

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF HENNEPIN

FOURTH JUDICIAL DISTRICT

Case Type: Employment
Court File No.: _____
Judge: _____

Arthur Knight,

Plaintiff,

vs.

SUMMONS

City of Minneapolis,

Defendant.

THIS SUMMONS IS DIRECTED TO THE CITY OF MINNEAPOLIS, BY AND THROUGH THE OFFICE OF THE CITY CLERK OF MINNEAPOLIS, LOCATED AT CITY HALL, 350 FIFTH STREET SOUTH, ROOM 304, MINNEAPOLIS, MINNESOTA 55415.

1. YOU ARE BEING SUED. The Plaintiff has started a lawsuit against you. The Plaintiff's Complaint against you is attached to this summons. Do not throw these papers away. They are official papers that affect your rights. You must respond to this lawsuit even though it may not yet be filed with the Court and there may be no court file number on this summons.

2. YOU MUST REPLY WITHIN 21 DAYS TO PROTECT YOUR RIGHTS. You must give or mail to the person who signed this summons a **written response** called an Answer within 21 days of the date on which you received this Summons. You must send a copy of your Answer to the person who signed this summons.

3. YOU MUST RESPOND TO EACH CLAIM. The Answer is your written response to the Plaintiff's Complaint. In your Answer you must state whether you agree or disagree with each paragraph of the Complaint. If you believe the Plaintiff should not be given everything asked for in the Complaint, you must say so in your Answer.

4. YOU WILL LOSE YOUR CASE IF YOU DO NOT SEND A WRITTEN RESPONSE TO THE COMPLAINT TO THE PERSON WHO SIGNED THIS SUMMONS. If you do not Answer within 21 days, you will lose this case. You will not

get to tell your side of the story, and The Court may decide against you and award the Plaintiff everything asked for in the complaint. If you do not want to contest the claims stated in the complaint, you do not need to respond. A default judgment can then be entered against you for the relief requested in the complaint.

5. LEGAL ASSISTANCE. You may wish to get legal help from a lawyer. If you do not have a lawyer, the Court Administrator may have information about places where you can get legal assistance. **Even if you cannot get legal help, you must still provide a written Answer to protect your rights or you may lose the case.**

6. ALTERNATIVE DISPUTE RESOLUTION. The parties may agree to or be ordered to participate in an alternative dispute resolution process under Rule 114 of the Minnesota General Rules of Practice. You must still send your written response to the Complaint even if you expect to use alternative means of resolving this dispute.

DATED: May 21, 2021

HALLER KWAN LLP

By: /s/ Benjamin R. Kwan
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STATE OF MINNESOTA

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COMPLAINT

**JURY TRIAL
DEMANDED**

INTRODUCTION

In October of 2020, the City of Minneapolis demoted Plaintiff Arthur Knight from the rank of Deputy Chief after he continued to tell the truth about hiring and recruitment policies that have a disparate impact on minorities who want to become police officers.

This civil rights complaint seeks a remedy to that retaliatory action that never would have happened but for the fact that Mr. Knight is Black and that he dared to project his voice beyond the Blue Wall of Silence.

For nearly three decades on the inside, Mr. Knight has reported and resisted race-biased actions and policies perpetrated by the likes of leaders and fellow police officers. Some actively fought Mr. Knight; many looked away; others just didn't seem to understand.

Until May 25, 2020, when excuses vanished at the intersection of 38th Street and Chicago Avenue South – and countless other intersections around the world – where voices echoed the words and sentiments of Mr. Knight.

Yet where opportunity for good often presents itself, the status quo rears its head to obstruct. Indeed, some white officers acted to silence Mr. Knight. They lobbied the city's Black Chief of Police to do away with the Black man who wouldn't walk their line; and the Chief complied.

Since then, the City of Minneapolis may have put cracks in the Blue Wall of Silence, like when the Chief of Police testified against Derek Chauvin in the disgraced officer's murder trial. But the City must also confront its own internal wall of resistance.

Leaders say the conviction of Derek Chauvin is a beginning. But, so long as Black voices like Art Knight's remain silenced, the City will not move forward and will remain stuck at 38th and Chicago.

