

MAY 15 '25 PM 1:07

STATE OF WISCONSIN CIRCUIT COURT SHEBOYGAN
COUNTY

BRANCH _____

CLERK CIRCUIT COURT
FILED

'25 MAY 13 PM 12:24

Katherine Kobs
N8142 County Road QQ
Malone, WI 53049

SHEBOYGAN COUNTY
WISCONSIN

Plaintiff,

Case No. 10294

v.

(Case classification)

City of Sheboygan
828 Center Ave
Sheboygan, WI 53081

(Code #): 30703

Defendant,

SUMMONS

THE STATE OF WISCONSIN

To each person named above as a defendant:

You are hereby notified that the plaintiff named above has filed a lawsuit or other legal action against you. The complaint, which is attached, states the nature and basis of the legal action.

Within forty-five (45) days after receiving this summons, you must respond with a written answer, as that term is used in Wis. Stat. ch. 802, to the complaint. The court may reject or disregard an answer that does not follow the requirements of the statutes. The answer must be sent or delivered to the court, whose address is 615 N 6th Street Sheboygan, WI 53081 and Plaintiff at N8142 County Road QQ Malone, WI 53049. You may have an attorney help or represent you.

If you do not provide a proper answer within forty-five (45) days, the court may grant judgment against you for the award of money or other legal action requested in the complaint, and you may lose your right to object to anything that is or may be incorrect in the complaint. A judgment may be enforced as provided by law. A judgment awarding money may become a lien against any real estate you own now or in the future and also may be enforced by garnishment or seizure of property.

Dated: May 8th, 2025

Katherine Kobs

“Electronically signed by”
Katherine Kobs

STATE OF WISCONSIN CIRCUIT COURT SHEBOYGAN
COUNTY
BRANCH _____

CLERK CIRCUIT COURT
FILED

'25 MAY 13 P12:24

SHEBOYGAN COUNTY
WISCONSIN

Katherine Kobs
N8142 County Road QQ
Malone, WI 53049

Case No. 25CV0294

Plaintiff,

v.

(Case classification)

(Code #): 30703

City of Sheboygan
828 Center Ave
Sheboygan, WI 53081

Amount claimed is greater
than (statutory threshold
dollar amount for claim).

Defendant,

COMPLAINT

NOW COMES the Plaintiff, Katherine Kobs, and for a Complaint against the Defendant, City of Sheboygan, alleges and shows as follows:

I. NATURE OF COMPLAINT

1. This is a complaint brought under the Wisconsin Fair Employment Act, Wis. Stat. § 111.31 et seq., the Wisconsin Wage Payment and Collection Law, Wis. Stat. § 109.01 et seq., and relevant provisions of the Fair Labor Standards Act to address unlawful employment practices committed by Defendant, the City of Sheboygan against Plaintiff Katherine Kobs, including discrimination on the basis of sex, sexual orientation, retaliation, and unlawful wage practices.

II. JURISDICTION AND PROCEDURAL BACKGROUND

2. This Complaint is filed with the Equal Rights Division (ERD) under the WFEA and other applicable Wisconsin employment statutes.

3. Plaintiff previously filed a Charge of Discrimination with the U.S. Equal Employment Opportunity Commission (EEOC) and received a Notice of Right to Sue dated March 6, 2025.
4. This filing is timely under Wis. Stat. § 111.39(1) and is intended to preserve Plaintiff's claims under state law, including remedies and enforcement mechanisms available through ERD.
5. Venue is proper because Defendant is located in Wisconsin and the alleged acts occurred in Sheboygan County, Wisconsin.

PARTIES

1. Plaintiff, Katherine Kobs, is a resident of Fond du Lac County, Wisconsin.
2. Defendant, City of Sheboygan, is a Wisconsin municipal employer with its City Hall located at 828 Center Avenue, Sheboygan, WI.

