

FILED

IN THE IOWA DISTRICT COURT IN AND FOR CERRO GORDO COUNTY

2012 APR -2 AM 9:20

WANDA KRUSE,

CLERK OF DISTRICT COURT,
CERRO GORDO, IOWA

Civil No. LACVO67397

Plaintiff,

v.

NORTH IOWA FAIR ASSOCIATION,

Defendant.

**PETITION AT LAW
& JURY DEMAND**

COMES NOW the Plaintiff, Wanda Kruse, by and through her attorney, LeGrant Law Firm, P.C., and for her cause of action against Defendant North Iowa Fair Association states follows:

JURISDICTION & VENUE

1. The amount in controversy exceeds the jurisdictional requirements of the Iowa District Court in and for Cerro Gordo County.
2. The unlawful employment practices alleged below have been committed within Cerro Gordo County, State of Iowa.

PARTIES

3. The Plaintiff, Wanda Kruse, is a citizen and resident of Rockwell, Cerro Gordo County, Iowa.
4. Upon information and belief, Defendant North Iowa Fair Association is a revised domestic non-profit corporation with its principal place of business in Mason City, Cerro Gordo County, Iowa.

COUNT I

**Wrongful Discharge in Violation of Public Policy
Kruse v. North Iowa Fair Association**

5. Kruse incorporates by reference all preceding paragraphs as if set forth fully herein.

6. North Iowa Fair Association employed Kruse as its general manager from September 2008 to July 21, 2010.

7. During her employment with North Iowa Fair Association, Kruse refused to carry out certain acts prohibited by the Iowa Code.

8. Alternatively, Kruse reasonably believed that certain tasks that she was asked to perform during her employment with North Iowa Fair Association would, if carried out, violate the Iowa Code.

9. Specifically, Kruse refused to compensate, or participate in compensating, certain officers of North Iowa Fair Association in violation of Iowa Code § 174.2.

10. Kruse's refusal to violate the law was directed, but not limited, to former North Iowa Fair Association president Dennis Higgins.

11. Within less than two weeks of Kruse's refusal to Higgins to violate Iowa Code § 174.2, Kruse was escorted off North Iowa Fair Association's premises by Mason City police officers.

12. Kruse was not allowed to return to North Iowa Fair Association's premises between the time that she was escorted off the premises by the Mason City police and the time of her termination of employment.

13. North Iowa Fair Association never provided Kruse any explanation to Kruse for its decision on July 21, 2010 to terminate her employment.

14. Kruse's refusal to violate Iowa Code § 174.2 was a determinative factor in North Iowa Fair Association's decision to terminate her employment.

15. North Iowa Fair Association terminated Kruse's employment in violation of public policy of the State of Iowa.

16. As a result of North Iowa Fair Association's unlawful conduct, Kruse has suffered damages.

17. North Iowa Fair Association acted with legal malice and/or reckless disregard for Kruse's rights; therefore, Kruse is entitled to punitive damages.

WHEREFORE the Plaintiff, Wanda Kruse, respectfully prays that this Court enter judgment against Defendant North Iowa Fair Association and award her damages, including damages for lost wages and benefits, emotional distress, mental anguish, compensatory relief, actual damages, punitive damages, and court costs, all with interest as provided by law, and such other and further relief as the Court deems just and equitable under the circumstances.

JURY DEMAND

18. Kruse hereby demands a trial by jury in this matter.

Respectfully Submitted,

LEGRANT LAW FIRM, P.C.

By 
Andrew L. LeGrant AT0008908
12257 University Ave., Suite 200
Clive, Iowa 50325
Telephone: (515) 331-6500
Facsimile: (855) 331-6509
E-mail: alegrant@legrantlaw.com

ATTORNEY FOR PLAINTIFF

Original filed.