PARTIES, JURISDICTION, AND VENUE

1. Plaintiff Arthur Knight ("Plaintiff" or "Mr. Knight" or "Art Knight") is a 52-year-old Black male who resides in the County of Hennepin, State of Minnesota. Until the demotion that is the subject of this lawsuit on October 18, 2020, Mr. Knight was the Deputy Police Chief and Chief of Staff for the Minneapolis Police Department in the Defendant City of Minneapolis.

2. Defendant City of Minneapolis ("Defendant"), is a municipal corporation organized and existing under the laws of the State of Minnesota. The Minneapolis

Police Department (“MPD”) is the primary law enforcement division of Defendant and is still Plaintiff’s employer.

3. The jurisdiction of this Court is invoked, and venue is proper, because implicated violations of state law occurred in Hennepin County and involve Minnesota state law.

FACTUAL ALLEGATIONS

Plaintiff’s Retaliatory Demotion from MPD Leadership in October 2020

4. This lawsuit seeks a court-ordered remedy to a demotion carried out on October 18, 2020, as a result of long-running, race-biased headwinds inside the MPD.

5. On that day, the Minneapolis Star Tribune published a lengthy article about the trouble police departments statewide are having in the recruitment and retention of non-white police officers.

6. In his role as Deputy Chief and long before, Mr. Knight worked tirelessly to promote diversity within MPD. Mr. Knight was quoted in the Star Tribune article about those attempts:

In Minneapolis, budget cuts terminated the Community Service Officer program, a two-year curriculum that funnels diverse applicants onto the Police Department while they earn their law-enforcement degree. Top brass hopes to restore the program next year but admit they will have to take another look at the way the agency recruits, trains and promotes ethnic minorities and women on the force. If you keep employing the same tactics, said MPD chief of staff Art Knight, “you’re just going to get the same old white boys.”¹

¹ Liz Sawyer, *Amid racial reckoning, departments struggle to attract and retain officers of color*, Star Tribune, Oct. 18, 2020, <https://www.startribune.com/minn-u-s-departments-struggle-to-attract-and-retain-officers-of-color/572784642/>

7. Mr. Knight's statement was objectively true: in his 28-year career with MPD, he has seen all-white, all-male recruit classes in a field that is already predominantly white and male—especially when the department didn't have the money or will to use legal tools to increase the diversity of its hiring and recruitment candidate pools.

8. By midday that Sunday, the Minneapolis Police Federation—the union for the MPD rank-and-file—issued a statement calling for a “thorough investigation into the racially charged comments.” As Star Tribune columnist Jennifer Brooks observed a few days later: “Th[e] same Police Federation that could not understand why north Minneapolis neighbors got so upset over the Christmas tree in the Fourth Precinct lobby. The one the officers decorated with crime scene tape, menthol cigarettes and garbage.”²

9. The same union formerly led by the MPD officer who called Black Lives Matter a “terrorist organization.”³

10. And now, the same police union that would succeed once again in sowing division at a moment that called for solidarity.

11. By the evening of the story's publication, MPD Chief Medaria Arradondo phoned Mr. Knight and demoted him from his cabinet role as Chief of Staff and Deputy Chief to the rank of staff Lieutenant.

² Jennifer Brooks, *Flap over Minneapolis deputy chief's 'white boys' comment missed point*, Star Tribune, Oct. 28, 2020, <https://www.startribune.com/flap-over-minneapolis-deputy-chief-s-white-boys-comment-missed-point/572905561/>

³ *MPD Union Leader: 'Black Lives Matter Is A Terrorist Organization,'* WCCO-TV, Jun. 1, 2016, <https://minnesota.cbslocal.com/2016/06/01/kroll-blm-terrorists/>

12. During the phone call, Chief Arradondo lamented to his longtime friend that he had no choice – that he was “getting a lot of calls and pressure” to take action against another Black man who dared to speak the truth. Pressure was mounting from police union leaders and their mostly-white allies inside the Chief’s administration who were responsible for turning a non-racist newspaper quote attributed to Mr. Knight into a controversy.

