



CJ-2023-3701

Bonner

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

KELI A. PUEBLO,)
)
 Plaintiff,)
)
 v.)
)
 STATE OF OKLAHOMA, ex rel.)
)
 OKLAHOMA SCHOOL OF)
)
 SCIENCE AND MATHEMATICS,)
)
 Defendants.)

CJ - 2023 - 3701

Case No:

FILED IN DISTRICT COURT
OKLAHOMA COUNTY

JUN 30 2023

RICK WARREN
COURT CLERK

107 _____

PETITION

COMES NOW Plaintiff, Keli A. Pueblo, by and through her attorney, Alex Palmer, at the Mazaheri Law Firm, for cause of action against Defendants, State of Oklahoma and the Oklahoma School of Science and Mathematics, alleges and states the following:

PARTIES

1. Plaintiff, Keli A. Pueblo (hereinafter "Plaintiff"), is an individual residing in McCloud, Oklahoma.
2. Plaintiff is a former employee of Defendant, Oklahoma School of Science and Mathematics (hereinafter "OSSM" and "Defendant").
3. Defendant, OSSM is an Oklahoma two-year, boarding high school for academically gifted juniors and seniors operating in Oklahoma County, Oklahoma.

CLAIMS AND VENUE

1. Plaintiff asserts claims pursuant to gender discrimination, sex-based stereotypes, a hostile work environment, and retaliation in violation of the Title VII of the Civil Rights Act of 1964 (Title VII), 42 U.S.C. § 2000e *et seq.*, as amended in violation of Title VII of the Civil Rights Act of 1964 (hereinafter "Title VII"), 42 U.S.C. §2000e *et seq.*, as amended.

2. Plaintiff also brings a state law claim for sex discrimination as prohibited by the Oklahoma Anti-Discrimination Act (hereinafter "OADA"), *see* 25 O.S. §1101 *et seq.*
3. Jurisdiction and venue are proper in Oklahoma County because the claim arose in this County, the unlawful employment practice occurred in this County, and the Defendants can be served in Oklahoma County.

STATEMENT OF FACTS

1. Plaintiff began her employment with OSSM on or about April 2016. Plaintiff's employment was in Oklahoma City, Oklahoma as a Development Assistant. Plaintiff was later promoted to Development Manager.
2. Plaintiff was subjected to gender discrimination and sex-based stereotypes leading to a hostile work environment and Plaintiff's termination by Defendant OSSM, and agents thereof.
3. Plaintiff is a female and member of a protected class on the basis of gender.
4. Male employees of OSSM were not subjected to the same or similar treatment.
5. Defendant has fifteen (15) or more employees for each working day in each of twenty or more calendar weeks in the current or preceding calendar year and is covered employers under Title VII.
6. These discriminatory and retaliatory actions taken against Plaintiff led Plaintiff to file charges of discrimination against Defendant with the EEOC.
7. At the time of Plaintiff's termination, she was employed full-time.
8. In December of 2019, findings from an operational audit performed by the Oklahoma State Auditor and Inspector's Office were made public. Plaintiff played a significant role in the audit findings by providing vital information to auditors over the course of several months.

9. The OSSM Governing Board of Directors and President, Dr Frank Wang, were made aware of numerous serious issues within OSSM, including matters related to the agency's employment practices. Corrective action recommendations were noted in the audit findings. However, the corrective action recommendations that were implemented were quickly undone by the Governing Board of Directors, such as hiring and terminating an HR Generalist within one year (also a female employee).
10. Employment practices continue to be arbitrary, applied differently to male and female employees, resulting in the discipline and/or discharge of female employees and not male employees.
11. After the operational audit, Plaintiff assisted in two separate employment discrimination investigations regarding two female employees, the Dean of Students and the Vice President. Both were female employees who were fired by OSSM within two years of being hired. They were both in leadership positions and they both were replaced by male employees already working at OSSM.
12. OSSM has attempted to cover up matters related to disparate working conditions of female employees.
13. On numerous occasions Plaintiff addressed to leadership her fear of Lynn Morgan. Mr. Morgan was the VP of Administrative Services at OSSM from 1998 until 2019. He was permitted to smoke cigarettes on campus, in front of board members, students, and visitors. He'd use a trashcan in Plaintiff's common area as his ash tray.
14. Further, Mr. Morgan had numerous affairs with female employees. Plaintiff has firsthand knowledge of three relationships that Mr. Morgan had between 2017 and 2019 with three female subordinates. Additionally, Mr. Morgan would routinely shower in his office after

visits from these women. Mr. Morgan also had two children with a former assistant who reported directly to him.

