

**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF WEST VIRGINIA  
CLARKSBURG DIVISION**

**BETH A. FOX, P.E.,**

**Plaintiff,**

**v.**

**Civil Action No. 1:25-cv-61 KleeH**

**CITY OF BRIDGEPORT,  
a West Virginia Municipal Corporation, and  
PATRICK B. FORD, individually and  
as the Bridgeport City Manager,  
LEON MARK ROGERS, JR., individually and  
as the Bridgeport Interim City Manager.**

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| ELECTRONICALLY<br>FILED<br>6/30/2025<br>U.S. DISTRICT COURT<br>Northern District of WV |
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**Defendants.**

**COMPLAINT**

NOW COMES the Plaintiff, Beth A. Fox, P.E., by and through her counsel, Sam H. Harrold, III, and the law firm of Mountain State Law, and for her Complaint against the Defendants alleges as follows:

**PARTIES**

1. The Plaintiff, Beth A. Fox (hereinafter “Plaintiff” or “Ms. Fox”), is a resident of Harrison County, West Virginia, and at all times relevant hereto was an employee of the City of Bridgeport, West Virginia.

2. Defendant City of Bridgeport (“Defendant Bridgeport”) is a West Virginia municipal corporation with its principal office address located at 515 W. Main Street, Bridgeport, West Virginia.

3. Defendant Patrick B. Ford (“Defendant Ford”) is a resident of Harrison County, West Virginia, with a residential address of 107 Valley Drive, Bridgeport, West Virginia 26330.

4. Defendant Leon Mark Rogers, Jr., (“Defendant Rogers”) is a resident of Harrison County, West Virginia.

### **JURISDICTION AND VENUE**

5. This Court has jurisdiction over this matter under 28 U.S.C. § 1331, because the Plaintiff alleges violations of a claim or right arising under the laws of the United States.

6. Specifically, Plaintiff alleges that the action is instituted pursuant to the Family and Medical Leave Act, 29 U.S.C. § 2601 et seq.

7. Moreover, this Court has supplemental jurisdiction over the Plaintiff’s state law claims pursuant to 28 U.S.C. § 1367(a), as the claims are based on the same alleged conduct and are, therefore, "part of the same case or controversy."

8. Therefore, this Court has jurisdiction over all claims raised herein under 28 U.S.C. § 1331.

9. Finally, venue is appropriate in the United States District Court for the Northern District of West Virginia because the individual parties reside in Harrison County, West Virginia, and all events in controversy occurred in Harrison County, West Virginia.

### **FACTUAL BACKGROUND**

10. At all times relevant hereto, Ms. Fox was employed by the City of Bridgeport as a certified Professional Engineer with more than 25 years of experience.

11. Within the past two years, Ms. Fox has been subjected to repeated and continuous harassment, discrimination, retaliation and defamation by her supervisors at the City of Bridgeport.

12. In 1997, Ms. Fox received her degree in Civil and Environmental Engineering from West Virginia University

13. From 1998 to 2010, Ms. Fox was employed by the West Virginia Department of Highways serving as a Project Engineer over State and Federal Highway construction projects.

14. Beginning in 2010, Ms. Fox was promoted to Regional Highway Engineer for the WVDOT, managing the programming and funding of Districts 3 and 7, which encompassed 13 West Virginia counties.

15. In January 2017, Defendant Bridgeport hired Ms. Fox as its City Engineer.

16. As City Engineer, Ms. Fox was named Director of Engineering & Public Utilities and became the Department Head of all city infrastructure including water distribution, sewer and storm collection, roadways, signs, lighting, and signals. Ms. Fox was also the liaison between all private utility companies, developers, and state and federal regulatory agencies. She oversaw the planning, designing, and inspection of projects, developed and implemented the budgets for the General Engineering Department and for the Bridgeport Utility Board, which specifically managed the Water and Sewer utilities. Ms. Fox further oversaw the hiring of engineering and architectural consultants for project development, design, and field services and managed their contracts with the City of Bridgeport.

17. As Director of Engineering & Public Utilities, Ms. Fox supervised more than 15 employees within her Department, including an Office Manager, Engineer Associate, the Superintendent of Public Utilities, all Public Utility operation and maintenance employees, and the City Mechanics.

18. During her eight (8) years of service to the City of Bridgeport, Ms. Fox had never been disciplined, had never been the subject of a formal complaint, consistently received exemplary evaluations from all City Managers, received annual monetary increases, and received multiple merit bonuses for her work performance, ethics, and dedication to public service.

19. On January 26, 2024, Ms. Fox applied for the position of City Manager, providing a professional portfolio highlighting a successful 25-year career in City and State Government, including more than five (5) years of experience in City management as the Director of Engineering & Public Utilities.

20. Section 13 of the Bridgeport City Charter provides that “The Manager shall be appointed by Council solely on the basis of his executive and administrative qualifications, and he shall have at least three (3) years' experience as a manager or assistant manager in city<sup>1</sup> or county government...”

21. On February 5, 2024, the Bridgeport City Council met in executive session with then Interim City Manager Mark Rogers<sup>2</sup> to discuss applicants for the City Manager position, including Ms. Fox.

22. For reasons set forth more fully below, the involvement of Interim City Manager Rogers in the application process was completely improper and unlawfully motivated by his underlying sex harassment and/or sex discrimination toward Ms. Fox.

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<sup>1</sup> W.Va. Code § 8-1-2 Definitions:

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(2) “City” is a word of art and shall mean, include, and be limited to any Class I, Class II, and Class III city, as classified in section three of this article (except in those instances where the context in which used clearly indicates that a particular class of city is intended), heretofore or hereafter incorporated as a municipal corporation under the laws of this state, however created and whether operating under: (i) A special legislative charter; (ii) a home rule charter framed and adopted or revised as a whole or amended under the provisions of former §8A-1-1 et seq. of this code, or under the provisions of §8-3-1 or §8-4-1 of this code; (iii) general law, or (iv) any combination of the foregoing; and

(3) “Town or village” is a term of art and shall, notwithstanding the provisions of §2-2-10 of this code, mean, include, and be limited to any Class IV town or village, as classified in §8-3-1 of this code, heretofore or hereafter incorporated as a municipal corporation under the laws of this state, however created and whether operating under: (i) A special legislative charter; (ii) general law; or (iii) a combination of the foregoing.