13. And with that, the MPD – as a force – had its way again.

14. But for Mr. Knight’s race and having dared to be vocal about the city’s hiring practices, he never would have been demoted.

15. Indeed, it is a privilege to be an MPD officer and get away with all manner of things from excessive force to comments that are actually racist – if you’re white.

Art Knight’s Unlikely Path to Wearing the Badge

16. Mr. Knight’s demotion from Deputy Chief will cost him tens of thousands in annual salary, even more in retirement pension benefits, has already cost him his reputation, and most importantly, a role in police administration where he stood a chance at making changes within the department that murdered George Floyd and so desperately needs to better reflect the community it’s sworn to protect.

17. Mr. Knight’s path to that perch was unlikely – and getting pushed from it hurts even more.

18. Art Knight grew up on the south side of Chicago. The cultural images that place conjures are Mr. Knight’s lived experience.

19. During freshman orientation, his high school principal tendered a dire warning to the class, which was 99% Black: “look left and look right, only one of you will graduate and the other two will be in prison, dead, or drop out.”

20. During high school, Mr. Knight’s best friend, Ronald Jackson, was in a stolen car one day and, when police were in pursuit, Ron got out and ran. Police shot him dead.

21. The high school principal was correct – out of all of Mr. Knight’s boyhood friends through senior year, seven were killed and several dozen others were imprisoned. Only a handful went on to attend college or get jobs.

22. As a boy, Mr. Knight recalls being taught to run at the sight of a Chicago police officer no matter what – even if innocently playing ball at a public park.

23. A badge was the last thing Mr. Knight pictured when luck came calling in the form of a football scholarship to a small Lutheran college in Kenosha, Wisconsin.

24. Mr. Knight graduated in 1991 with a degree in business administration and accounting and pictured himself going into business and being the first in his family to make some real money. But, thanks to his roommate, he’d taken a number of courses in criminal justice and enjoyed them.

25. After graduation, he applied for jobs with three different police departments: Peoria, Ill., Minneapolis, and Chicago.

26. At the time – he observed that things played well in Peoria, as the saying goes: the police department recruitment process reminded him of football recruitment.

There was a black recruiter, an emphasis on diversity, tours of the city, and even a meeting with the mayor.

27. But fate, romance, and a storied snowstorm would pull Mr. Knight north.

28. Mr. Knight had been a finalist for a job with the Chicago P.D. in October 1991 when he traveled to Minneapolis to visit his college girlfriend. He got stranded here by the great Halloween blizzard of '91 and then, fate's hand moved again when Mr. Knight's Greyhound bus broke down in Wilson, Wisconsin, on his way to his Chicago P.D. physical fitness test.

29. The delay moved him to the bottom of the recruitment list in Chicago.

30. At just about the same time, Minneapolis came calling.

The MPD Cadet Program Opens the Door to a Law Enforcement Career

31. Mr. Knight became a police officer for MPD in June 1992 through the "Cadet" class program.

32. The "Cadet" program was the non-traditional route at MPD where anyone with a four-year degree can apply and train to become a police officer – as opposed to traditional MPD "Recruit" classes, which are drawn from two- and four-year law enforcement programs. Today, someone with a non-law-enforcement two-year degree can also apply for the "Cadet" program.

33. Over the years, especially more recently serving in administration, Mr. Knight and other leaders promoted the "Cadet" program as an effective means to recruit a more diverse candidate pool and workforce, since traditional law enforcement

college programs – the pipeline for traditional “Recruit” classes – tend to attract fewer diverse participants.

34. In 1992, Mr. Knight’s “Cadet” class was the MPD’s most diverse ever (at the time). The reaction force-wide still haunts Mr. Knight.

35. White cops became instantly uncomfortable with the Black “Cadets.” They called Mr. Knight’s class “the Black Class” and Mr. Knight remembers the MPD Chief at the time, John Laux, vowing to never hire such a class again. Mr. Knight observed no such comments from leaders when all-white classes followed.

Race Bias is Something MPD Cannot Shake

36. On the force, race bias – explicit and implicit – has been a constant theme for Black officers like Mr. Knight.

37. When Mr. Knight worked the streets, MPD maintained a policy where you could choose your partner. Mr. Knight selected another Black officer. But his Lieutenant told him that wasn’t allowed.

