

IN THE CIRCUIT COURT OF ST. FRANCOIS COUNTY
STATE OF MISSOURI

RAYNE LITTLEFIELD,)	
)	
Plaintiff,)	
)	Case No.:
v.)	
)	JURY TRIAL DEMANDED
NORMAN L. RIGDON POST NO. 5896,)	
VETERANS OF FOREIGN WARS)	
OF THE UNITED STATES, INC.,)	
)	
Serve at: 814 E. Karsch Blvd.)	
Farmington, MO 63640-3024)	
)	
Defendant.)	

PETITION FOR DAMAGES

COMES NOW Plaintiff Rayne Littlefield, by and through counsel, and for her Petition for Damages against Defendant Norman L. Rigdon Post No. 5896, Veterans of Foreign Wars of the United States, Inc. (“VFW”) states as follows:

1. Plaintiff brings this claim under the Missouri Human Rights Act, § 213.010 R.S.Mo., *et. seq.*
2. Plaintiff Rayne Littlefield is a female citizen residing in the State of Missouri.
3. Defendant VFW is a Missouri corporation with its principal place of business in Missouri and is a citizen of Missouri. At all times relevant herein, Defendant maintains an office for conducting its usual and customary business at 814 E. Karsch Blvd., Farmington, MO 63640-3024.
4. Defendant VFW is an employer, as defined by the Missouri Human Rights Act (“MHRA”), Mo. Rev. Stat. § 213.010(8), in that Defendant VFW employs six (6) or more persons.

5. Venue is proper in this action pursuant to Mo. Rev. Stat. § 213.111(1) and/or Mo. Rev. Stat. § 508.010(2) or (6).

6. At all relevant times herein, Plaintiff was employed by Defendant VFW at its location at 814 E. Karsch Blvd., Farmington, MO 63640-3024.

7. From approximately March 2020 to May 11, 2021, Plaintiff worked for Respondent VFW as a bartender.

8. During Plaintiff's employment, she performed her duties and responsibilities in a satisfactory manner.

9. In or about June 2020, a member of the VFW post named John Rastorfer made unwanted sexual advances toward Plaintiff, including inappropriate comments, touching Plaintiff's hip and thigh area, and swearing at Plaintiff.

10. Plaintiff submitted a written report to Defendant VFW regarding those comments and actions.

11. In or about August/September 2020, a patron of the bar attempted to touch Plaintiff's buttocks two times. Plaintiff reported those actions to Defendant VFW as well.

12. In or about December 2020, a member of the VFW made an inappropriate comment about Plaintiff's legs. Plaintiff indicated to him that the comment was inappropriate and unwelcome.

13. On or about April 14, 2021, John Rastorfer told Plaintiff, "Everyone wants to fuck you," and stated that no one could because Plaintiff was in a relationship.

14. On or about April 16, 2021, Defendant VFW suspended Plaintiff's employment.

15. Defendant VFW falsely claimed that Plaintiff was not performing her job duties and that there had been complaints against her.

16. On May 11, 2021, Plaintiff submitted a written complaint of Rastorfer's inappropriate comment from April 14, 2021, to be presented and discussed at a meeting.

17. On May 11, 2021, after receiving Plaintiff's complaint, Defendant VFW terminated Plaintiff's employment.

18. Defendant VFW made false claims about Plaintiff's work performance and complaints by patrons.

19. On or about August 6, 2021, Plaintiff filed a Charge of Discrimination against Defendant VFW with the Missouri Commission on Human Rights ("MCHR") and the Equal Employment Opportunity Commission ("EEOC"), alleging sex discrimination and retaliation. The MCHR docketed Plaintiff's Charge as Charge No. FE-08/21-33485.

20. On March 8, 2023, the MCHR issued a Notice of Right to Sue for Charge No. FE-08/21-33485. Plaintiff has filed this action within ninety (90) days of the date on the Notice of Right to Sue and within two (2) years from the last act of discrimination. A copy of the notice of right to sue is attached hereto as Ex. 1.

COUNT I

SEX DISCRIMINATION IN VIOLATION OF THE MISSOURI HUMAN RIGHTS ACT

21. For Count I of her Petition for Damages against Defendant VFW, Plaintiff realleges and incorporates by reference ¶¶ 1 through 20 as if fully set forth herein.

22. Plaintiff's sex was a motivating factor in Defendant VFW's actions above, including the suspension and termination of Plaintiff's employment. Such actions constitute sex discrimination in violation of the Missouri Human Rights Act.

23. As a result of Defendant's actions, Plaintiff has suffered lost wages and benefits of employment.

24. As a result of Defendant's actions, Plaintiff has suffered emotional distress and mental anguish.

25. As a result of Defendant's illegal conduct and actions, Plaintiff has incurred attorneys' fees and costs of litigation, and will continue to incur such fees and costs.

26. Defendant engaged in the above conduct with evil motive and reckless indifference to the rights of others.

WHEREFORE, Plaintiff prays this Court to enter judgment in her favor and against Defendant and award Plaintiff such damages as are fair and reasonable, including lost wages and other benefits of employment, reinstatement and/or front pay, emotional distress damages, pre-and post-judgment interest, punitive damages, and costs and attorneys fees, in an amount to exceed \$25,000.00, and for such other relief as may be just and proper.

COUNT II

RETALIATION IN VIOLATION OF THE MISSOURI HUMAN RIGHTS ACT

27. Plaintiff incorporates by reference ¶¶ 1 through 20 above in Count II against Defendant.

28. Plaintiff's complaints of sex discrimination and/or sexual harassment were a motivating factor in Defendant VFW's actions above, including the suspension and termination of Plaintiff's employment. Such actions constitute retaliation in violation of the Missouri Human Rights Act.

29. As a result of Defendant's actions, Plaintiff has suffered lost wages and benefits of employment.

30. As a result of Defendant's actions, Plaintiff has suffered emotional distress and mental anguish.

31. Defendant engaged in the above conduct with evil motive and reckless indifference to the rights of others.

WHEREFORE, Plaintiff prays this Court to enter judgment in her favor and against Defendant and award Plaintiff such damages as are fair and reasonable, including lost wages and other benefits of employment, reinstatement and/or front pay, emotional distress damages, pre-and post-judgment interest, punitive damages, and costs and attorneys fees, in an amount to exceed \$25,000.00, and for such other relief as may be just and proper.

Respectfully submitted,

KENNEDY HUNT LAW, P. C.

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