STATEMENT OF FACTS / CONDITIONS PRECEDENT

1. Plaintiff was employed by the City of Sheboygan from October 2022 - May 2023 and served in a de facto capacity performing duties consistent with that of a Human Resources Director.
2. During a critical period, Plaintiff performed the work of multiple human resources positions (Assistant, two Generalists, and Director) without proper compensation, despite the City of Sheboygan's internal acknowledgement of the excessive workload.
3. Plaintiff had advanced qualifications, that being a Master's of Science Degree in Leadership and Organizational Development with an emphasis in Human Resources Management and a Graduate Human Resources Management Certification along with holding SHRM-CP (Society for Human Resources Management – Certified Professional) credential.
4. Despite Plaintiff's qualifications, the City of Sheboygan hired a less experienced male candidate, Adam Westbrook, to fill the Director of Human Resources and Labor Relations position. Mr. Westbrook had minimal experience in Human Resources, a problematic employment history, and is facing felony charges.
5. The City of Sheboygan, nor Baker Tilly, conducted a proper background check on Adam Westbrook.
6. The Mayor, Ryan Sorenson, who chose Adam Westbrook for the Director of Human Resources and Labor Relations maintained a close relationship with Mr. Westbrook and shares the same sexual orientation. Their bias towards LGBTQ employees and hostility toward heterosexual women, including Plaintiff, was apparent and contributed to Plaintiff's mistreatment.
7. Plaintiff's supervisor, Mr. Westbrook, showed favoritism toward individuals who shared his sexual orientation. Plaintiff, a heterosexual woman, was targeted and marginalized.

8. Plaintiff was denied a promotion despite qualifications, in violation of Wis. Stat. § 111.322 and § 111.36(1)(b).

9. Mr. Westbrook demonstrated preferential treatment toward certain employees, failed to take corrective action when Plaintiff was harassed by a coworker, Barbara Hanson, and participated in retaliatory acts after Plaintiff raised concerns.

10. The City of Sheboygan has a zero tolerance policy for harassment. Mr. Westbrook allowed for the harassment to continue and the harasser was not given any discipline or terminated while Plaintiff worked for The City of Sheboygan.

11. Mr. Westbrook's conduct contributed to a work environment that was hostile and discriminatory, particularly toward Plaintiff, and failed to meet professional and ethical standards expected of supervisory personnel.

12. Plaintiff's supervisor is also a known member of the "Sisters of Perpetual Indulgence," a controversial group that blends performance art with LGBTQ activism. His affiliation and conduct further illustrate a pattern of ideological bias and discriminatory behavior within the workplace.

13. The Mayor, also a male, of the City of Sheboygan was publicly photographed at a rally in the city posing with members of the Sisters of Perpetual Indulgence including one member mocking the catholic church dressed as a nun. This rally and the Mayor's participation reflect a broader pattern of ideological alignment among city leadership that contributed to a hostile work environment and discriminatory actions against the Plaintiff.

14. Plaintiff was subjected to a workplace culture where expressions of religious belief were disfavored, and supervisors' conduct suggested ideological bias that contributed to a hostile work environment, particularly given Plaintiff's known Catholic faith Wis .Stat. §322.1325

15. Plaintiff's termination was allegedly based on "willful misconduct," for gossiping a claim unsupported by facts. It followed her report of harassment, discriminatory culture, and lack of support. No disciplinary process was followed, and Plaintiff was not given the opportunity to respond to the accusations.

16. Plaintiff reported discrimination and was wrongfully terminated without due process while at an official function on behalf of the City of Sheboygan out of state. Plaintiff's compensation was unlawfully withheld by Mr. Westbrook, in violation of Wis. Stat. § 109.03(1)–(2) , Wis. Stat. § 111.322(3) and 29 U.S.C. § 206 et seq. FLSA, Fair Labor Standards Act.

17. Plaintiff's accrued vacation time was withheld under the pretext of this "misconduct," which included no formal disciplinary history. Her earned wellness program incentives (Go365/HSA) were never paid which is a violation of Wis. Stat. § 109.03.

18. Prior to her termination, Plaintiff had discussed a performance-based bonus with Mr. Westbrook. While similar bonuses had been awarded to others in the same position (e.g., \$30,000 to a Finance Director serving temporarily), Plaintiff was told her acting up pay would only

amount to \$2,000. Which was never paid. Acting-up pay for higher-level duties was not provided as agreed, in violation of Wis. Stat. § 109.03(1) and FLSA.

19. When Plaintiff later filed a claim under the FLSA regarding this pay and other withheld benefits, a phone conversation with Mr. Westbrook that discussed her compensation mysteriously went missing from records. The City Attorney's office claimed no such record could be found. Deleting records subject to Open Records Statute is a violation of Wis. Stat. § 19.31-19.39

20. These facts, along with additional documented internal patterns of neglect, favoritism, discrimination, and retaliation, are supported by contemporaneous written logs and emails.

21. Ryan Sorenson and Adam Westbrook shared a close personal and professional relationship with each other to the detriment of Plaintiff.

22. Plaintiff experienced discrimination based on her sex and sexual orientation, contrary to Wis. Stat. § 111.321 and § 111.36.

23. Todd Wolf, previous City Administrator for City of Sheboygan, recommended Plaintiff for the Director of Human Resources and Labor Relations position.