<sup>2</sup> Defendant Rogers was the acting Bridgeport Police Chief until being appoint Interim City Manager on August 2, 2023. Upon information and belief, Defendant Rogers had no desire to seek the position of full time City Manager.

23. On February 6, 2024, then Interim City Manager Rogers came to Ms. Fox's office and informed her that the Bridgeport City Council would not consider her for the City Manager position. He later returned to her office and delivered an unsigned letter from Mayor Andy Lang denying her consideration for the City Manager position.

24. Ms. Fox accepted the decision of the Bridgeport City Council and did not waiver from her job duties moving forward.

25. On October 15, 2024, Defendant Ford was hired by Defendant Bridgeport as its City Manager and Defendant Rogers returned to his duties as the Bridgeport Police Chief.

26. In October 2024, Defendant Rogers disclosed to Ms. Fox that he advised members of the Bridgeport City Council not to consider her for the City Manager position when she applied on January 26, 2024.

27. At the time of his hiring, Defendant Ford had no experience as a manager or assistant manager in either City or County government as defined by the laws of the State of West Virginia.

28. Following Defendant Ford's hiring, Defendant Rogers regularly assisted Defendant Ford with his transition into the role of City Manager for the first few months.

29. In December 2024, Defendant Ford began treating Ms. Fox in a hostile manner at work. Upon information and belief, Defendant Ford objected to Ms. Fox's close working relationship with members of the Bridgeport City Council and perceived this as a threat to his authority.

30. Also, on December 16, 2024, Defendant Ford further disclosed to Ms. Fox that Defendant Rogers had spoken very poorly of her to him and cast her in a negative light.

31. Defendant Ford was aware that his treatment of Ms. Fox, and that of Defendant Rogers, was causing her significant physical and emotional distress.

32. Defendant Ford was aware that Ms. Fox suffered from a preexisting medical condition that impacted her physically and emotionally.

33. On or about December 23, 2024, Ms. Fox began utilizing her accrued vacation leave for the holidays. In addition, during this same time Ms. Fox applied for and was granted leave under the Family Medical Leave Act, 29 U.S.C. § 2601 (“FMLA”) for the period of January 3, 2025, through March 3, 2025.

34. Upon information and belief, as early as January 3, 2025, Defendant Ford began to substantially change Ms. Fox’s job description, duties, and position of authority while she was on FMLA leave by transferring, restructuring, and removing nearly all staff from Ms. Fox’s supervision.

35. On January 27, 2025, Ms. Fox returned to work temporarily in order to assess the changes to her employment while on FMLA. She confirmed through staff that all her employees except the Office Manager, were removed from her management. Ms. Fox was also told that her employees were asked to keep all information regarding their transfers confidential and, specifically, to not disclose any information to Ms. Fox.

36. On the same day, Ms. Fox inquired about her job title and was told that Defendant Ford would now be in charge of the Utility Department, thereby constructively eliminating Ms. Fox as the Director of Public Utilities.

37. On January 30, 2025, a Connect Bridgeport new article reported that Jake Griffith, the Engineering Associate assigned to Ms. Fox’s department, was transferred to the position of Development Services Manager under the direct supervision of Defendant Ford.

38. On January 31, 2025, a Bridgeport City Council member advised Ms. Fox that she needed to return to work “in order to face this thing head on” if medically able.

39. On February 3, 2025, Ms. Fox notified Defendant Bridgeport through her legal counsel that she was resigning from her employment effective February 17, 2025, due to intolerable disability discrimination while on FMLA leave and pervasive sex discrimination and/or harassment in violation of the West Virginia Human Rights Act.

40. Upon information and belief, between February 3, 2025, and February 8, 2025, Defendant Ford and/or Defendant Rogers contacted Attorney William Ihlenfeld regarding Ms. Fox and her claims. During this time, Attorney Ihlenfeld had recently left employment as United States Attorney for the Northern District of West Virginia and was transitioning to employment with the law firm of Flannery Georgalis, LLC

41. Defendant Bridgeport has a City Attorney, Dean Ramsey, who has served as Attorney for the City of Bridgeport for approximately forty-five (45) years.

42. Upon information and belief, Defendant Ford and Defendant Rogers have both had personal and/or professional relationship(s) with Attorney Ihlenfeld outside the scope of the City of Bridgeport for more than five (5) years.

43. On February 7, 2025, Defendant Ford advised staff at the City of Bridgeport that he intended to control the narrative of Ms. Fox’s resignation with the Bridgeport City Council during the next Council meeting on February 10, 2025.

44. On or about February 8, 2025, the law firm of Flannery Georgalis, LLC, provided Defendant Ford with an engagement letter for services on behalf of the City of Bridgeport.

45. On February 10, 2025, the Bridgeport City Council held its regular council meeting. At this time, Council met in executive session with Defendant Ford to discuss the engagement

letter provided by Flannery Georgalis, LLC. After coming out of executive session, the Bridgeport City Council voted to approve the engagement of Flannery Georgalis, LLC.<sup>3</sup>

46. The scope of services by Flannery Georgalis, LLC, is now a matter of significant contention between Defendant Ford, Defendant Bridgeport, and Flannery Georgalis, LLC. Regardless, for reasons set forth below, it is clear that the attorneys and staff of Flannery Georgalis, LLC, did engage in an internal investigation on behalf of Defendant Ford and Defendant Bridgeport to “target” and retaliate against Ms. Fox for reporting FMLA and sex-based discrimination in the workplace.

47. After retaining Flannery Georgalis, LLC, on February 10, 2025, Defendant Ford began making untruthful comments that Ms. Fox was under “federal investigation” for felonious crimes to Ms. Fox’s former co-workers at the City of Bridgeport and other third-parties

48. Upon information and belief, no criminal case has ever been opened by any law enforcement agency in which Ms. Fox was suspected of committing a crime.