38. White officers voiced concern when a unit assigned to patrol public housing got “too Black” – when every other unit was all- or predominantly-white.

39. When Mr. Knight was promoted to Lieutenant, almost every Black Lieutenant at the time was shuffled to the less-visible overnight (“dog watch”) shift and labeled the “Soul Patrol” by white officers.

40. Then there’s former union leader Lt. Bob Kroll – any interested reader can let a Google search be her guide to his tenure dividing rather than unifying.

41. Sadly, this is simply the stuff of being a Black professional in America. Still, in 2021.

Mr. Knight Rises to Deputy Chief Yet Faces Consistent Resistance to Re-Shaping MPD

42. Mr. Knight feels a personal obligation to future generations of Black officers to be vocal about the MPD's race-biased recruitment, hiring, discipline, and the overall treatment of Black officers and, importantly, Black community members.

43. Yet even as Deputy Chief under a Black Chief of Police, the winds of resistance continue to keep MPD off the course its greater community is demanding.

44. MPD continues to resist and/or minimize "Cadet" classes. And budgeting in recent years favors a rush to bring new officers in through "Recruit" classes over "Cadet" classes under the banner of expediency – a pretext for shunning diversity by some white leaders. Mr. Knight has observed this practice year after year – and objected loudly.

45. During an Executive Staff meeting in 2020, Mr. Knight observed one of Chief Arradondo's key advisers, Assistant Chief Mike Kjos, discount the need for – and importance of – a diverse pool of potential new officers during a perennial debate about "Cadet" vs. "Recruit" classes. Mr. Kjos said something like, "I don't care about diversity, we need numbers." A fellow Black officer in the room lamented to Mr. Knight that she couldn't believe Assistant Chief Kjos said that.

46. Much to the chagrin of other advisers who are close to and highly influential with Chief Arradondo, Mr. Knight has been a consistent voice of dissent – vocalizing to other brass and the Chief that MPD's hiring practices have a disparate

negative impact on Black, female, and other minority job candidates. Practices that include, by the way, exams and tests that other municipalities have identified as having a disparate impact on minority applicants elsewhere in the country.

47. Mr. Knight has also rankled top brass with his candor to the City Council on the department's progress in training officers on Procedural Justice and other measures to improve policing in the wake of tragedies like the death of Jamar Clark and, more recently, George Floyd's murder.

48. In January 2020, Mr. Knight told the City Council that "3 to 6 percent" of the police force shouldn't remain employed. "I'll be the first one to say that," Knight said. "We have some members on this force that shouldn't be there."

49. This comment drew internal fire and hobbled attempts at changing the narrative by MPD Spokesperson, John Elder, who told the media that Mr. Knight misspoke and meant to say the police department deals with "3 to 6 percent of the population."

50. Mr. Knight did not mis-speak in addressing the City Council. Mr. Knight also did not tell John Elder, another influential member of the Chief's inner circle like then-Assistant Chief Kjos (whose retirement was announced for January 2021), that he misspoke.

Real Racism Too Frequently Goes Without Material Consequences if You're White

51. Mr. Knight has watched real racism – the indisputable, not-perceived-kind-of-stuff – go materially unpunished, and therefore inculcated into the culture of the MPD.

52. For instance, a white officer with leadership yearnings was known to use the N-word openly and often – he is now a sergeant in charge of a department program.

53. Another sergeant who serves the diverse northside of Minneapolis uses an alias on social media to post racist memes – without consequence – despite everyone knowing who it is.

54. The police union is consistently silent on matters of race and bias, like when one of its member-officers told the Asian American passenger in a vehicle pursuit: “get on the ground or I’ll blow your fucking head off you chinks.”

55. During the summer protests and unrest following the murder of George Floyd, a white officer posted racist remarks about Muslim Americans in reference to Minneapolis’s Somali population – that officer was simply sent home for a few days.

56. Mr. Knight and his former administration staff trained officers in Procedural Justice – coursework designed to improve the MPD’s work with the community it serves and to prevent the kind of tragedies this city has come to know too well.

