

1 Bramby Tollen
2 2818 107th PL SE
3 Everett, WA 98208
4 702-355-3275
5 brambyt@hotmail.com

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CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY:	DEPUTY

6 IN THE UNITED STATE DISTRICT COURT

7 FOR THE DISTRICT OF NEVADA

8 BRAMBY TOLLEN,

9 Plaintiff,

10 vs.

11 CLARK COUNTY SCHOOL DISTRICT,

12 Defendant

Case No.: 2:15-cv-02035-APG-VCF

COMPLAINT (AMENDED)

13 PARTIES/JURISDICTION

- 14 1. At all times relevant hereto, Plaintiff resided in Henderson, NV was an individual residing in the State of Nevada and was employed by the Clark County School District (CCSD).
- 15 2. Defendant regularly employs fifteen or more persons.
- 16 3. Plaintiff worked at CCSD for 17 years beginning in September 1997 until August 2014.
- 17 4. Defendant is a local government agency operating in Clark County, Nevada.

18 COMPLAINT

- 19 1. Plaintiff was the victim of significant and extraordinary retaliatory action for the disclosure of an improper actions committed by CCSD.
- 20 2. On or about ~~October 20, 2015~~ October 25, 2013, Plaintiff discussed the CCSD's insurance contract with School Board of Trustee (Trustee). The Plaintiff informed the Trustee that the contract was and had been overextended in excess of \$6 million per year for several years. CCSD had not properly disclosed nor sought Board of Trustee approval for the total value of the contract as required by NRS 288.153.
- 21 3. Immediately following this disclosure, the Plaintiff was the receipt of various levels of retaliation and work place hostility,

- 1 4. On or about March 29, 2014, Plaintiff was informed by her supervisor, Chief Financial
2 Officer (CFO) and Chief of Human Capital (CHC) that she was being transferred to Human
3 Resources as a Director on Special Assignment. The CHC explained that the Purchasing &
4 Warehousing Department was being reorganized and in order for the Plaintiff to retain her
5 position as a Director, she would be transferred to Human Resources. The CHC reviewed a
6 job description with the Plaintiff for her new position and directed her to report to Human
7 Resource on April 1, 2014.
- 8 5. The Plaintiff was not allowed to return to her office nor was she allowed to pack her personal
9 belongings without permission from the CHC.
- 10 6. Plaintiff had worked in the Purchasing & Warehousing Department for the past 17 years at
11 CCSD. Plaintiff had excellent evaluations and had recently been recognized for her service to
12 the local purchasing industry. Additionally, the Purchasing Department at CCSD had
13 received awards for Excellence in Public Procurement for the past decade under the direction
14 of the Plaintiff. Plaintiff had an additional 10 years experience in purchasing prior to joining
15 CCSD. Plaintiff did not have any experience in the Human Resources area.
- 16 7. Plaintiff's responsibilities as head administrator in the purchasing department including
17 managing over 100 employees, administering a budget in excess of \$5 million, and overseeing
18 the District's expenditure of over \$450 million per year.
- 19 8. Plaintiff's responsibilities in Human Resources were significantly different and Plaintiff was
20 not experienced in the areas assigned to her.
- 21 9. Plaintiff suffered significant emotional distress and health issues as a result of the transfer.
- 22 10. On the advice of her doctor, Plaintiff filed for and was approved for Family Medical Leave
23 (FML) in mid May of 2014. Plaintiff rarely used sick leave while employed in the purchasing
24 area and had over 150 days of saved sick leave in addition to 80+ days of vacation and
25 personal leave.
- 26 11. Plaintiff was referred to several doctors to resolve her emotional and health issues. Several
27 doctors advised the Plaintiff that her health issues were a result of her employment at CCSD
28 and a recurring episode of Post Traumatic Stress Disease (PTSD). Plaintiff's life had been

1 threatened on the job in a reduction in force event and had been treated for PTSD several
2 years earlier.

3 DEMAND

4 Plaintiff asks for judgment and damages against the Defendant as follows:

- 5 1. Order Defendant to re-instate Plaintiff to position she held successfully before she was
6 transferred in retaliation for disclosing an improper action by CCSD.
- 7 2. Order Defendant to pay full back pay and benefits she has lost as a result of these actions.
- 8 3. Award to Plaintiff for compensatory damages in an amount to be shown at the trial for
9 past and future economic and non-economic losses within this Court's jurisdiction
10 subject.
- 11 4. Award to Plaintiff for general damages, including but not limited to emotional distress
12 damages within this Court's jurisdiction.
- 13 5. Award to Plaintiff for exemplary and/or punitive damages.
- 14 6. Award to Plaintiff for reasonable costs and fees defending her including but not limited to
15 expert witness fees, and as provided under state law.
- 16 7. Award to Plaintiff of interest on any awards at the highest rate allowed by law, and
17 8. Other and further as the Court deems just, fair, and appropriate.

18
19 Dated this 10th of October, 2015.

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Bramby Tollen
2818 107th PL SE
Everett, WA 98208
702-355-3275
Brambyt@hotmail.com

Rollen
2818 107th Pl SE
Everett, WA 98208

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