49. Defendant Ford knew that the statements made by him were false.

50. Furthermore, after retaining Flannery Georgalis, LLC, Defendant Ford and Defendant Rogers directed uniformed officers of the Bridgeport Police Department to box and collect files from Ms. Fox’s office in full view of all staff.

51. The actions by Defendant Ford and Defendant Rogers to have uniformed officers collect files from Ms. Fox’s office was done intentionally to project a false narrative for co-workers that Defendant Ford’s untruthful statements about Ms. Fox were true, thereby further causing harm to her professional and personal reputation.

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<sup>3</sup> The matter of hiring special counsel was not on the meeting agenda and violated the Open Governmental Proceedings Act found in W.Va. Code 6-9A-1 et. al. because any matter requiring the governing body to take official action must be listed on the agenda.

52. Attorney Ihlenfeld regularly referred to Ms. Fox as the “primary target” of an internal investigation.

53. In addition to Attorney Ihlenfeld, the law firm of Flannery Georgalis, LLC, assigned Attorney Justin Withrow<sup>4</sup> and Investigator Carol Paszkiewicz<sup>5</sup> to immediately begin an internal investigation which designated Ms. Fox as a “target.”

54. It is a best practice that following a report of workplace discrimination by an employee, an internal investigation should be designed to promote and keep a work environment that is fair and safe to employees. In particular, the U.S. Equal Employment Opportunity Commission (EEOC) specifies that internal investigations by employers must be conducted by an “impartial party.”

55. Characterizing Ms. Fox as a “target” does not indicate that the intent of the investigation was to remain impartial. Rather, it is believed that this investigation was intended to cast Ms. Fox in a negative light from day one.

56. February 17, 2025, was Ms. Fox’s last day of employment with Defendant Bridgeport.

57. Since leaving her employment with Defendant Bridgeport, Defendant Ford has publicly disclosed confidential employment information regarding Ms. Fox’s employment which revealed that she was the subject of disability and sex-based discrimination in the workplace and that she was the “target” of an internal investigation.

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<sup>4</sup> Justin Withrow, Esq., is a Partner at Flannery Georgalis, LLC, “focusing his practice on complex criminal, regulatory and civil matters” with additional “significant experience representing individuals and businesses in complex business disputes, fraud, public corruption, and other sensitive matters.”

<sup>5</sup> Carol Paszkiewicz is the Director of Investigations for Flannery Georgalis, LLC, who “assists the Firm’s clients in responding to and defending against government criminal and civil enforcement investigations and other sensitive matters.”

58. Mr. Ford's actions in disclosing this information, without authority or Ms. Fox's consent, has led to additional emotional distress and has harmed her personally and professionally.

#### **PATRICK FORD'S HISTORY OF MISCONDUCT**

59. Plaintiff incorporates by reference all of the preceding paragraphs as if they were fully set forth herein.

60. Defendant Ford was hired by Defendant Bridgeport as its City Manager on October 15, 2024.

61. Defendant Ford had no experience as a manager or assistant manager in either City or County government. As such, Defendant Ford's employment contract was a violation of the Bridgeport City Charter.

62. By December 2024, Defendant Ford developed hostility toward Ms. Fox, *in part*, because of her close working relationship with members of the Bridgeport City Council which he perceived as a threat to his authority. Furthermore, during this time, Defendant Rogers was speaking very poorly of Ms. Fox to Mr. Ford and casting her in a negative light.

63. On December 23, 2024, Ms. Fox advised Defendant Ford and staff that she would be using accumulated vacation leaving over the holiday and, also, filing for FMLA leave.

64. On December 23, 2024, Ms. Fox forwarded an email to her staff with work activities to be performed during her absence and that she would be available to discuss any questions or problems should they arise. Defendant Ford and Human Resource Director Amanda Woody were copied on the email.

65. Ms. Fox was granted FMLA leave beginning on January 3, 2025.

66. As discussed above, while on FMLA leave, Defendant Ford substantially changed Ms. Fox's job description, duties, and position of authority for discriminatory motives and reasons.

67. On January 15, 2025, an “All City” email approved by Defendant Ford was released indicating that the City Mechanics were being removed from the Engineering Department and restructured to report directly to Defendant Ford, effective immediately.

68. On January 21, 2025, an “All City” email approved by Defendant Ford was released announcing that Engineer Associate (Asst. City Engineer) Jacob Griffith would be transferred to a different Department, be given the newly created title of Development Services Manager, and the duties he covered under the scope of the Engineering Department would be retained in his new position.

69. On January 22, 2025, an email approved by Defendant Ford was released to Defendant Bridgeport employees indicating a change to the Organization Structure and that the Superintendent of Public Utilities was to begin reporting to Defendant Ford, effective immediately. This change by Defendant Ford removed all Utility employees from Ms. Fox’s supervision while she was on FMLA leave.

70. On January 27, 2025, Ms. Fox confirmed through staff that all her employees except the Office Manager, were removed from her management. Furthermore, Ms. Fox learned that Defendant Ford was now in charge of the Utility Department, thereby constructively eliminating Ms. Fox as the Director of Public Utilities.

71. The changes implemented by Mr. Forder of removing all but one of Ms. Fox’s direct report employees and removing her from being the head of the Utility Department she had managed since being hired by Defendant Bridgeport eight years prior were inexplicable and in violation of the provisions of the FMLA.

72. Defendant Ford's actions to substantially change Ms. Fox's employment while on FMLA leave caused her significant emotional distress, embarrassment, and duress because she was obviously being targeted due to her sex and disability.

73. At the time of the FMLA violations, Defendant Ford was within a six (6) month probationary period contained in his employment contract with Defendant Bridgeport.

74. Upon information and belief, between February 3, 2025, and February 8, 2025, Defendant Ford orchestrated the hiring of Attorney William Ihlenfeld and the law firm of Flannery Georgalis, LLC, in order to control the narrative of Ms. Fox's resignation and direct retaliatory efforts against her.

