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SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR KING COUNTY

MARY MORGAN, individually, Plaintiff, v. SKYWEST AIRLINES, a corporation doing business in in Washington State, Defendant.	NO. 18-2-10616-8 SEA **COMPLAINT FOR DAMAGES: WORKPLACE RAPE**

COMES NOW the Plaintiff, by and through her attorneys of record, and by way of information and belief, alleges as follows:

I. PARTIES

1. Plaintiff Mary Morgan is an employee of SkyWest Airlines, Inc. (SkyWest). For all relevant time periods, as set forth herein, Mary Morgan was domiciled out of Sea-Tac International Airport, Washington for her work at SkyWest. Mary Morgan has worked as a flight attendant for SkyWest Airlines for almost fourteen years. Mary was raped by pilot and Captain Robert Rowe, who is part of SkyWest's Seattle based crew.

2. Defendant SkyWest Airlines, Inc. is a for profit corporation. SkyWest "operates in partnership with" Delta, United, American and Alaska airlines. SkyWest's website states that Seattle (Sea-Tac airport) is one of its "HUBs," and that it has a crew that has a Seattle based "domicile." Plaintiff Mary Morgan is part of this Seattle based crew.

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SkyWest's website states that it has a "line station" in Seattle, Washington and on average approximately a 100 SkyWest flights depart daily from Seattle. SkyWest does business in King County, Washington. SkyWest has filed articles of incorporation with Washington State's Secretary of State and has a registered agent in Washington State: C T Corporation System, 711 Capitol Way S., Suite 204, Olympia, WA 98501.

II. JURISDICTION AND VENUE

3. Jurisdiction is proper in King County Superior Court. SkyWest does business in King County operating nearly 40 flights a day out of Sea-Tac Airport, and has a registered agent in Olympia, WA. Plaintiff Mary Morgan is domiciled out of Sea-Tac, as is the pilot who raped her. The sexual assault occurred on a layover from a Seattle based flight. Venue is proper in King County. Plaintiff brings claims pursuant to Washington State Law, as set forth herein.

III. STATEMENT OF FACTS

4. Mary Morgan is a flight attendant with SkyWest Airlines. She has worked in this capacity for fourteen years. Since 2011, Mary has been "domiciled" out of Sea-Tac, Washington – meaning her flights all start from Sea-Tac, and she is part of SkyWest's Seattle/Sea-Tac based crew.

5. On November 29, 2016, Mary was scheduled to work on a SkyWest flight departing from Seattle to Edmonton, Canada on a SkyWest flight. The flight crew had a 36-hour layover in Edmonton before returning to Sea-Tac.

6. The SkyWest crew on this flight to Edmonton was comprised of pilot and Captain Robert Rowe (Captain Rowe) and other employees. It is axiomatic, that the Captain of the flight is in charge of all employees on board. A flight attendant is a subordinate to the

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Captain. At all operative times, Captain Rowe held a managerial and supervisory role over the Plaintiff. As such Captain Rowe's actions are imputed to Defendant SkyWest.

7. SkyWest Captain Rowe is approximately 15 years older than Mary Morgan. On the November 29-30, 2016 layover, Captain Rowe invited Mary to attend a hockey game with him. Mary loves hockey, and so she agreed to attend.

8. It is not uncommon for crew members to go out to eat or attend sporting events, and the like while on an extended layover. After the hockey game, Mary and Captain Rowe had a drink. Mary was tired and wanted to return to the hotel, but Rowe convinced her to stay for one last drink. After he ordered the drink, Mary went to the bathroom. She returned to find the drink waiting for her. Mary finished her drink.

9. Mary's ability to recall events from this point forward is compromised. Mary felt like she was in a fog – this did not feel to her like she was intoxicated, but rather it was a strange foggy feeling she had never felt before. Mary doesn't even recall how she got back to the hotel.

10. When Mary finally broke free of the fog she was under, some hours later, she was naked, bruised on her breasts and thighs, had a burning sensation in her vagina, and was bleeding. Mary was still in a fog and felt numb. She knew she had been raped.

11. Mary got out of Captain Rowe's room and prepared for her flight. She was shaking and terrified at the thought of being on a flight with him. Mary made it through the flight and tried desperately to avoid Captain Rowe throughout the remainder of the flight.

12. Mary reported the rape to her chief flight attendant. The chief flight attendant did nothing. Nothing. Mary reported the matter to the local police and they commenced a full investigation.

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13. Terrified of encountering Captain Rowe, Mary notified SkyWest human resources. SkyWest human resources did nothing for months and months, despite Mary's repeated requests for SkyWest to do something to protect her and other employees from Captain Rowe. It was only after Mary filed a grievance to the top brass at SkyWest that human resources commenced a half-baked investigation. The investigation has resulted in zero changes in the workplace – in fact Captain Rowe still flies for SkyWest.

14. Since Mary lodged her grievance, she has suffered hostile workplace environment, workplace retaliation, including written reprimands for her attendance. When Mary explained that her attendance was compromised because she was emotionally distraught at the thought of seeing the rapist, or being in the same vicinity of him, SkyWest responded by giving her a written reprimand.

15. Mary is worried – and deathly afraid of Captain Rowe. She is concerned for the safety of other female employees as well. To this day, SkyWest continues to do absolutely nothing to address the aftermath of Mary's rape by a SkyWest Captain.

IV. CAUSES OF ACTION: WASHINGTON LAWS AGAINST DISCRIMINATION AND RETALIATION (RCW 49.60, et. seq.), SEXUAL ASSAULT & NEGLIGENCE

16. SkyWest Captain Rowe's actions, as the supervising officer on the flight, constitute violations of Washington's Law Against Discrimination, sexual assault, and negligence. Given Captain Rowe's position of authority on the flight and within the company, SkyWest is liable for the violations stated herein. Captain Rowe's grossly abusive actions epitomize the necessity and purpose of the #metoo movement. Further, the actions and omissions on the part of SkyWest after the incident could be construed as unlawfully retaliatory, discriminatory, and negligent.

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V. PRAYER FOR RELIEF

WHEREFORE, Plaintiff requests a judgment against Defendants:

(a) Awarding Plaintiff general damages and special damages in an amount to be proven at trial;

(b) Awarding her reasonable attorney's fees and costs as available under law,

(c) Awarding her any and all applicable interest on the judgment;

(d) Awarding her such other and further relief as the Court deems just and proper under the circumstances of this case.

DATED this 25th day of April, 2018.

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