

**PETITION  
and  
JURY DEMAND**

### FACTUAL BACKGROUND

8. Plaintiff Mark Anderson grew up in Kanawha, Iowa and joined the military after graduating from high school in 2004.
9. Mark served as a Military Police Officer in the Army in Washington D.C.
10. In 2014, Mark decided to leave the military and return home to Iowa.
11. Mark joined the Clear Lake Fire Department and served as a volunteer firefighter and part-time EMS provider.
12. On September 28, 2017, the City of Britt offered Mark the position of Police Officer with the Britt Police Department.
13. In around October of 2018, Defendants promoted Mark to Chief of Police for the Britt Police Department.
14. During Mark's time as Chief, he constantly interacted with the mayor and members of the City Council, who directly supervised him.
15. Soon after Mark was hired, Mayor Ryan Arndorfer, Council Person Chad Luecht, and Luecht's husband, Brent Halverson, added Mark to a text group chat.
16. Mark is gay, as are Mayor Arndorfer, Council Person Luecht, and Halverson.
17. Mark was going through a tough divorce at this time and this group chat provided some emotional support.
18. Mark also used the group chat to keep the other individuals informed on what was going on at work in his role as Police Chief.
19. In late 2017 and early 2018, Council Person Luecht and Mayor Arndorfer began to treat Mark differently.
20. Council Person Luecht and Mayor Arndorfer started sending very inappropriate and sexually graphic messages to the group chat.

21. These messages included images of erect penises, pictures and videos of men having sex, and other explicitly sexual messages.
22. They also sent Mark sexually graphic pictures and videos over Snapchat.
23. For the sake of Mark's professional relationships with Council Person Luecht and Mayor Arndorfer, he tried to ignore these messages, laugh them off, or change the subject.
24. Eventually, Mark went to Mayor Arndorfer and Council Person Luecht and told them that he was uncomfortable with them sending these types of sexual messages.
25. They responded by mocking Mark, making thinly veiled sexual comments, and then responding with comments like, "Whoops, have to be nice because it makes Mark uncomfortable."
26. Despite Mark's requests for them to stop, Mayor Arndorfer and Council Person Luecht continued to send Mark graphic sexual messages.
27. While the sexual messages in the chat made Mark uncomfortable, he was particularly disturbed when Mayor Arndorfer and Council Person Luecht sexualized and objectified him.
28. On September 18, 2020, Mark married Austin Anderson.
29. Mayor Arndorfer constantly pressured Mark to send him nude photos of Mark and Austin.
30. Austin quickly became fed up with Council Person Luecht and Mayor Arndorfer's sexualized behavior.
31. Mayor Arndorfer made comments to Mark like, "We'd take Austin's nudes, but we'd rather have yours."
32. Mayor Arndorfer suggested creating a nude calendar for the police department and wanted it to include Austin's picture.
33. Mayor Arndorfer knew that Mark did not want to participate, but threatened to publicly reveal the contents of their group chat messages if Mark did not comply.

34. Even though Mark had only reluctantly participated in the group chat, he did not want people think that he sanctioned Mayor Arndorfer and Council Person Luecht's behavior.

35. Mayor Arndorfer also blackmailed Mark by threatening to withhold resources from the police department if Mark did not send nude photos.

36. Mayor Arndorfer knew how much Mark cared about the police department and how troubled Mark was about how few resources the department already had.

37. In response, Austin allowed Mark to send a nude picture of him to the group chat.

38. Mark felt sick about it, but felt he had no choice under the circumstances.

39. The more Mark thought through what was happening, the more certain he became that the sexual harassment was never going to stop.

40. Mark decided he needed to take action to protect himself and Austin.

41. Around January 13, 2020, Mark reached out to City Council Administrator Deb Sawyer to make her aware of what was going on.

42. Sawyer was horrified and told Mark that she would speak to Mayor Arndorfer and Council Person Luecht.

43. Sawyer told Council Person Luecht that these messages were inappropriate and needed to stop.

44. Council Person Luecht heeded Sawyer's warning and stopped sending Mark messages that sexualized and objectified him.

45. Sawyer also told Mayor Arndorfer that the messages were inappropriate and needed to stop.

46. Unfortunately, Sawyer's warnings did not stop Mayor Arndorfer, who continued to send Mark harassing, sexual Snapchat messages.

47. On July 1, 2021, Mark received another Snapchat message from Mayor Arndorfer.

48. The message contained a video showing two men up against a counter in a sexually provocative position.

49. The man identified as "Derek" in the video wore plastic gloves and was fingering the anus of other man, "Steve" under the guise of giving him a "rectal examination."