75. Defendant Ford's actions to control the narrative and retaliate against Ms. Fox was done, *in part*, to protect his own employment interest with Defendant Bridgeport after violating the FMLA.

76. Upon information and belief, Attorney Ihlenfeld and the law firm of Flannery Georgalis, LLC, were selected by Defendant Ford to fulfill his predisposed agenda to protect his personal interests and retaliate against Ms. Fox, instead of performing an unbiased investigation to determine the legitimacy of her discrimination claims in the workplace.

77. Defendant Ford's untruthful comments that Ms. Fox was under "federal investigation" for felonious crimes to Ms. Fox's former co-workers at the City of Bridgeport and other third-parties was cruel, malicious, and done for the sole purpose of causing personal and professional harm to Ms. Fox.

78. Defendant Ford knew that the above statements made by him were false.

79. Upon information and belief, by announcing that he was going to control the narrative, Defendant Ford improperly influenced the investigation of Attorney Ihlenfeld and the law firm of Flannery Georgalis, LLC, by making Ms. Fox the “target” of a biased and impartial investigation.

80. On April 4, 2025, Defendant Ford, in a public city council meeting called to discuss his own potential termination of employment, released, without authority or consent, confidential employment documents to the media that exposed Ms. Fox as the subject of an internal personnel investigation by Defendant Bridgeport and the law firm of Flannery Georgalis, LLC. By doing so, Defendant Ford also improperly disclosed that Ms. Fox was the subject of disability and sex-based discrimination in the workplace which was done to be cruel, malicious, and for sole purpose of causing personal and professional harm to Ms. Fox.

81. As a result of Defendant Ford’s conduct, Ms. Fox began receiving calls from various news media outlets requesting interviews regarding the investigation into her private personnel matters with Defendant Bridgeport.

82. Thereafter, Mr. Ford permitted additional disclosure of confidential communications between him and Attorney Ihlenfeld regarding the ongoing investigation of Ms. Fox as the “target” in a lawsuit Mr. Ford initiated against Defendant Bridgeport.

83. The allegations Mr. Ford asserts insinuate, untruthfully, that the investigation into Ms. Fox, prior to his termination, that Ms. Fox engaged in unlawful conduct which Defendant Bridgeport sought to “cover up” by terminating Mr. Ford.

84. These self-serving and, upon information and belief, baseless and untruthful allegations caused Ms. Fox further personal and professional harm.

85. Due to the misconduct of Defendant Ford, Ms. Fox has suffered embarrassment, mental anguish, emotional distress, and financial damages that has caused her to seek medical treatment.

**LEON MARK ROGERS'S HISTORY OF HARASSING  
AND UNLAWFUL CONDUCT AT THE WORKPLACE**

86. Plaintiff incorporates by reference all of the preceding paragraphs as if they were fully set forth herein.

87. In July 2022, Defendant Rogers was named Police Chief for Defendant Bridgeport.

88. As department heads, Ms. Fox and Defendant Rogers worked together on various City projects and would attend the same municipal events as the scope of their duties required.

89. In May 2023, Ms. Fox and then Chief Rogers had a consensual intimate encounter while attending a municipal event out of state.

90. Following the encounter, Ms. Fox felt embarrassment, regret, and anxiety.

91. On multiple occasions following the municipal event, Ms. Fox discussed with Chief Rogers her embarrassment, regret, and anxieties, informing him that she was not interested in maintaining a romantic relationship.

92. Regardless, Defendant Rogers regularly pursued Ms. Fox both inside and outside the workplace in order to continue the relationship.

93. On August 2, 2023, Defendant Bridgeport named Defendant Rogers as its' Interim City Manager.

94. Following Defendant Roger's appointment as Interim City Manager, Ms. Fox again explained to him that his conduct in pursuing her was inappropriate and, as her supervisor, was now against City policy.

95. By accepting the appointment as Interim City Manager, Defendant Rogers actively engaged in facilitating sex-based discrimination against Ms. Fox because he knew he would be her direct supervisor and his conduct was against City policy.

96. Although Ms. Fox clearly expressed her wishes, Defendant Rogers continued to pursue her inappropriately despite being her direct supervisor.

97. In October 2023, Ms. Fox again informed Defendant Rogers to stop pursuing her and that she expected to be treated like all other employees. Defendant Rogers reacted with hostility and stormed out of her office.<sup>6</sup>

98. In December 2023, Defendant Bridgeport published a recruitment brochure for the full-time job of City Manager and sought applicants.

99. Ms. Fox was approached by multiple coworkers and subordinates who encouraged her to seek the position of City Manager.

100. As described above, on January 26, 2024, Ms. Fox applied for the position of City Manager, but she was subsequently informed that the Bridgeport City Council, along with consultation of Defendant Rogers, did not consider her for the City Manager position.

101. In March 2024, Defendant Rogers renewed his pursuit of Ms. Fox in an intimate manner while attending a municipal event. Specifically, he requested that she come to his hotel room after hours. Ms. Fox did not engage in this request and disclosed the inappropriate communication to one or more of Defendant Bridgeport's City Council members, one of whom was also attending the event.

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<sup>6</sup> Interim City Manager Rogers would regularly sit in Ms. Fox's office between June and October 2023 with no purpose other than to engage personally with Ms. Fox.

102. Following the March 2024 municipal event, Defendant Rogers began to verbally attack Ms. Fox in the workplace by using expletives in conversations and berating employees who had befriended Ms. Fox.

103. Then, in October 2024, Defendant Rogers disclosed to Ms. Fox that he told members of the Bridgeport City Council that he did not want her to be considered for the City Manager position.

104. Upon information and belief, Defendant Rogers discriminated against Ms. Fox's hiring as City Manager because of her unwillingness to continue an intimate relationship with him and to eliminate her ability to have a position of authority due to her sex.