57. During one Procedural Justice training session at the City’s Fourth Precinct in north Minneapolis, a white officer openly derided the training – alarming Mr. Knight with written comments on the training in response to the question, “What does Procedural Justice mean to you?” The officer wrote:

A political correctness box-checking waste of taxpayer money that attempts to explain and rationalize crime and societal perceived inequity by blaming phantom causes with no tangible or quantifiable proof like ‘institutional racism/bias.

Asked further what the four pillars of Procedural Justice meant to the officer, he wrote: “North, south, east, banana.”

58. Within weeks, that same officer was involved in an incident where he used excessive force to throw a Black male to the ground, and then placed a loaded rifle to the man’s head.

59. The incident, the officer, and his insubordinate attitude to the Procedural Justice training came up during a leadership Executive Staff meeting to determine what actions MPD should take. The dominant voices in the room – the white leaders – objected to discharge. It was decided that the officer should merely get a few days off.

Race Bias Demands Unflinching Performance from Black Employees

60. And therein lies the deep irony and tragedy presented by this case – for decades, white MPD officers and leaders have continued to get away with open race bias.

61. Yet Art Knight loses his post as Deputy Chief for sharing one, non-racist and objectively true observation with a newspaper reporting on diversity in hiring, giving Mr. Knight’s foes internally at MPD a hook and cover to retaliate by advancing a false and disappointing narrative, that the department’s diversity and inclusion champion was somehow a racist himself.

62. Nothing could be further from the truth or more disappointing to Mr. Knight – whose surprising turn toward the badge some three decades ago will not go down in vain.

63. On the day the Star Tribune's article was published, Chief Arradondo told Mr. Knight, his 28-year colleague on the force, that he'd received a lot of calls and "pressure" from inside.

64. Upon information and belief, that pressure reached up from Mr. Knight's foes, those forces internally who seek to police Minneapolis as it has in the past—brutally and without self-reflection or improvement. As a Black Chief of Police in a system riddled with race-bias, Chief Arradondo was moved by the system he leads to demote and retaliate against Mr. Knight *because he is Black and dared to speak up*.

65. Chief Arradondo—for all his good intentions and acknowledgeable deeds in service to his community that seek to improve MPD—is not the defendant in this lawsuit. The City of Minneapolis is. The City of Minneapolis did this. And the City of Minneapolis must fix it, and so much more.

The Post-Script to this Act of Discrimination is Ongoing

66. While Mr. Knight retains his job at MPD, albeit at a lesser rank, with lesser privileges, at lesser pay, and the promise of a lesser pension in retirement, he does so at his peril.

67. When the police union ultimately won and turned Mr. Knight's half-sentence observation to the Star Tribune into an artificial controversy and false allegation of racism, its members showed their true colors.

68. Derogatory messages popped up on precinct chalk boards and on social media channels—some white officers proclaimed and bragged that, were the now-

demoted staff Lieutenant Knight assigned to oversee their patrol, they would refuse to follow his orders.

69. Mr. Knight is now the target for continuing race harassment because he's a Black man who made an uncomfortable observation about the "same old white boys" – a group not historically subject to racist oppression or discrimination, a nuance inherent and implied in Mr. Knight's choice of words. Rather than start a conversation, the predominantly white MPD has once again, shut it down, and retaliated against Mr. Knight because he is Black and spoke up.

70. City leaders privately allow the continued harassment and retaliation to continue while publicly making statements seemingly in support of the sort of things Mr. Knight has been championing for a long time.

71. For example, in an op-ed in the Star Tribune, City Attorney Jim Rowader wrote: "Minneapolis police have unfortunately practiced inequitable policing based on the color of one's skin for too long. . . . We need the officers who have decided to stay at the MPD to join us in wanting to bring about this change . . . the source of the problem is that too many officers are not willing to take ownership of the culture."⁴

72. Mr. Knight took "ownership of the culture" and was punished for doing so.

⁴ Jim Rowader, *Counterpoint: Why I'm one of many seeking justice in Minneapolis*, Star Tribune, Feb. 8, 2021, <https://www.startribune.com/counterpoint-why-i-m-one-of-many-seeking-justice-in-minneapolis/600020672/>

73. On June 10, 2020, during a press conference, Chief Arradondo stated, “Race is inextricably a part of the American policing system. We will never evolve in this profession if we do not address it head on.”