50. In the accompanying message to Mark, Mayor Arndorfer wrote, "I wish I was Derek, and you were Steve."

51. Mark did not respond to Mayor Arndorfer's message.

52. Later in July, Mark received a 1.5% raise while other members of his department received a 6% raise.

53. Mark asked Mayor Arndorfer why he got a lower raise.

54. Mayor Arndorfer claimed it was an accident and promised to fix it. He did not.

55. On January 3, 2023 during the City Council meeting, Mayor Arndorfer and the Britt City Council discussed the police department's Facebook page.

56. Council Person Luecht vocally opposed the Britt police department having a Facebook page at all and suggested that the City delete it altogether.

57. Council Person Luecht also chastised the Britt police department, adding that he had no confidence in Mark's abilities as Chief of Police.

58. Council Person Luecht was the only Council Member to vote against the police department having a Facebook page.

59. Defendant Ryan Arndorfer was an employee, agent, and/or alter ego of the City of Britt, acting at all material times within the scope of his employment and agency.

60. Chat Luecht was an employee and agent of the City of Britt, acting at all material times within the scope of his employment and agency.

61. Deb Sawyer was an employee and agent of the City of Britt, acting at all material times within the scope of her employment and agency.

**COUNT I  
VIOLATIONS OF THE IOWA CIVIL RIGHTS ACT  
DISCRIMINATION BASED ON SEX and SEXUAL ORIENTATION**

62. Plaintiff repleads paragraphs 1 through 61 as if fully set forth herein.

63. Defendants discriminated against Plaintiff in violation of the Iowa Civil Rights Act.

64. Plaintiff's sex and sexual orientation were motivating factors in the discrimination.

65. As a result of Defendants' acts and omissions, Plaintiff has in the past and will in the future suffer injuries and damages including, but not limited to, mental and emotional distress, fear, anguish, humiliation, betrayal, lost enjoyment of life, lost wages, and employment benefits.

WHEREFORE, Plaintiff demands judgment against Defendants, jointly and severally, in an amount which will fully and fairly compensate him for his injuries and damages, for appropriate equitable relief, for prejudgment and postjudgment interest, for attorney fees and litigation expenses, for the costs of this action, and for such other relief as may be just in the circumstances and consistent with the purpose of the Iowa Civil Rights Act.

**COUNT II  
VIOLATIONS OF THE IOWA CIVIL RIGHTS ACT  
HARASSMENT BASED ON SEX and SEXUAL ORIENTATION**

66. Plaintiff repleads paragraphs 1 through 65 as if fully set forth herein.

67. Defendants harassed Plaintiff in violation of the Iowa Civil Rights Act.

68. Plaintiff's sex and sexual orientation were motivating factors in the harassment.

69. As a result of Defendants' acts and omissions, Plaintiff has in the past and will in the future suffer injuries and damages as set forth above.

WHEREFORE, Plaintiff demands judgment against Defendants, jointly and severally, in an amount which will fully and fairly compensate him for his injuries and damages, for appropriate

equitable relief, for prejudgment and postjudgment interest, for attorney fees and litigation expenses, for the costs of this action, and for such other relief as may be just in the circumstances and consistent with the purpose of the Iowa Civil Rights Act.

**COUNT III  
VIOLATIONS OF THE IOWA CIVIL RIGHTS ACT  
RETALIATION**

70. Plaintiff repleads paragraphs 1 through 69 as if fully set forth herein.

71. Plaintiff complained to Defendants about the discrimination, harassment, and retaliation he experienced and otherwise opposed practices made unlawful by the Iowa Civil Rights Act.

72. Defendants retaliated against Plaintiff because of his complaints and opposition to discrimination and harassment.

73. Plaintiff's protected activity was a motivating factor in Defendants' retaliation against him.

74. As a result of Defendants' acts and omissions, Plaintiff has in the past and will in the future suffer injuries and damages as set forth above.

WHEREFORE, Plaintiff demands judgment against Defendants, jointly and severally, in an amount which will fully and fairly compensate him for his injuries and damages, for appropriate equitable relief, for prejudgment and postjudgment interest, for attorney fees and litigation expenses, for the costs of this action, and for such other relief as may be just in the circumstances and consistent with the purpose of the Iowa Civil Rights Act.

**JURY DEMAND**

COMES NOW the Plaintiff and requests a trial by jury.

/s/ Madison Fiedler-Carlson

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