105. On October 15, 2024, Defendant Ford was hired by Defendant Bridgeport as its City Manager and Defendant Rogers returned to his duties as Police Chief.

106. Upon information and belief, Bridgeport City Council members directed Defendant Rogers to assist Defendant Ford with his transition into the role of City Manager for the first few months.

107. Ms. Fox subsequently advised three Bridgeport City Council members of Defendant Rogers's hostile and discriminatory conduct toward her and requested that his role in assisting Defendant Ford be limited to prevent further discriminatory conduct.

108. Regardless, Defendant Rogers was allowed to engage Defendant Ford with negative communications about Ms. Fox that projected her in a false light.

109. Upon information and belief, Defendant Rogers has had a personal and/or professional relationship with Attorney Ihlenfeld for more than ten (10) years.

110. Upon information and belief, Defendant Rogers conspired with Defendant Ford to hire Attorney Ihlenfeld and the law firm of Flannery Georgalis, LLC, in order to fulfill Defendant Ford's predisposed agenda described herein.

111. Due to the misconduct of Defendant Rogers, Ms. Fox has suffered embarrassment, mental anguish, emotional distress, and financial damages that has caused her to seek medical treatment.

### **COUNT I**

#### **VIOLATION OF THE FAMILY AND MEDICAL LEAVE ACT (FMLA)**

112. Plaintiff incorporates by reference all of the preceding paragraphs as if they were fully set forth herein.

113. During all times relevant, Ms. Fox was an "eligible employee" within the meaning of the Family Medical Leave Act, 29 U.S.C. § 2601 ("FMLA") who was seeking and ultimately receiving benefits under FMLA in January 2025.

114. At all times relevant herein, Defendant Bridgeport was a "covered employer" within the meaning of the FMLA.

115. In January 2025, Ms. Fox had been employed by Defendant Bridgeport for at least 1,250 hours during the previous 12-month period.

116. Defendant Bridgeport and Defendant Ford violated Ms. Fox's rights under the Family and Medical Leave Act because they substantially changed her job description and duties, removed all but one of her staff, and retaliated against her after receiving FMLA.

117. By the actions described above, among others, Defendant Bridgeport and Defendant Ford violated the FMLA by unlawfully interfering with, restraining, or denying the exercise of Ms. Fox's rights by, inter alia, substantially changing her job description and duties,

and ultimately constructively discharging her from employment, an action that would clearly deter employees from exercising their rights under the FMLA.

118. Defendant Bridgeport and Defendant Ford otherwise interfered with her employment or discriminated against Ms. Fox in January 2025 because she was exercising her FMLA rights.

119. Defendant Bridgeport and Defendant Ford retaliated against Ms. Fox for exercising her rights under the FMLA by engaging a bogus internal investigation in order to control the narrative of Ms. Fox's resignation and direct retaliatory efforts against her.

120. Defendant Ford retaliated against Ms. Fox for exercising her rights under the FMLA by engaging in the spread of knowingly false statements about her being investigated for a felony and that she was the "target" of an investigation.

121. Defendant Bridgeport and Defendant Ford knowingly, intentionally, and willfully violated Ms. Fox's rights under the FMLA.

122. As a direct and proximate result of the unlawful conduct by Defendant Bridgeport and Defendant Ford in violation of the FMLA, Ms. Fox has suffered and continues to suffer harm for which she is entitled to an award of damages, to the greatest extent permitted under law, in addition to reasonable attorneys' fees and expenses.

## **COUNT II**

### **VIOLATION OF THE WEST VIRGINIA HUMAN RIGHTS ACT**

123. Plaintiff incorporates by reference all of the preceding paragraphs as if they were fully set forth herein.

124. Ms. Fox is a member of a protected class pursuant to the West Virginia Human Rights Act on the basis that she is a woman.

125. Defendant Rogers's unwelcome sexual advances and other verbal and physical conduct of a sexual nature had the purpose and effect of unreasonably interfering with Ms. Fox's performance in the workplace and created an intimidating, hostile, and offensive working environment.

126. Ms. Fox was consistently subjected to unwelcomed sexual advances, innuendo, and/or conduct by Defendant Rogers who had the authority to influence vital employment decisions.

127. In violation of the West Virginia Human Rights Act, W. Va. Code §§ 5-11-1, *et seq.*, Defendant Rogers impliedly sought sexual consideration from Ms. Fox as a condition to her advancement in the workplace.

128. Ms. Fox's negative reactions to Defendant Rogers's sexual advancements were expressly and/or impliedly linked by him to tangible aspects of her employment.

129. Defendant Rogers further violated the Human Rights Act when he worked to undermine and/or influence the Bridgeport City Council against the hiring Ms. Fox as the new city manager even though she was fully qualified. As a direct and proximate result, Ms. Fox has suffered, and will continue to suffer, lost wages and benefits in an amount to be determined.

130. As a direct and proximate result of Defendant Rogers's discriminatory and sexually harassing conduct against Ms. Fox in violation of the West Virginia Human Rights Act, Ms. Fox has suffered, and will continue to suffer, indignity, embarrassment, mental anguish, and humiliation in an amount to be determined by the jury.

131. Defendant Rogers's discriminatory and sexually harassing conduct against Ms. Fox was willful, wanton, and/or undertaken with reckless disregard and/or reckless indifference to her rights, thereby entitling her to punitive damages in an amount to be determined by the jury.

**COUNT III**

**CONSTRUCTIVE DISCHARGE**

132. Plaintiff incorporates by reference all of the preceding paragraphs as if they were fully set forth herein.

133. Knowing that Ms. Fox was a member of a protected class pursuant to the FMLA and West Virginia Human Rights Act, Defendant Bridgeport and Defendant Ford made adverse employment decisions concerning Ms. Fox by intentionally creating intolerable working conditions and did so deliberately, in an effort to force Ms. Fox to leave her employment.

134. Defendant Bridgeport and Defendant Ford, did change, rearrange, transferred and combined Ms. Fox's staff while she was on FMLA clearly demonstrating the deliberateness of Defendant Bridgeport to create intolerable circumstances intended to force Ms. Fox to quit her job.