15. Female employees who engaged in sexual relationships with Mr. Morgan were given special treatment in terms of office space, compensation, benefits, and workload expectations. As an example, Plaintiff's supervisor, the Director of Development, was not permitted to move into a larger office because a newly hired female employee that had been hired by Mr. Morgan was given that office. Also, Mr. Morgan commented to Plaintiff, the CFO, and one of the Counselors, that he was not aware that a female interviewee was married when she interviewed.
16. The following are some findings regarding Mr. Morgan that were made during the operational audit: use of inappropriate language often sexual in nature when dealing with students, visitors, and employees, smoking cigarettes on state property, excessive video surveillance, and favoritism to specific female employees.
17. As a result of the operational audit, Mr. Morgan was placed on paid administrative leave by the Governing Board of Directors for over four months, costing OSSM over \$34,000. Mr. Morgan was also given a longevity payment of \$2,750, two months after his last day on paid administrative leave when longevity payments are only given if the employee is a current employee at the time of their anniversary.
18. Ultimately, Mr. Morgan was permitted to simply retire from his position, allowing him to access all the benefits available to retirees. Not only was Mr. Morgan compensated during his administrative leave, but he was also paid the annual maximum allowable balance of 480 PTO hours that he had accrued by the end of his administrative leave.

19. Shockingly, the OSSM leadership celebrated Mr. Morgan's retirement despite all the allegations from female employee's and the findings from the audit.
20. Between 2017 and 2022, Plaintiff began compiling post event/camp participant evaluations from Dr. Mark Li, the OSSM Camp Director for the Phillips 66 Summer Science Institute and co-coordinator for the Sarkeys Institute at OSSM. The camps were designed for middle school math and science teachers where teachers would stay at the OSSM campus for a full week.
21. In the evaluations Plaintiff found alarming information regarding sexual conduct from Dr. Li, which Plaintiff reported to her direct supervisors, the Director of Development, Dr. Frank Wang (President), and Dr. Brent Richards (VP of Academic Services). Instead of addressing the sexual conduct allegations found in the evaluations, OSSM highlighted Mr. Li's work.
22. In January of 2022, Plaintiff notified OSSM leadership that Dr. Dutch Ratliff had posted a sign on his office door made by female students that read "Professor McDreamy." Further, Dr. Ratliff gave the "Rice Purity Test" to his math class and Executive Assistant. The test asked whether the participant had held hands romantically, French kissed in public, kissed or been kissed on the breast, kissed someone below the belt, etc. The test was meant to serve as the final for the class. Plaintiff alerted OSSM leadership and the Governing Board of Directors that Dr. Ratliff, but nothing resulted from her reporting.
23. The Vice President was Dr. Ratliff's supervisor. Despite her many attempts in seeking disciplinary actions against Dr. Ratliff due to his inappropriate behavior and failure to show to work, it was her who was terminated from her position.

