

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA**

(1) ADAM K. WALKER,)	
)	
	Plaintiff,	
vs.)	Case No. 11-CV-693-GKF-PJC
)	
(1) CITY OF BARTLESVILLE, OKLAHOMA)	
A Municipal Corporation,)	
)	
	Defendant.	
)	

COMPLAINT

Comes now the Plaintiff, Adam K. Walker, and for his claim against the Defendant, the City of Bartlesville, Oklahoma, alleges and states as follows:

PARTIES, JURISDICTION AND VENUE

1. This action is brought and jurisdiction lies pursuant to 42 U.S.C. §2000e-5. Venue is proper in this District.
2. Plaintiff is Adam K. Walker who resides in Bartlesville, Oklahoma, 74006, has been employed as a Bartlesville Police Officer with the City of Bartlesville since December 4, 2006.
3. The Defendant, the City of Bartlesville, Oklahoma, is an employer as defined in 42 U.S.C. §2000e is located at 401 S. Johnstone Avenue, Bartlesville, Oklahoma, 74003, and as part of its duties maintains the Bartlesville Police Department.

**FIRST CAUSE OF ACTION
TITLE VII OF CIVIL RIGHTS ACT
RETALIATORY PRACTICES**

4. That between March 10, 2011, and the present, the Defendant, through its City Manager, Chief of Police, and other supervising officers with the Bartlesville Police Department, and as a direct result of the Plaintiff filing a notice of tort claim with the City, have created a work environment so retaliatory in nature that it has affected the Plaintiff's ability to perform his police duties.

5. That as a direct result of the Plaintiff repeatedly bringing violations of general orders, discrepancies in promotion and treatment of officers, acts of discrimination based upon gender or race and other conditions to the attention of his immediate supervisor or the Chief of Police, he was the victim of retaliation.
 6. That in retaliation for his attempts to correct the work environment, or to offer support to fellow officers whom the Plaintiff felt to be the subject of discriminatory practices, criticism, harassment from co-workers and the creation of "secret" personnel files, the Plaintiff was also subjected to additional criticism, harassment from co-workers and the creation of "secret" personnel files.
 7. That in retaliation for his reports to superiors, the Plaintiff's police incident reports were altered without his knowledge, consent or permission as were other records relating to his job performance, some records being deleted in their entirety.
 8. That because the Plaintiff did not agree with the manner in which he observed his superiors treating other officers and made his objections known, he was reduced in rank by having his Special Officer Team (SOT) status suspended which resulted in a loss of income due to loss of overtimes, loss of compensatory times and loss of payment for "call out" time.
 9. That the suspension of his SOT status was explained to the Plaintiff by superiors who advised the Plaintiff that he was "under a lot of stress" and that they were "covering themselves".
 10. That the City Manager, Ed Gordon, has stated that the Plaintiff is a "trouble maker" because he has joined with other fellow Bartlesville officers, Elizabeth J. Mitchell, Cody Thomas, and Russ Renfro, in pointing out problems resulting from the failure of the Bartlesville Police Department to follow its own policies and procedures.
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11. That the City Manager, Ed Gordon, has stated that the Plaintiff and other “trouble makers”, including Officer Elizabeth J. Mitchell and Officer Cody Thomas “are gone” and in fact Officer Cody Thomas was subsequently fired in a manner intended to effectively chill any attempt to reform the Bartlesville Police Department.
12. That Plaintiff subsequently sought employment elsewhere and was in fact selected from among over 700 applicants for final consideration but that upon contact being made with the Bartlesville Police Department by the prospective employer, Plaintiff was suddenly dropped as a candidate.
13. That Plaintiff has reason to believe that information provided by representatives of the Bartlesville Police Department cast a negative light on the Plaintiff, costing him potential employment at a starting salary of \$30,000.00 a year and benefits and that such negative comments were made as part of the retaliatory efforts against him by the Defendant.
14. That Plaintiff will continue to suffer in his employment prospects and ability to advance his career as a result of the continuing retaliatory actions of the Defendant and in particular the derogatory and untrue statements made by the Defendant to Plaintiff’s potential employers.
15. That Plaintiff timely filed a written complaint with the Equal Employment Opportunity Commission (EEOC) and received a right to sue letter, a copy of which is attached and marked as “Exhibit A”. All conditions precedent to the institution of this lawsuit have been fulfilled.

WHEREFORE, Plaintiff prays that this Court enter judgment in her favor and adjudge that:

1. Plaintiff is entitled to more than Five Hundred Thousand Dollars (\$500,000.00) in actual damages and more than Five Hundred Thousand Dollars (\$500,000.00) in punitive damages from Defendant, City of Bartlesville, on each cause of action.

2. That Plaintiff is entitled to costs and reasonable attorney fees pursuant to 42 U.S.C. 1983; and
3. That Plaintiff is entitled to such other and further relief as this Court may deem equitable and proper.

THE LAW CENTER OF AKERS & ESSER


By: 

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VERIFICATION

STATE OF OKLAHOMA)
)ss:
COUNTY OF WASHINGTON)

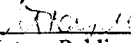
Adam K. Walker, of lawful age and being first duly sworn, states that he has read the foregoing Petition, that he is familiar with the contents thereof, and that the allegations set forth therein are true and correct.



Adam K. Walker

Subscribed and sworn to before me this 15 day of November, 2011.





Shona Reel, Notary Public
Commission #2008931

Commission Expires: 06/14/14
[SEAL]