135. Based on the foregoing actions of Defendant Bridgeport and Defendant Ford, Ms. Fox was constructively discharged from her employment.

**COUNT IV**

**DEFAMATION**

136. Plaintiff incorporates by reference all of the preceding paragraphs as if they were fully set forth herein.

137. The false and untrue allegations made by Defendant Ford, as set forth herein, accused Ms. Fox of a felony in the workplace, which never occurred.

138. The statements by Defendant Ford accusing Ms. Fox of a felony in her profession are not capable of an innocent meaning and constitute defamation *per se* under the laws of the State of West Virginia.

139. Defendant Ford knew or should have known that subjecting Ms. Fox of a felony criminal investigation and potential prosecution would cause severe emotional distress which was designed to injure and damage Ms. Fox.

140. Defendant Ford knew that the allegations of a felony were unfounded and were designed to injure and damage Ms. Fox personally and in her profession.

141. Upon information and belief, Defendant Ford's actions were intentional and done with an intent to cause Ms. Fox harm.

142. By and through his actions, Defendant Ford has caused distress, anguish, humiliation and embarrassment to Ms. Fox.

143. The false, injurious statements concerned Ms. Fox professional reputation while on FMLA.

#### **COUNT V**

#### **NEGLIGENT AND INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

144. Plaintiff incorporates by reference all of the preceding paragraphs as if they were fully set forth herein.

145. The actions of all the Defendants, as described elsewhere herein, were atrocious, intolerable, and so extreme and outrageous as to exceed the bounds of decency.

146. The Defendants were certain or substantially certain that emotional distress would result from their conduct towards Ms. Fox.

147. The actions of the Defendants did in fact cause Ms. Fox emotional distress that no reasonable person could be expected to endure.

148. Ms. Fox avers that each of the Defendants, by their purposeful and knowing behavior, as described supra, have negligently caused Ms. Fox emotional distress.

149. The acts and omissions of Defendant Ford and Defendant Rogers, as described elsewhere herein, were willful, wanton, reckless, undertaken with actual malice, in bad faith and with total disregard to their duties owed to Ms. Fox so as to render Defendant Ford and Defendant Rogers liable to Ms. Fox for punitive damages.

## **COUNT VI**

### **BREACH OF FIDUCIARY DUTY**

150. Plaintiff incorporates by reference all of the preceding paragraphs as if they were fully set forth herein.

151. Defendant Bridgeport had an obligation to protect and keep Ms. Fox's employment information confidential, including her very sensitive claims of disability discrimination, sex harassment and/or sex discrimination in the workplace which were being investigated by her employer.

152. Defendant Bridgeport failed to protect and preserve the confidentiality Ms. Fox's very sensitive claims of disability discrimination, sex harassment and/or sex discrimination in the workplace.

153. Defendant Bridgeport knew, or should have known, that Defendant Ford would fail to protect and keep Ms. Fox's employment information confidential.

154. The failure of Defendant Bridgeport to take action to protect and preserve confidentiality of Ms. Fox's confidential employment information that she had been the victim of disability discrimination, sex harassment and/or sex discrimination in the workplace has caused and will continue to cause damages to Ms. Fox.

**COUNT VII**

**VIOLATION OF THE ETHICAL STANDARDS FOR ELECTED  
AND APPOINTED OFFICIALS  
(W. Va. Code § 6B-2-5)**

155. Plaintiff incorporates by reference all of the preceding paragraphs as if they were fully set forth herein.

156. W. Va. Code § 6B-2-5 provides the “Ethical standards for elected and appointed officials and public employees.”

157. W. Va. Code § 6B-2-5(e) provides: “Confidential information. — No present or former public official or employee may knowingly and improperly disclose any confidential information acquired by him or her in the course of his or her official duties nor use such information to further his or her personal interests or the interests of another person.”

158. Defendant Ford had a non-delegable duty, as a current and former public official, not to disclose Ms. Fox’s confidential employment information, including her very sensitive claims of disability discrimination, sex harassment and/or sex discrimination in the workplace which were being investigated by her employer.

159. Defendant Ford violated his employment contract and W. Va. Code § 6B-2-5 when he disclosed Ms. Fox’s confidential employment information regarding very sensitive claims of disability discrimination, sex harassment and/or sex discrimination in the workplace by leaking information to the public, the news media and incorporating them into his own lawsuit against Defendant Bridgeport.

160. These improper and unlawful disclosures have been the subject of numerous new stories across all local media outlets.

161. In fact, under the disclosure of confidential information theory, Defendant Ford misappropriated material nonpublic information about Ms. Fox's employment in violation of W. Va. Code § 6B-2-5 and used that information for his personal interests, including but not limited to, using them in support of his own civil lawsuit against Defendant Bridgeport.

162. As a result of Defendant Ford's conduct in violating West Virginia laws concerning Ms. Fox's confidential employment information, he has been negligent and/or grossly negligent in his duties as a public official, thereby causing harm and damages to Ms. Fox.

### **COUNT VIII**

#### **NEGLIGENT RETENTION OF DEFENDANT FORD**

163. Plaintiff incorporates by reference all of the preceding paragraphs as if they were fully set forth herein.

164. Defendant Bridgeport knew or should have known that Defendant Ford was untrained, unqualified, and had no experience as a manager or assistant manager in either City or County government because he had a propensity to engage in unethical behavior, provide false statements, and discriminate against employees.

165. At all times relevant hereto, Defendant Bridgeport owed Ms. Fox a legal duty to provide a safe workplace free of intimidation, hostility, discrimination, and other offensive conduct.

166. Defendant Bridgeport breached the aforesaid duty by retaining Defendant Ford as an employee despite having knowledge of his propensity to engage in unethical behavior, provide false statements, and discriminate against employees.

167. Bridgeport City Council members knew, should have known, or were otherwise willfully blind to the unlawful acts of Defendant Ford as set forth elsewhere herein.