24. Plaintiff mitigated her damages by accepting a new job after termination. However, the position pays less than the Director of Human Resources and Labor Relations at the City of Sheboygan.

25. The City of Sheboygan's actions were willful and in bad faith, entitling Plaintiff to liquidated damages under Wis. Stat. § 109.11 and 29 U.S.C. § 216(b).

CAUSES OF ACTION

COUNT I – Sex Discrimination (Title VII and WFEA)

Violation of 42 U.S.C. § 2000e-2(a) and Wis. Stat. § 111.321, § 111.322, and § 111.36

1. Defendant discriminated against Plaintiff on the basis of sex by denying her a promotion, treating her less favorably than male counterparts, and subjecting her to a hostile work environment.

COUNT II – Sexual Orientation Discrimination (Title VII and WFEA)

Violation of 42 U.S.C. § 2000e-2(a) and Wis. Stat. §§ 111.321, 111.322, and 111.36

1. Defendant discriminated against Plaintiff based on her heterosexual orientation by favoring employees who shared the same sexual orientation as her supervisor, creating a hostile work environment, and subjecting Plaintiff to adverse employment actions, including denial of promotion and termination. This conduct constitutes unlawful

discrimination under both federal and Wisconsin law.

COUNT III – Retaliation (Title VII and WFEA)

Violation of 42 U.S.C. § 2000e-3(a) and Wis. Stat. § 111.322(3)

1. Plaintiff engaged in protected activity by reporting discriminatory and retaliatory treatment. In response, Defendant retaliated against Plaintiff, culminating in her termination.

COUNT IV – Wage Violations (FLSA and Wisconsin Wage Law)

Violation of 29 U.S.C. § 201 et seq., Wis. Stat. § 109.01–§ 109.11

1. Plaintiff performed duties of a higher classification (HR Director) but was not compensated accordingly.
2. Plaintiff's earned and accrued vacation time and wellness program incentives were unlawfully withheld upon termination.
3. These actions were taken in bad faith, entitling Plaintiff to full compensation, penalties, and liquidated damages under Wis. Stat. § 109.03, § 109.09, and FLSA § 216(b).

PRAYER FOR RELIEF

WHEREFORE, Plaintiff Katherine Kobs respectfully requests that the Equal Rights Division grant the following relief:

1. A finding that the Defendant, City of Sheboygan, engaged in unlawful discrimination, retaliation, and wage violations in violation of the Wisconsin Fair Employment Act, the Wisconsin Wage Payment and Collection Law, and the Fair Labor Standards Act;
2. Reinstatement to Plaintiff's former position or an equivalent position, or in the alternative, an award of front pay in lieu of reinstatement;
3. Back pay, including lost wages, benefits, and other compensation from the date of the adverse employment action to the date of judgment;
4. Compensatory damages for emotional distress, loss of reputation, and other non-economic harms caused by Defendant's unlawful conduct;
5. Liquidated damages pursuant to Wis. Stat. § 109.11 and 29 U.S.C. § 216(b) for willful violations of wage laws;
6. Payment of all unpaid wages, accrued vacation, bonuses, and earned benefits, including

- wellness incentives and “acting-up” pay, with interest;
7. An order directing Defendant to cease and desist from engaging in discriminatory and retaliatory practices;
 8. Correction of Plaintiff’s Wisconsin Retirement System (WRS) records, including restoration of any lost service credit, contributions, and earnings, and remittance of any required employer and employee contributions for the relevant period;
 9. Reasonable attorney’s fees and costs, to the extent permitted by law, or reimbursement of out-of-pocket expenses if Plaintiff proceeds pro se;
 10. Any further legal or equitable relief as the Division deems just and proper.

JURY DEMAND

Plaintiffs demand a trial by a jury of twelve.

Dated: May 8th, 2025

“Electronically signed by”
Katherine Kobs

STATE OF WISCONSIN CIRCUIT COURT ____ COUNTY
BRANCH ____

Katherine Kobs
N8142 County Road QQ
Malone, WI 53049

Plaintiff

v.

City of Sheboygan
828 Center Ave
Sheboygan, WI 53081

Defendant

CLERK CIRCUIT COURT
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SHEBOYGAN COUNTY
WISCONSIN

Case No. 25CV0294

30703

JURY DEMAND

Pursuant to Wis. Stat. § 805.01, Plaintiff Katherine Kobs, demands a trial by a jury of twelve and tenders the fee with this demand.

Dated: May 8th, 2025

Katherine Kobs
Plaintiff

“Electronically signed by”
Katherine Kobs