24. In 2020, a female Human Resources Generalist was hired due to the recommendations of the audit.
25. In August of 2020, five female employees including Plaintiff, reported to the HR Generalist the ongoing inappropriate sexual behavior for which they had been subjected or witnessed directly from Mr. Bill Kuehl, the Director of Admissions. Led by the HR Generalist, Plaintiff and four other women met with Board Chairman Dan Little and Executive Committee Trustee Donna Windel to discuss accusations of inappropriate behavior by Mr. Kuehl. The meeting lasted several hours, and each woman was able to share what they had experienced and submitted evidence. No disciplinary actions were taken against Mr. Kuehl, and he was soon after permitted to hire his wife as his assistant.
26. In 2021, a parent reported to Plaintiff that she had become concerned after reviewing an email that was sent by Mr. Kuehl. Mr. Kuehl had requested that students send money to his personal Venmo account for senior items. The mother was concerned not only because he requested funds to go to his personal account but also because there were payments listed for sexual favors in his personal Venmo account. Plaintiff reported this as well.
27. In August 2021, Plaintiff reported to the HR Generalist that Greg Madden, the Director of Maintenance, spoke to female colleagues in a demeaning and sexual tone. Instead of using Plaintiff's name when he addressed her in front of co-workers and students, he'd instead refer to her as "sunshine," "doll face," or "pretty girl". Prior to effectively addressing the matter, the HR Generalist was terminated from her position. Interestingly, her termination coincided with her efforts to address and investigate the numerous allegations of inappropriate sexual behavior. She was informed that her termination was attributed to OSSM's purported lack of requirement for an HR Generalist, despite the recommendations

outlined in the audit. The Chief Financial Officer at OSSM also had reported similar behavior from Mr. Madden. Because of Mr. Madden's inability to perform his job duties satisfactorily the Governing Board of Directors did create a special committee to assist Mr. Madden. However, Mr. Madden was not disciplined and remains in his position.

28. Each year, OSSM sends an annual appeal to alumni and alumni family members. Each year Plaintiff would receive letters from alumni asking OSSM to address the sexual misconduct of several professors, specifically Dr. Bachman, a Professor at OSSM.
29. Dr. Bachman in particular spoke sexually towards students, faculty, and staff. Dr. Bachman would routinely ask Plaintiff what the size of her breasts were, and he would ask her what the size of the breasts of other female employees at OSSM were. Plaintiff also reported to leadership an incident in which she heard Dr. Bachman asking another female employee what the size of her breasts were during her pregnancy. Plaintiff had confirmed with that employee that Dr. Bachman had in fact asked her about her breasts size numerous times during her pregnancy. Despite all the complaints received from students, parents, and female employees such as Plaintiff, Dr. Bachman remains a celebrated faculty member at OSSM.
30. In November of 2021, the female Residence Hall Coordinator resigned from OSSM after being denied a promotion that was more aligned with her role and responsibilities and had a salary increase. As a result, Jonathan Triplett was hired to replace her as the Residence Hall Coordinator. Mr. Triplett threatened a female employee because she did not include his name on the graduation program and he would often refer to the OSSM President, Dr. Wang, as a "fucking faggot" in front of students, parents, employees, and the public.

31. A parent reported Mr. Triplett acted aggressively towards him, so the parent was fearful to pick up his daughter from campus. As a result, OSSM leadership required Mr. Triplett to enroll in an online anger management course that was ultimately taken by Dr. Frank Wang on behalf of Mr. Triplett.
32. On June 2, 2022, Mr. Triplett's girlfriend who resided with him on campus in the student dormitory housing confided to Plaintiff that she suffered extreme physical abuse from Mr. Triplett. Plaintiff also reported the allegations to Dr. Brent Richards, the VP of Academic Services, out of concern for the safety of the students.
33. Further, on May 10, 2023, Mr. Triplett entered a guilty plea to a misdemeanor for operating a motor vehicle under the influence of alcohol. Despite all the allegations and the recent DUI conviction, Mr. Triplett was promoted to Dean of Students and received a substantial salary increase.
34. Although Plaintiff had exceptional reviews throughout her employment, she was demoted to secretary on July 29, 2022.
35. As a result of working on one of the Camps, Plaintiff was scheduled to be off for two weeks due to her accrued comp time. That day, Interim President Edan Manning approached Plaintiff and expressed her intention to restore OSSM and to demote Plaintiff to the secretary position. Consequently, Plaintiff mentioned that someone had already been hired for that role and asked whether her demotion was due to her collaboration with the state auditors, but Ms. Manning did not offer a response.
36. On August 3, 2022, Plaintiff received a termination letter from OSSM.