168. As a direct and proximate cause of the negligent, grossly negligent, reckless and unlawful conduct of Defendant Bridgeport and/or its Council members, Ms. Fox has suffered significant injuries and damages.

### **COUNT IX**

#### **NEGLIGENT RETENTION OF DEFENDANT ROGERS**

169. Plaintiff incorporates by reference all of the preceding paragraphs as if they were fully set forth herein.

170. Defendant Bridgeport knew or should have known that Defendant Rogers had a propensity to harass women, engage in inappropriate personal and/or sexual relationships with subordinate employees, engage in unethical behavior, provide false statements, and unethical business practices.

171. At all times relevant hereto, Defendant Bridgeport owed Ms. Fox the legal duty to provide a safe workplace free of intimidation, hostility, sexual harassment, and other offensive conduct.

172. Defendant Bridgeport breached the aforesaid duty by retaining Defendant Rogers as an employee despite having knowledge of his propensity to harass women, engage in inappropriate personal and/or sexual relationships with subordinate employees, engage in unethical behavior, provide false statements, and unethical business practices.

173. Bridgeport City Council members knew, should have known, or were otherwise willfully blind to the unlawful acts of Defendant Rogers as set forth elsewhere herein.

174. As a direct and proximate cause of the negligent, grossly negligent, reckless and unlawful conduct of Defendant Bridgeport and/or its Council members, Ms. Fox has suffered significant injuries and damages.

**COUNT X**

**VICARIOUS LIABILITY**

175. Plaintiff incorporates by reference all of the preceding paragraphs as if they were fully set forth herein.

176. Defendant Bridgeport and its Council members knew, should have known, or were otherwise willfully blind to the unlawful acts of Defendant Ford as set forth elsewhere herein.

177. Defendant Bridgeport and its Council members knew, should have known, or were otherwise willfully blind to the unlawful acts of Defendant Rogers as set forth elsewhere herein.

178. Defendant Bridgeport is vicariously liable for the acts, conduct, and omissions of Defendant Ford and Defendant Rogers under the doctrines of respondent superior, master/servant, principal/agent, employer/employee, and the common law, as well as liable for its own negligent conduct set forth herein and that which may become known as this matter progresses.

179. The direct and vicarious responsibility and liability of Defendant Bridgeport subjects it to liability for any and all the damages that may be due and owed Ms. Fox by virtue of the acts, omissions, and the conduct of its management, directors, and employees, including Defendant Ford and Defendant Rogers.

**COUNT XI**

**STRICT LIABILITY**

180. Plaintiff incorporates by reference all of the preceding paragraphs as if they were fully set forth herein.

181. Defendant Ford through his actions and failures to act, caused, contributed to, and/or acquiesced to disability discrimination and retaliation in the workplace of which Ms. Fox complains as detailed elsewhere herein.

182. Defendant Rogers through his actions and failures to act, caused, contributed to, and/or acquiesced to sexual harassment at the workplace of which Ms. Fox complains as detailed elsewhere herein.

183. Bridgeport City Council members, through their actions and failures to act, caused, contributed to, and/or acquiesced to disability discrimination, sexual harassment, and retaliation in the workplace of which Ms. Fox complains and has detailed elsewhere herein.

184. Defendants Bridgeport is strictly liable for their agents' and supervisors' actions and/or failures to act when their agents and supervisors cause, contribute to, or acquiesce in unlawful discrimination, sex harassment, and retaliation.

185. The strict liability of Defendant Bridgeport subjects it to liability for any and all the damages that may be due and owed to Ms. Fox by virtue of the acts, omissions, and the conduct of their management, directors, and employees, including Defendant Ford and Defendant Rogers.

### **PRAYER FOR RELIEF**

WHEREFORE, Plaintiff, Beth Fox, prays for judgment against the Defendants as follows:

- a. Compensatory damages for past, present, and future lost wages, lost benefits, damaged reputation, indignity, embarrassment, mental anguish, humiliation, medical and/or mental health treatment expenses, economic losses and all other such losses in a fair and just amount to be determined by the jury at trial;
- b. General damages including, but not limited to, damaged reputation, annoyance, inconvenience, embarrassment, humiliation, loss of dignity and emotional distress, and past and future pain and suffering in an amount to be determined by the jury;
- c. Punitive damages against the individual defendants for the claims against them;
- d. Pre and post-judgment interest;
- e. Costs and attorney fees resulting from this action; and,
- f. Any other further general or specific relief the Court may deem proper.

**PLAINTIFF DEMANDS A JURY TRIAL**

**BETH FOX,**  
**By Counsel:**

/s/ *Sam H. Harrold, III*

Sam H. Harrold, III, Esq. (WVSB#9064)  
MOUNTAIN STATE LAW  
P.O. Box 2330  
Clarksburg, WV 26302  
Telephone: (304) 715-3800  
Facsimile: (304) 884-4259

[Sam@MountainStateLaw.com](mailto:Sam@MountainStateLaw.com)

JS 44 (Rev. 04/21)

## CIVIL COVER SHEET RECEIVED 6/30/2025 1:25-CV-61

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

Beth Fox, P.E.

(b) County of Residence of First Listed Plaintiff Harrison

(EXCEPT IN U.S. PLAINTIFF CASES)

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

Sam H. Harrold, III, Mountain State Law, P.O. Box 2330  
Clarksburg, WV 26302 (304) 715-3800

## DEFENDANTS

City of Bridgeport, a West Virginia Municipal Corp., and  
Patrick Ford, individually and as the Bridgeport CityCounty of Residence of First Listed Defendant Harrison

(IN U.S. PLAINTIFF CASES ONLY)

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

Attorneys (If Known)

## 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 type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input checked="" 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)