74. A few months later, Lt. Knight followed the directive and addressed race “head on,” and was punished for doing so.

75. On June 3, 2020, Mayor Jacob Frey published a tweet regarding George Floyd’s death, writing, “silence is complicity, and complicity cannot be tolerated.”⁵

76. Lt. Knight has been silenced.

CLAIMS

COUNT I

RACE DISCRIMINATION CLAIM, MHRA, MINN. STAT. § 363A.08

Plaintiff re-alleges each and every paragraph of this Complaint:

77. The Minnesota Human Rights Act (“MHRA”) prohibits employers in this state from discriminating against a person with respect to “hiring, tenure, compensation, terms, upgrading, conditions, facilities, or privileges of employment” because of race, among other protected classes. *See* Minn. Stat. § 363A.08 subd. 2.

78. By its explicit terms, the MHRA “shall be construed liberally,” Minn. Stat. § 363A.04, to achieve its ends—ending discrimination in this state. *See also Frieler v. Carlson Mktg. Grp.*, 751 N.W.2d 558, 573 (Minn. 2008) (“we have consistently held that the remedial nature of the Minnesota Human Rights Act requires liberal construction of its terms”).

⁵ <https://twitter.com/MayorFrey/status/1267261015508635648>

79. Defendant, the City of Minneapolis, demoted Plaintiff from Deputy Chief to Lieutenant, thereby affecting the terms and privileges of his employment, because he is Black – an action made illegal by the MHRA.

80. As a direct and proximate result of Defendant’s illegal conduct, Plaintiff has suffered, and continues to suffer, emotional distress, humiliation, embarrassment, pain and suffering, loss of reputation, loss of enjoyment of life, lost wages and benefits, lost earning capacity, will sustain retirement benefit losses, and has incurred attorneys’ fees and expenses and other serious damages.

81. Accordingly, Plaintiff seeks and is entitled to a judgment for all relief deemed appropriate under law and equity for Defendant’s illegal actions.

COUNT II

REPRISAL CLAIM, MHRA, MINN. STAT. § 363A.15

Plaintiff re-alleges each and every paragraph of this Complaint:

82. The MHRA also makes it illegal for employers to “engage in any reprisal against any person because that person . . . opposed a practice forbidden under [the MHRA]” such as, in this case, discrimination in hiring. *See* Minn. Stat. §§ 363A.15 and 363A.08 subd. 2.

83. Under the MHRA’s anti-reprisal provision, “reprisal includes, but is not limited to, any form of intimidation, retaliation, or harassment.” Minn. Stat. § 363A.15. It is a “reprisal” for a Minnesota employer to “depart from any customary employment practice: and to “transfer or assign the individual to a lesser position in terms of wages, hours, job classification, job security, or other employment status” *Id.*

84. Defendant City of Minneapolis's demotion of Plaintiff also amounted to a "reprisal" as defined by the MHRA, insofar as Plaintiff was targeted by his employer for being a consistent and commanding voice of dissent as it pertained to MPD's discriminatory hiring practices.

85. As a direct and proximate result of Defendant's illegal conduct, Plaintiff has suffered, and continues to suffer, emotional distress, humiliation, embarrassment, pain and suffering, loss of reputation, loss of enjoyment of life, lost wages and benefits, lost earning capacity, will sustain retirement benefit losses, and has incurred attorneys' fees and expenses and other serious damages.

86. Accordingly, Plaintiff seeks and is entitled to a judgment for all relief deemed appropriate under law and equity.

COUNT III

HOSTILE WORK ENVIRONMENT, MHRA, MINN. STAT. § 363A ET SEQ.