37. In the letter, OSSM explained that due to Plaintiff being absent from work since July 29, 2022, Plaintiff was terminated from her position. However, Plaintiff had been approved to be off for two weeks due to her comp time.
38. After her termination, Plaintiff was consistently contacted by employees and foundation and governing board members to assist matters that only she knew how to do.
39. Plaintiff was never paid her leave balance and her longevity payment was only made after Plaintiff filed a Wage Claim Form, despite it being owed to her prior to being terminated.
40. Unlike the other male employees such as Mr. Morgan, when Plaintiff was terminated, she was not offered any benefits and lost her health insurance.
41. Further, during Plaintiff's six and a half years at OSSM, at least six (6) female employees were terminated and at least four (4) women resigned due to the horrible working conditions for female employees at OSSM.
42. Despite a number of serious allegations against the listed male employees above, none faced disciplinary action or termination.
43. As a result of Defendant's actions, Plaintiff has sustained the following injuries: loss of employment, loss of career path and opportunity, loss of wages, loss of benefits, and other compensation; and consequential and compensatory damages including, but not limited to, those for humiliation, loss of dignity, loss of enjoyment of life, worry, stress, and anxiety.
44. Furthermore, as a result of Defendant's actions against her, Plaintiff has experienced a great deal of emotional distress.
45. All adverse actions taken by Defendant against Plaintiff were intentional, willful, malicious, or in reckless disregard for the legal rights of Plaintiff.

COUNT I: ILLEGAL DISCRIMINATION BASED UPON SEX
IN VIOLATION OF TITLE VII OF THE CIVIL RIGHTS ACT OF 1964,

42 U.S.C. § 2000e et seq.

1. Plaintiff reasserts and incorporates by reference paragraphs 1–45 as set forth above as if fully restated herein.
2. At all relevant times, Plaintiff was qualified for the position she held and had been performing satisfactorily.
3. Defendants' misconduct as described above, in terminating Plaintiff for discriminatory reasons, is in clear violation of Title VII of the Civil Rights Act of 1964.
4. Defendant did not subject similarly situated male employees to the same treatment Plaintiff was subjected to.
5. Plaintiff received disparate and hostile treatment compared to other similarly situated, male employees.
6. Plaintiff's termination is due to her status as a female.
7. Plaintiff would not have faced such sex-based discrimination had she not been a female.
8. Plaintiff was subjected to sex-based stereotypes by Defendant and its agents, when sexual comments regarding her body were made and when Plaintiff's multiple reports regarding unacceptable behavior perpetuated by some of the male OSSM employees were disregarded or ignored.
9. Plaintiff was subjected to a hostile work environment after assisting with the state audit, assisting with the two female discrimination termination investigations, and making various reports regarding unacceptable behavior perpetuated by some of the male OSSM employees.

10. Plaintiff was subjected to sex-based discrimination and stereotypes when she was continuously ignored when reporting the problematic behavior of some of the male OSSM employees.
11. As a result of Defendants' illegal conduct under Title VII, Plaintiff has suffered losses, injuries, and damages, as set forth in paragraphs 43-44, above.
12. Plaintiff is entitled to and seek all legal and equitable remedies provided to a prevailing plaintiff under Title VII, including, without limitation: back pay, front pay, compensatory and punitive damages, as well as appropriate declaratory and injunctive relief.
13. Plaintiff is also entitled, under 42 U.S.C. § 2000e-5(k), to recover attorney fees and costs incurred in pursuing this claim.

COUNT II: ILLEGAL DISCRIMINATION BASED UPON SEX IN VIOLATION OF THE OKLAHOMA ANTI-DISCRIMINATION ACT ("OADA"), 25 O.S. § 1101 et. seq.