Click here for: [Nature of Suit Code Descriptions.](#)

| CONTRACT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | TORTS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | FORFEITURE/PENALTY                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | BANKRUPTCY                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | OTHER STATUTES                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
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| <input type="checkbox"/> 110 Insurance<br><input type="checkbox"/> 120 Marine<br><input type="checkbox"/> 130 Miller Act<br><input type="checkbox"/> 140 Negotiable Instrument<br><input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment<br><input type="checkbox"/> 151 Medicare Act<br><input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans)<br><input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits<br><input type="checkbox"/> 160 Stockholders' Suits<br><input type="checkbox"/> 190 Other Contract<br><input type="checkbox"/> 195 Contract Product Liability<br><input type="checkbox"/> 196 Franchise | <b>PERSONAL INJURY</b><br><input type="checkbox"/> 310 Airplane<br><input type="checkbox"/> 315 Airplane Product Liability<br><input type="checkbox"/> 320 Assault, Libel & Slander<br><input type="checkbox"/> 330 Federal Employers' Liability<br><input type="checkbox"/> 340 Marine<br><input type="checkbox"/> 345 Marine Product Liability<br><input type="checkbox"/> 350 Motor Vehicle<br><input type="checkbox"/> 355 Motor Vehicle Product Liability<br><input type="checkbox"/> 360 Other Personal Injury<br><input type="checkbox"/> 362 Personal Injury - Medical Malpractice | <b>PERSONAL INJURY</b><br><input type="checkbox"/> 365 Personal Injury - Product Liability<br><input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability<br><input type="checkbox"/> 368 Asbestos Personal Injury Product Liability<br><b>PERSONAL PROPERTY</b><br><input type="checkbox"/> 370 Other Fraud<br><input type="checkbox"/> 371 Truth in Lending<br><input type="checkbox"/> 380 Other Personal Property Damage<br><input type="checkbox"/> 385 Property Damage Product Liability | <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881<br><input type="checkbox"/> 690 Other<br><b>LABOR</b><br><input type="checkbox"/> 710 Fair Labor Standards Act<br><input type="checkbox"/> 720 Labor/Management Relations<br><input type="checkbox"/> 740 Railway Labor Act<br><input checked="" type="checkbox"/> 751 Family and Medical Leave Act<br><input type="checkbox"/> 790 Other Labor Litigation<br><input type="checkbox"/> 791 Employee Retirement Income Security Act<br><b>IMMIGRATION</b><br><input type="checkbox"/> 462 Naturalization Application<br><input type="checkbox"/> 465 Other Immigration Actions | <input type="checkbox"/> 422 Appeal 28 USC 158<br><input type="checkbox"/> 423 Withdrawal 28 USC 157<br><b>INTELLECTUAL PROPERTY RIGHTS</b><br><input type="checkbox"/> 820 Copyrights<br><input type="checkbox"/> 830 Patent<br><input type="checkbox"/> 835 Patent - Abbreviated New Drug Application<br><input type="checkbox"/> 840 Trademark<br><input type="checkbox"/> 880 Defend Trade Secrets Act of 2016<br><b>SOCIAL SECURITY</b><br><input type="checkbox"/> 861 HIA (1395ff)<br><input type="checkbox"/> 862 Black Lung (923)<br><input type="checkbox"/> 863 DIWC/DIWW (405(g))<br><input type="checkbox"/> 864 SSID Title XVI<br><input type="checkbox"/> 865 RSI (405(g))<br><b>FEDERAL TAX SUITS</b><br><input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)<br><input type="checkbox"/> 871 IRS—Third Party 26 USC 7609 | <input type="checkbox"/> 375 False Claims Act<br><input type="checkbox"/> 376 Qui Tam (31 USC 3729(a))<br><input type="checkbox"/> 400 State Reapportionment<br><input type="checkbox"/> 410 Antitrust<br><input type="checkbox"/> 430 Banks and Banking<br><input type="checkbox"/> 450 Commerce<br><input type="checkbox"/> 460 Deportation<br><input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations<br><input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692)<br><input type="checkbox"/> 485 Telephone Consumer Protection Act<br><input type="checkbox"/> 490 Cable/Sat TV<br><input type="checkbox"/> 850 Securities/Commodities/Exchange<br><input type="checkbox"/> 890 Other Statutory Actions<br><input type="checkbox"/> 891 Agricultural Acts<br><input type="checkbox"/> 893 Environmental Matters<br><input type="checkbox"/> 895 Freedom of Information Act<br><input type="checkbox"/> 896 Arbitration<br><input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision<br><input type="checkbox"/> 950 Constitutionality of State Statutes |
| <b>REAL PROPERTY</b><br><input type="checkbox"/> 210 Land Condemnation<br><input type="checkbox"/> 220 Foreclosure<br><input type="checkbox"/> 230 Rent Lease & Ejectment<br><input type="checkbox"/> 240 Torts to Land<br><input type="checkbox"/> 245 Tort Product Liability<br><input type="checkbox"/> 290 All Other Real Property                                                                                                                                                                                                                                                                                                                                                      | <b>CIVIL RIGHTS</b><br><input type="checkbox"/> 440 Other Civil Rights<br><input type="checkbox"/> 441 Voting<br><input type="checkbox"/> 442 Employment<br><input type="checkbox"/> 443 Housing/Accommodations<br><input type="checkbox"/> 445 Amer. w/Disabilities - Employment<br><input type="checkbox"/> 446 Amer. w/Disabilities - Other<br><input type="checkbox"/> 448 Education                                                                                                                                                                                                   | <b>PRISONER PETITIONS</b><br><b>Habeas Corpus:</b><br><input type="checkbox"/> 463 Alien Detainee<br><input type="checkbox"/> 510 Motions to Vacate Sentence<br><input type="checkbox"/> 530 General<br><input type="checkbox"/> 535 Death Penalty<br><b>Other:</b><br><input type="checkbox"/> 540 Mandamus & Other<br><input type="checkbox"/> 550 Civil Rights<br><input type="checkbox"/> 555 Prison Condition<br><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 - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

## VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

29 U.S.C. §2601; Violation of the Family Medical Leave Act

Brief description of cause:

Discrimination and Retaliation under FMLA; Discrimination under the W. Va. Human Rights Act; Constructive Discharge; Negligence; Defamation

## 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

Jun 30, 2025

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE