

COMMONWEALTH OF KENTUCKY  
FAYETTE CIRCUIT COURT  
\_\_\_\_\_  
DIVISION CIVIL BRANCH  
CIVIL ACTION NO. \_\_\_\_\_

MELISSA NEALE

PLAINTIFF

VS.

GARY GINN, CORONER  
*In his Official capacity*

DEFENDANTS

*Via Certified Mail*

SERVE: 247 E. Second Street  
Lexington, Kentucky 40507

And

LEXINGTON- FAYETTE URBAN  
COUNTY GOVERNMENT

SERVE:  
*Via Certified Mail*

Jim Gray, Mayor  
SERVE: 200 East Main Street  
Lexington, Kentucky 40507

AND

**COMPLAINT WITH JURY DEMAND**

**JURISDICTION**

1. The Plaintiff, Melissa Neale, is a resident of Fayette County, Kentucky, and brings this action against the Defendant pursuant to KRS 344.030.

**PARTIES**

2. Melissa Neale, beginning working for Lexington-Fayette Urban County Government (herein "LFUCG") in July, 2013 at its Detention center. In June, 2015,

Plaintiff Neale accepted a lateral transfer to the Fayette County Coroner's office until her resignation on June 19, 2017.

3. Defendant LFUCG, was at all times herein classified as Plaintiff's Employer, and received all LFUCG benefits as any other LFUCG employee.

4. Defendant Gary Ginn, in his official capacity, was the elected County Office of Coroner, was Plaintiff's direct employer, and whose employees were covered by the Policies of Defendant LFUCG.

### FACTS

5. Plaintiff Neale laterally transferred from the LFUCG Detention Center to the Fayette County Coroner's office in June, 2015.

6. Almost immediately upon her transfer to the position of Deputy Coroner, Plaintiff Neale was subject to constant and inappropriate behavior and comments from Defendant Ginn because of her gender.

7. For example, new to the job on June 15, 2015, Defendant Ginn grabbed Plaintiff's backside to "help" her climb down a ladder on a roof where victim was deceased.

8. Throughout her tenure with the Coroner's office, Defendant Ginn would make sexist and crude jokes and comments to or in front of Plaintiff Neale and other female employees that made uncomfortable in her job.

9. During official Coroner education courses with cadavers, Coroner Ginn would ask female instructors in front of the students whether she had reviewed the "bulge in the pants" of male cadavers.

10. Defendant Ginn would constantly makes publicly obscene comments in the Coroner's conference room in front of the female employees about newswomen on the television in regards to their breasts and posteriors, or what their lips were good for.

11. During multiple meetings in Defendant Ginn's office throughout her tenure in the Coroner's office, Plaintiff was forced to sit quietly while Defendant Ginn would openly and graphically grab and massage his genitalia while speaking to Plaintiff Neale about her job duties.

12. During lunch meetings, Defendant Ginn routinely discussed strip clubs and various acts that strippers performed for some of his male employees.

13. Plaintiff had many discussions with co-workers and her direct report, the Chief Deputy Coroner, about how Ginn's behavior in the office was unprofessional and made female employees very uncomfortable.

14. Plaintiff had also met with an LFUCG council member who was a member of the Ethics committee along with her Chief Deputy to report the Conduct of Defendant Ginn; Plaintiff was informed that nothing could be done by the Ethics Committee because Defendant Ginn was an elected official.

15. Defendant Ginn's behavior created a male locker room environment, where female employees were constantly subject to discussions about crude sex acts and females were described and labeled as sexual objects.

**COUNT I**  
**SEXUAL HARASSMENT (KRS 344.030, Et seq.)**

16. Plaintiff incorporates as if fully restated all of the allegations previously written.
17. Plaintiff Neale was subjected to unwelcome, offensive and harassing sexually discriminatory conduct and contact during her employment with the Defendants, which was perpetrated upon her by her supervisor, the elected Coroner, Gary Ginn. Said conduct was based upon, and directed at Plaintiff Neale by reason of her gender.
18. Plaintiff Neale did not consent to said conduct of her Supervisor.
19. This sexually harassing and discriminatory conduct was sufficiently severe and pervasive so as to unreasonably interfere with Plaintiff Neale's work performance and created an intimidating, hostile, offensive, and physically abusive working environment.
20. As a direct and proximate result of the harassing and hostile sexual environment of the Defendant Ginn, Plaintiff Neale was forced to resign her employment after subject to great embarrassment, humiliation and mental and anguish. Plaintiff will also seek her attorney fees pursuant to KRS 344.450.

WHEREFORE, the Plaintiff respectfully prays and demands on all Counts as follows:

- A. For trial by jury;
- B. For compensatory damages;
- C. For reasonable attorney fees and costs pursuant to KRS 344.450;
- D. For any and all other relief to which the Plaintiff may appear entitled.

Respectfully submitted,

ZIEGLER AND SCHNEIDER, P.S.C.

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Presiding Judge: HON. PAMELA GOODWINE (622212)

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