1. Plaintiff reasserts and incorporates by reference paragraphs 1-45 as set forth above as if fully restated herein.
2. Plaintiff's termination is due to her status as a female.
3. Plaintiff would not have faced such sex-based discrimination had she not been a female.
4. The acts and omissions described above violate the Oklahoma Anti-Discrimination Act ("OADA"), 25 O.S. § 1101 et. seq.
5. As a result of Defendant's discriminatory and retaliatory actions against Plaintiff, Plaintiff has suffered the losses and damages described in paragraphs 43-44.
6. As such, Plaintiff is entitled to recover from Defendant all actual and compensatory damages, including, but not limited to, damages for back pay, front pay, humiliation, loss

of dignity, loss of enjoyment of life, worry, stress, and anxiety resulting from his wrongful discharge, as well as punitive damages.

7. Plaintiff is also entitled, under 25 O.S. §§ 1350(H) and 1506.8, to recover court costs and attorney fees incurred in pursuing this action.

**COUNT III: ILLEGAL RETALIATION FOR PROTECTED ACTIVITY IN
VIOLATION OF TITLE VII, 42 U.S.C. § 2000e et seq. AND THE OADA, 25 O.S. §
1101 et seq.**

1. Plaintiff reasserts and incorporates by reference paragraphs 1–45 as set forth above as if fully restated herein.
2. 42 U.S.C. § 2000e-3(a) makes it illegal to retaliate against an “individual [who] has opposed any act or practice made unlawful by this Act or because such individual made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under this Act.”
3. 25 O.S. § 1601 also prohibits such retaliatory conduct.
4. Plaintiff clearly opposed the gender discrimination when she complied with the audit, the two gender discrimination investigations, and when she reported the sex and gender discrimination against her and others. Such opposition and participation is protected activity as defined by Title VII and the OADA.
5. Plaintiff was terminated from her position for raising concerns regarding the gender-based discrimination.
6. Defendant’s actions taken against Plaintiff following her protected activity in opposition to Defendant’s illegal conduct are all retaliatory actions designed to prevent Plaintiff from exercising her rights under Title VII and the OADA.

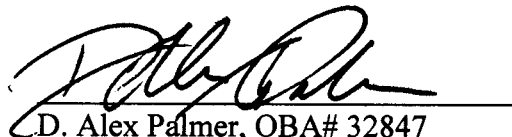
7. Such actions are clearly retaliatory in violation of Title VII and the OADA.
8. As a result of Defendants' retaliatory conduct, Plaintiff has suffered the losses and damages described in paragraphs 43-44.
9. Plaintiff is entitled to and seek all legal and equitable remedies available to a prevailing plaintiff under Title VII and the OADA, including, without limitation: back pay, front pay, compensatory damages, punitive damages, and any and all appropriate declaratory and injunctive relief.
10. Plaintiff is also entitled, under 42 U.S.C. § 2000e-5(k) and 25 O.S. §§ 1350(H) and 1506.8, to recover attorney fees and costs incurred in pursuing this claim.

PRAYER

The actual damages under Plaintiff's claims exceeds Ten Thousand Dollars (\$10,000.00).

WHEREFORE, Plaintiff prays that this Court enter judgment in favor of the Plaintiff and against the Defendant and assess actual, compensatory damages together with pre- and post-judgment interest, costs, attorney's fees and such other relief as this Court may deem equitable and appropriate.

RESPECTFULLY SUBMITTED THIS 30th DAY OF JUNE 2023.



D. Alex Palmer, OBA# 32847
Mazaheri Law Firm, PLLC
3000 W. Memorial Rd., Suite 230
Oklahoma City, OK 73120
Telephone: (405) 414-2222
alex@mazaherilaw.com
Attorney for Plaintiff

ATTORNEY LIEN CLAIMED

CERTIFICATE OF SERVICE

I hereby certify that on the _____ day of _____, 2023, I mailed via U.S. mail, postage prepaid, a true and correct copy of the above and foregoing instrument, to the following:

Madalynn Martin
Assistant Attorney General
313 N.E. 21st Street
Oklahoma City, OK 73105
Attorneys for Defendants

And,

OSSM
1141 N. Lincoln Blvd.
Oklahoma City, OK 73104

D. Alex Palmer