about September 2007 Plaintiff advised Jeff Whitaker that she was terminating the relationship.

10. Subsequently on or about September 17, 2007 plaintiff was fired.

11. Since her discharge and up through approximately February 28, 2008 she has earned approximately \$8,300.00 less than she would have earned at Valley Park and she has had to pay \$4,238.22 more in health insurance premiums she would not have had to pay had she not been demoted and then subsequently fired. Said losses in income will go on indefinitely in amounts that cannot now be precisely known or predicted. Further, plaintiff has been humiliated

and suffered mental anguish at being singled out and disciplined. Her ability to care for herself and her child has been severely impaired.

12. Plaintiff was a competent and energetic and capable employee who performed numerous important functions for the city including certain billing functions and web site Maintenance functions which have not been kept up since her departure.

13. The city counsels' anger and discipline has been directed at plaintiff exclusively or partly because she is a woman. No [or far less] anger censure and discipline has been directed at Jeff Whitaker. Said conduct in singling out plaintiff for discipline is conduct motivated at least in part if not entirely by plaintiff's sex all in direct violation of 213.010(5) which prohibits "ANY unfair treatment based on . . . sex, . . . as it relates to employment."

14. Plaintiff has timely filed all necessary administrative claims and on February 28, 2008 the Missouri Commission on Human Rights issued its right to sue a copy of which is attached hereto as Exhibit A.

15. Defendant's conduct as aforesaid was outrageous because of defendant's evil motive or reckless indifference to the rights of plaintiff.

WHEREFORE plaintiff prays for actual damages in an amount the jury finds fair and reasonable and appropriate under all the circumstance and for \$1,000,000.0 in punitive damages or such other sum as the jury finds to be appropriate under all the circumstances and for her attorney's fees as allowed by Missouri statutes and for all such other and further relief as the court deems just and proper under all of the circumstances.

Respectfully Submitted
McMICHAEL & LOGAN

By:

A handwritten signature in black ink, appearing to read "Daniel J. McMichael". The signature is written in a cursive style with a large, prominent initial "D".

Daniel J. McMichael, #24019
Attorney for Plaintiff
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MISSOURI DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
MISSOURI COMMISSION ON HUMAN RIGHTS

MAR 03 2

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ALVIN CARTER
COMMISSION CHAIRPERSON

ALISA WARREN
EXECUTIVE DIRECTOR

Roxanne Ruppel
463 Brairhill
Ballwin, MO 63021

NOTICE OF RIGHT TO SUE

RE: Roxanne Ruppel vs. VALLEY PARK CITY OF
E-10/07-32545 28E-2008-00257C

This is your **NOTICE OF RIGHT TO SUE** pursuant to the Missouri Human Rights Act.

If the commission has not completed its administrative processing and the person aggrieved so requests in writing, the commission shall issue to the person claiming to be aggrieved a letter indicating his or her right to bring a civil action within 90 days of such notice against the respondent(s) named in the complaint. Such an action may be brought in any circuit court in any county in which the unlawful discriminatory practice is alleged to have occurred, either before a circuit or associate circuit judge. Upon issuance of this notice, the commission shall terminate all proceedings relating to the complaint. No person may file or reinstate a complaint with the commission after the issuance of a notice under this section relating to the same practice or act. Any action brought in court under this section shall be filed within ninety days from the date of the commission's notification letter to the individual but no later than two years after the alleged cause occurred or its reasonable discovery by the alleged injured party (emphasis added). As you have duly requested in writing, you are hereby notified of your right to sue the respondent(s) named in your complaint in state circuit court. **THIS MUST BE DONE WITHIN 90 DAYS OF THE DATE OF THIS NOTICE OR YOUR RIGHT TO SUE IS LOST.**

You are also notified that the Executive Director is hereby administratively closing this case and terminating all MCHR proceedings relating to it. No person may file or reinstate a complaint after the issuance of notice of right to sue.

On behalf of the Commission:

Terry Old
Information Support Coordinator
Terry.Old@dolir.mo.gov

February 28, 2008

Date



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