

Karen Katch
W27 38 Cty Rd. J.
Seymour, WI 54165,

Plaintiff,

v.

Case No.:
Case Code: 30106

Melinda Danforth
956 Cyrus Dr
De Pere, WI 54115-9545,

Paul Ninham
4370 West Meadow Drive
Oneida, WI 54155

Trish King
N7146 Seminary Rd
Oneida, WI 54155-9531,

Mercie Danforth
2796 S Overland Rd
De Pere, WI 54115-9019,

Kathy Hughes
3035 Standing Stone Dr, Apt 4
Oneida, WI 54155-8967,

Gerald Danforth
Green Bay, WI
Street address unavailable,

Patty Ninham-Hoefl
4619 Crooked Creek Lane
Oneida, WI 54155

Carol Liggins
N5937 Lambie Rd
De Pere, WI 54115-8512,

Peril Huff
220 Westfield Dr
Oneida, WI 54155-8956,

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Wanda Diemel
333 Morrow St
Seymour, WI 54165-1317

and

Paula King Dessart
N7156 Seminary Rd
Oneida, WI 54155-9531,

Defendants.

COMPLAINT

NOW COMES the Plaintiff, Karen Katch, by and through her attorneys, Carroll & McDonald, LLC, and as and for her Complaint against the above-named defendants, alleges as follows:

I. THE PARTIES

1. The Plaintiff, Karen Katch (“Katch”), is an adult resident of the State of Wisconsin whose residence is located at W27 38 County Rd. J., Seymour, WI 54165.
2. The Defendant, Melinda Danforth, is an adult resident of the State of Wisconsin whose residence, on information and belief, is located at 956 Cyrus Dr., De Pere, WI 54115-9545.
3. The Defendant, Paul Ninham, is an adult resident of the State of Wisconsin who resides at 4370 West Meadow Drive, Oneida, WI 54155.
4. The Defendant, Trish King, is an adult resident of the State of Wisconsin whose residence is located at N7146 Seminary Road, Oneida, WI 54155-9531.
5. The Defendant, Mercie Danforth, is an adult resident of the State of Wisconsin whose residence is located at 2796 South Overland Road, De Pere, WI 54115-9019.

6. The Defendant, Kathy Hughes, is an adult resident of the State of Wisconsin whose residence is located at 3035 Standing Stone Dr. # 4, Oneida, WI 54155-8967,

7. The Defendant, Gerald Danforth, is an adult resident of the State of Wisconsin whose residence is located in Green Bay, WI.

8. The Defendant, Patty Ninham-Hoeft, is an adult resident of the State of Wisconsin who resides at 4619 Crooked Creek Lane, Oneida, WI 54155.

9. The Defendant, Carol Liggins, is an adult resident of the State of Wisconsin whose residence is located at N5937 Lambie Road, De Pere, WI 54155-8512.

10. The Defendant, Peril Huff, is an adult resident of the State of Wisconsin whose residence is located at 220 Westfield Drive, Oneida, WI 54155-8956.

11. The Defendant, Wanda Dieml is an adult resident of the State of Wisconsin whose residence is located at 333 Morrow Street, Seymour, WI 54165-1317.

12. The Defendant, Paula King Dessart is an adult resident of the State of Wisconsin whose residence is located at N7156 Seminary Road, Oneida, WI 54155-9531.

II. JURISDICTION AND VENUE

13. Jurisdiction is proper in this State pursuant to Wis. Stat. § 801.05(1)(b) as the Defendants are natural persons domiciled within the State of Wisconsin.

14. Venue is proper in this State, County of Milwaukee, pursuant to Wis. Stat. § 801.50(2)(a) and (c), as Brown County is where the Defendants reside, and is the county out of which the claims arose.

III. GENERAL ALLEGATIONS

15. Katch is employed by the Oneida Nation Tribe of Indians Business Committee in the capacity of an Administrative Assistant.

16. Katch has an oral contract for employment with the Oneida Nation Tribe of Indians Business Committee.

17. In or around the Fall, 2007, Katch learned that the Defendants Melinda Danforth, Paul Ninham, Trish King, Mercie Danforth, Kathy Hughes, Gerald Danforth, Patty Ninham-Hoeft, Carol Liggins, Wanda Diemel and Peril Huff had gained access to her e-mail account and began monitoring her e-mails without her knowledge and without the knowledge of her supervisor, Business Committee Member Vince Dela Rosa.

18. In or around the Fall, 2007, Katch learned that the Defendants Melinda Danforth, Paul Ninham, Trish King, Mercie Danforth, Kathy Hughes, Gerald Danforth, Patty Ninham-Hoeft, Carol Liggins, Wanda Diemel and Peril Huff had gained access to her cellular telephone and office telephone records and began monitoring her telephone usage without her knowledge and without the knowledge of her supervisor, Business Committee Member Vince Dela Rosa.

