

IN THE DISTRICT COURT OF LANCASTER COUNTY, NEBRASKA

JANE DOE,	)	CASE NO. CI
	)	
Plaintiff	)	COMPLAINT and
	)	DEMAND FOR JURY
vs.	)	
	)	
STATE OF NEBRASKA and	)	
STATE OF NEBRASKA d/b/a	)	
THE NEBRASKA LEGISLATURE	)	
	)	
Defendants.	)	

COMES NOW the Plaintiff, by and through her attorney, and for her complaint and causes of action against the Defendants states as follows:

1. This is an action seeking redress for the violation of the rights guaranteed to the plaintiff by the Nebraska Fair Employment Practices Act and Title VII of the Civil Rights Act of 1964, as amended.

2. Jurisdiction of this Court is invoked pursuant to the Nebraska Fair Employment Practices Act. This Court has concurrent jurisdiction over the federal claims contained herein.

3. Plaintiff has fulfilled the administrative prerequisites to filing the instant complaint. The Nebraska Equal Employment Opportunity Commission issued its determination on July 15, 2026 and the Equal Employment Opportunity Commission issued its Right to Sue Notice on August 13, 2026. The instant action is timely.

4. At all times relevant, the plaintiff was a resident of Lincoln, Lancaster County, Nebraska.

5. The Plaintiff is proceeding under the pseudonym "Jane Doe" as this matter involves allegations of sexual harassment and/or retaliation and she fears continuing retaliation, retribution, and harassment if her true identity is revealed.

6. The Defendants are employers within the meaning of the Nebraska Fair Employment Practices Act and Title VII of the Civil Rights Act, as amended.

7. At all times alleged herein, the Defendants paid a salary to and provided per diem reimbursement and other job-related benefits to elected officials who serve in the Nebraska Legislature.

8. The Nebraska Legislature (sometimes referred to as the Nebraska Legislative Council) is one of the three constitutionally designated branches of State government and is governed by the Executive Board which supervises all legislative services, employees and oversight of members of the legislature.

9. The Legislature's Executive Board promulgates workplace harassment policies that are applicable to members of the body and others (hereinafter "Workplace Harassment Policy" or "Policy").

10. The Workplace Harassment Policy was last amended on or about January 6, 2025 and was in full force and effect at all times alleged herein.

11. The Policy defines "employee" as (1) a member of the Legislature; (2) a part-time or full-time employee... (3) an applicant for employment...."

12. The Workplace Harassment Policy provides, in relevant part, "It is the intent of this policy to protect employees from workplace harassment related to or arising from their employment regardless of the source of the harassment."

13. The Policy further states: "It shall be considered a violation of this policy for any member of the Legislature or any employee of the Legislature to engage in workplace harassment or for any member of the Legislature or supervisor to knowingly permit workplace harassment of any employee of the Legislature or third party."

14. The Policy defines sexual harassment, in relevant part, as "inflammatory comments, jokes, printed material, electronic /social media content, and/or innuendo based, in whole or part, on race, color, religion, age, gender, disability, national origin..." and conduct which may constitute sexual harassment includes but is not limited to: sexual contact...touching, patting, pinching...."

15. The Policy further requires that "any member of the Nebraska Legislature or supervisor who receives a complaint or report alleging workplace harassment or who has firsthand knowledge of a situation involving workplace harassment shall immediately report that complaint or situation as provided in this section."

16. In addition, the Policy states: "Failure by a member of the Legislature ...to report such workplace harassment complaints for situations shall be considered to be in violation of this policy and shall subject the member ...to appropriate corrective or disciplinary action."

17. The Policy's Complaint Process provides that harassment allegations should be reported to the Chair of the Executive Board (hereinafter "Chair"). Once the harassment report is made, the Policy requires action in response to a complaint or report be completed no later than forty-five (45) days after the submission of the report to the Chair or forty-five (45) days after the date a formal investigation begins following an unsuccessful effort at an informational resolution, whichever is later.