Plaintiff re-alleges each and every paragraph of this Complaint:

87. A plaintiff establishes a prima facie case of racial discrimination based upon a hostile work environment by showing that (1) the plaintiff was a member of a protected class; (2) the plaintiff was subjected to unwelcome harassment; (3) the harassment was race-based; (4) the harassment unreasonably interfered with the plaintiff's work performance by creating an environment that was intimidating, hostile, or offensive; and (5) the employer was liable for the harassing conduct.

88. Defendant City of Minneapolis is liable for inculcating through condonation an environment that is intimidating, hostile, and offensive to Black

employees in such a way that interferes with Black employees' employment, such as Plaintiff's.

89. Plaintiff has personally sustained unwelcomed acts of harassment and Plaintiff is a Black employee.

90. As a direct and proximate result of Defendant's illegal conduct, Plaintiff has suffered, and continues to suffer, emotional distress, humiliation, embarrassment, pain and suffering, loss of reputation, loss of enjoyment of life, lost wages and benefits, lost earning capacity, and has incurred attorneys' fees and expenses and other serious damages.

COUNT IV

RETALIATION CLAIM, MWA, MINN. STAT. § 181.932

Plaintiff re-alleges each and every paragraph of this Complaint:

91. The Minnesota Whistleblower Act ("MWA") prohibits retaliation against employees for making good-faith reports of violations of law. In particular:

An employer shall not discharge, discipline, threaten, otherwise discriminate against, or penalize an employee regarding the employee's compensation, terms, conditions, location, or privileges of employment because:

(1) the employee, or a person acting on behalf of an employee, in good faith, reports a violation, suspected violation, or planned violation of any federal or state law or common law or rule adopted pursuant to law to an employer or to any governmental body or law enforcement official

....

Minn. Stat. § 181.932, subd. 1(1).

92. Plaintiff reported has consistently reported what he reasonably and in good faith believed to be, among other legal violations arising out of Plaintiff's factual reports, violations of the federal laws barring the excessive use of force in policing, federal laws banning deprivations of rights, as well as Title VII, which bars disparate impact discrimination in hiring to Defendant.

93. Defendant retaliated against Plaintiff because of his reports by, among other things, demoting him in October 2020.

94. The adverse employment actions alleged herein constitute violations of the MWA.

95. The effect of the practices complained of above has been to deprive Plaintiff of equal employment opportunities and to adversely affect his status as an employee.

96. The unlawful employment practices complained of above were intentional and were performed by Defendant with malice and/or with reckless indifference to the MWA, which protects Plaintiff.

97. As a direct and proximate result of Defendant's illegal conduct, Plaintiff has suffered, and continues to suffer, emotional distress, humiliation, embarrassment, pain and suffering, loss of reputation, loss of enjoyment of life, lost past and future wages and benefits, and has incurred attorneys' fees and expenses and other serious damages.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff requests that judgment be entered against Defendant for the following:

1. Require Defendant to make Plaintiff whole for its unlawful actions.
2. Award Plaintiff all damages available under law and equity for Defendant's unlawful actions including, but not limited to, past and future lost wages, damages for mental anguish, lost earning capacity, and treble damages under statute.
3. Declare the practices of Defendant illegal and enjoin all further such unlawful acts using the Court's inherent power in equity to craft Court-ordered remedies to MPD's discriminatory practices.
4. Award Plaintiff his attorneys' fees, costs and disbursements pursuant to the MHRA and any other applicable laws or statutes.
5. Grant such other and further relief as the Court deems fair and equitable.
6. Award Plaintiff pre- and post-judgment interest.
7. All other relief allowable under law and equity.

PLAINTIFF DEMANDS A TRIAL BY JURY

Plaintiff demands a jury trial as to all claims so triable.

DATED: May 21, 2021

HALLER KWAN LLP

By: /s/ Benjamin R. Kwan
Benjamin Reid Kwan (395481)
C. Ted Haller IV (396496)

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ACKNOWLEDGMENT

The undersigned hereby acknowledges that costs, disbursements, and reasonable attorney's fees may be awarded pursuant to Minn. Stat. § 549.21 to the party against whom the allegations in this pleading are asserted.

DATED: May 21, 2021

HALLER KWAN LLP

By: /s/ Benjamin R. Kwan
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