19. On information and belief, on or around October 3, 2007, Defendant Paula King Dessart disclosed information to Marty Antone, Director of the Emergency Management Department for the Oneida Tribe of Indians, as a means to take Katch out of the running for a position within the Emergency Management Department.

FIRST CAUSE OF ACTION – UNLAWFUL INVASION OF PRIVACY
UNDER WIS. STAT. § 995.50.

20. Katch hereby incorporates paragraphs 1 through 19 as if fully set forth herein.

21. The Defendants intruded upon the privacy of Katch in a manner that was highly offensive to Katch and in a place that a reasonable person would consider private.

22. On information and belief, the Defendants intruded upon the privacy of Katch in a manner that might be actionable for trespass.

23. The Defendants disclosed private facts concerning Katch to the public.

24. The private matter made public by the Defendants is that which an ordinary person would consider highly offensive.

25. The Defendants acted unreasonably or with reckless disregard for Katch's right to not have her private information disclosed to the public, or acted with actual knowledge that they had no right to disclose Katch's private information to the public.

26. Katch has suffered damages as a result of the Defendants' conduct.

**SECOND CAUSE OF ACTION – INTENTIONAL INTERFERENCE WITH
EMPLOYMENT CONTRACT**

27. Katch hereby reincorporates paragraphs 1 through 26 as if fully set forth herein.

28. Katch possesses an oral contract for employment with the Oneida Nation Tribe of Indians Business Committee.

29. Defendants were aware that Katch had an oral contract for employment with the Oneida Nation Tribe of Indians Business Committee.

30. Defendants intentionally interfered with Katch's oral contract for employment with the Oneida Nation Tribe of Indians Business Committee.

31. Katch has suffered damages as a result of Defendants' unlawful conduct.

32. On information and belief, Defendants were not justified in their conduct and cannot assert any claim for privilege.

**THIRD CAUSE OF ACTION – BREACH OF IMPLIED COVENANT OF
GOOD FAITH AND FAIR DEALING**

33. Katch hereby incorporates paragraphs 1 through 32 as if fully set forth herein.

34. In every contract there is an implied covenant of good faith and fair dealing.

35. Katch possesses an oral contract for employment with the Oneida Nation Tribe of Indians Business Committee.

36. The implied covenant of good faith and fair dealing attached to Katch's oral contract for employment with the Oneida Nation Tribe of Indians Business Committee.

37. The Defendants Melinda Danforth, Paul Ninham, Trish King, Mercie Danforth, Kathy Hughes, Gerald Danforth, Patty Ninham-Hoeft, Carol Liggins, Wanda Diemel and Peril Huff breached the implied covenant of good faith and fair dealing by unlawfully gaining access to and monitoring Katch's e-mails and telephone usage and by intentionally interfering with Katch's oral contract for employment with the Oneida Nation Tribe of Indians Business Committee.

38. The Defendant Paula King Dessart breached the implied covenant of good faith and fair dealing by intentionally interfering with Katch's oral contract for employment with the Oneida Nation Tribe of Indians Business Committee.

FOURTH CAUSE OF ACTION – CIVIL CONSPIRACY

39. Katch hereby incorporates paragraphs 1 through 38 as if fully set forth herein.

40. The Defendants have acted in concert to interfere with Katch's oral contract for employment with the Oneida Nation Tribe of Indians Business Committee, to breach the implied covenant of good faith and fair dealing, and to invade her privacy.

41. The Defendants have formed a conspiracy.

42. The Defendants' wrongful acts were completed through the conspiracy.

43. Katch had incurred damages as a result of these acts.

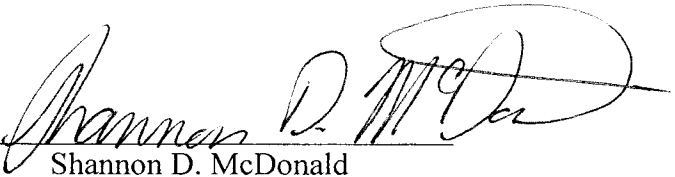
PRAYER FOR RELIEF

WHEREFORE, the Plaintiff prays for and demands judgment against the Defendants for the damages suffered by the Plaintiff, including but not limited to any and all actual damages, compensatory damages, punitive damages, and costs, disbursements, attorneys fees, interest, and such additional relief as this court shall deem proper and just.

PLEASE TAKE NOTICE THAT THE PLAINTIFF DEMANDS THE ABOVE ENTITLED ACTION TO BE TRIED TO A 12 PERSON JURY.

Dated this 1st day of November, 2007.

CARROLL & MCDONALD, LLC
Attorneys for Plaintiff

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