18. The Policy further provides that if the Chair decides not to seek an informal resolution, or if the informal resolution is unsuccessful, the Chair shall immediately ensure that the allegations are promptly and thoroughly investigated and addressed. If the alleged harasser is a member or employee of the Legislature, the Policy dictates that the Chair shall promptly appoint a Special Personnel Panel (hereinafter

Panel) consisting of three members of the Legislature and the Chair shall immediately report the allegation to the Panel.

19. Pursuant to the Policy, if an allegation of harassment involving a member of the Legislature is found to be substantiated, the Special Personnel Panel shall recommend appropriate correction action, including, reprimand, censure, or expulsion.

20. The Policy prohibits retaliation against complainants and others involved in the investigation of an allegation of workplace harassment. Retaliation is considered to be a violation of the Policy.

21. Plaintiff Jane Doe is female.

22. At all times alleged herein, Plaintiff was an employee of the Defendants.

23. In November 2024, Daniel McKeon was elected to the Legislature in Legislative District 41.

24. Mr. McKeon was sworn into office in early January of 2025.

25. At all times alleged herein, Daniel McKeon (male) was serving as a member of the Nebraska Legislature.

26. While McKeon served as a member of the Legislature, the Defendants paid him a salary, reimbursed him for per diem expenses, and offered him other job-related benefits that were provided to other State of Nebraska employees.

27. Pursuant to the Defendants' Workplace Harassment Policy, during the time that McKeon served in the Legislature, he was considered an "employee" of the Defendants.

28. Starting shortly after he was sworn into office and continuing for numerous months thereafter, McKeon routinely visited the office where Plaintiff and her co-worker worked. During these visits, McKeon would tell sexually charged and/or sexually inappropriate jokes to Plaintiff's coworker in a voice loud enough for Plaintiff to hear. McKeon's sexually charged comments and jokes were unwelcome and disrupted and interfered with Plaintiff's work.

29. On or about May 29, 2025, Mr. McKeon sexually harassed Plaintiff at a party when he told her that he hoped that she wasn't going to Hawaii to "get lei'd" and inappropriately touch her buttocks. McKeon's comments and his inappropriate touching of Plaintiff's body were unwelcome and egregious.

30. On or about June 1, 2025, Plaintiff reported McKeon's sexually inappropriate words and conduct to her boss. The following day, June 2, 2025, Plaintiff made an informal complaint about Mr. McKeon's sexual harassment of her to the Legislature's Executive Board, who instructed McKeon to have no further contact with her during the course of their investigation of Plaintiff's sexual harassment allegations.

31. Following the Plaintiff's report of sexual harassment, and despite the Executive Board's directive that he has no further contact with the Plaintiff, Mr. McKeon attended the staff sine die party (that Plaintiff helped coordinate) the evening of June 2, 2025. Throughout the party, Mr. McKeon sat directly facing her and when Plaintiff moved to avoid him, McKeon again positioned himself to sit facing her. When Plaintiff left the party to join others at a different venue, McKeon also appeared at the venue and, like he had at the sine die party, continued to position himself directly across from the Plaintiff so that he could stare at her. McKeon's conduct was threatening, harassing, intimidating and retaliatory.

32. On several occasions after Plaintiff filed the informal complaint, Mr. McKeon loitered outside of her office in what appeared to be an attempt to harass and intimidate the Plaintiff. Plaintiff was intimidated and threatened by McKeon's loitering outside of her office.

33. On or about July 28, 2025, McKeon submitted a disingenuous apology to the Plaintiff which lacked any semblance of remorse or responsibility for his egregious conduct.

34. On or about July 29, 2025, Plaintiff filed a formal complaint of sexual harassment pursuant to the Defendants' Workplace Harassment Policy.

35. In August 2025, McKeon texted Plaintiff's colleague and falsely insinuated that she was difficult to work with. McKeon's retaliatory conduct sought to damage her professional reputation and/or interfere with her employment.

36. In early September 2025, Plaintiff learned that the Special Personnel Panel that had been appointed by the Chair of the Executive Committee had not yet met and had not conducted an investigation into Plaintiff's allegations. The Panel's failure to timely act violated the Defendants' Workplace Harassment Policy.

37. After Plaintiff learned of the Panel's non-compliance with Defendants' Workplace Harassment Policy, she filed a report with the Nebraska State Patrol regarding McKeon's alleged harassment of her.

38. Following its thorough and prompt investigation, the Nebraska State Patrol cited Senator McKeon for public indecency.

39. The Panel's report was not issued until October 28, 2025, nearly forty-five (45) days late. The Panel found that McKeon had violated the Defendants' Workplace Harassment Policy and issued several corrective actions, including, but not limited to prohibiting McKeon from having communication with or about the Plaintiff.

40. Upon information and belief, contrary to the Panel's corrective action, McKeon continued to have communications with Defendants' employees about the Plaintiff.

41. Notwithstanding Defendants' knowledge of McKeon's continuing retaliatory actions directed toward the Plaintiff, Defendants failed to take appropriate remedial action.

42. Following the Plaintiff's complaints of sexual harassment, McKeon and his lawyer made numerous false accusations and defamatory statements about the Plaintiff, both in the media and privately. This conduct was egregious and retaliatory.

43. Upon information and belief, Defendants were aware of the false and defamatory statements made about the Plaintiff to the media and in private and public settings by McKeon and/or his attorney but failed to take appropriate remedial action regarding the retaliatory conduct.

44. Upon information and belief, Defendants had knowledge of McKeon's alleged sexually inappropriate workplace antics prior to the May 29, 2025 incident involving the Plaintiff but failed to take timely action to remedy such conduct. The Defendants' failure to timely report and act violated the Workplace Harassment Policy.

45. At all times alleged, Defendants were aware of their duties and obligations under their policies and the statutes referenced herein.

46. As a result of the Defendants' illegal conduct, Plaintiff has sustained significant compensatory damages and may continue to suffer such damages into the future.

COUNT I

Plaintiff incorporates paragraphs 1 through 46 as if fully set forth herein.

47. During the course of her employment with the Defendants, Plaintiff was subjected to gender-based discrimination and harassment and a gender-based and sexually hostile work environment. Said discriminatory conduct is violative of the Nebraska Fair Employment Practices Act and Title VII of the Civil Rights Act, as amended.

48. As a direct, proximate result of Defendants' aforementioned illegal conduct, Plaintiff has sustained compensatory damages and may continue to incur said damages into the future.

COUNT II

Plaintiff incorporates paragraphs 1 through 48 as if fully set forth herein.

49. After the Plaintiff engaged in one or more protected activities, she was retaliated against and subjected to a retaliatory hostile work environment. Said retaliatory conduct is violative of the Nebraska Fair Employment Practices Act and Title VII of the Civil Rights Act, as amended.

50. As a direct, proximate result of Defendant's aforementioned illegal conduct, Plaintiff has sustained compensatory damages and may continue to incur said damages into the future.

WHEREFORE, Plaintiff respectfully requests that this Court assume jurisdiction herein as to each count alleged and to grant the following relief:

- a. Declare the conduct of the Defendants to be violative of the rights of the Plaintiff under the appropriate state or federal law or laws;
- b. Award the Plaintiff all damages allowed under law, including, but not limited to, past, present, and future compensatory damages;
- c. Award the Plaintiff prejudgment interest in an amount to be determined by the jury or the court;
- d. Enjoin the Defendants from any further discrimination or retaliation against the Plaintiff;
- e. Award the Plaintiff an appropriate amount to offset the taxes resulting from the jury's verdict.
- f. Award the Plaintiff costs and reasonable attorneys' fees and such other and further relief as the Court deems just and reasonable and appropriate to correct the wrong done to the Plaintiff.

JANE DOE, Plaintiff

s/ Kathleen M. Neary
Kathleen M. Neary NSBA 20212
POWERS LAW
411 South 13th Street, Suite 300
Lincoln, NE 68508
(402) 474-8000
kathleen@vpowerslaw.com

DEMAND FOR JURY TRIAL

Plaintiff requests a jury trial in Lincoln, Nebraska.

s/ Kathleen M. Neary
Kathleen M. Neary NSBA 20212