

IN THE MONTGOMERY COUNTY  
COURT OF COMMON PLEAS  
CIVIL DIVISION

SUSAN DEATON	:	CASE NO. _____
7635 JOHN ELWOOD DRIVE	:	
CENTERVILLE, OH 45459	:	
	:	JUDGE _____
PLAINTIFF,	:	
	:	
V.	:	
	:	VERIFIED COMPLAINT
HARTLEY LAW OFFICE, LLC	:	WITH JURY DEMAND
209 EAST STROOP ROAD	:	
KETTERING, OH 45429	:	
	:	
AND	:	
	:	
AARON P. HARTLEY	:	
1230 RIDGEVIEW AVENUE	:	
KETTERING, OH 45409	:	
	:	
DEFENDANTS.	:	

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**PRELIMINARY INFORMATION**

This is an action for damages and injunctive relief based upon Plaintiff's claims of sexual harassment/discrimination, negligent supervision and retention and intentional infliction of emotional distress under the common law of the State of Ohio.

## **THE PARTIES**

1. Plaintiff, Susan Deaton, is an individual citizen of the United States and State of Ohio. Plaintiff resides in Montgomery County, Ohio. Plaintiff was formerly employed by Defendants.
2. Defendant, Hartley Law Office, LLC (hereinafter referred to as “HLO”), is an Ohio limited liability company with its principal place of business located in Montgomery County, Ohio.
3. Defendant, Aaron P. Hartley (hereinafter referred to as “Hartley”), is an individual citizen who resided in Montgomery County, Ohio at all times relevant to this Complaint. Hartley owns HLO and was employed by HLO at all times relevant to this Complaint.
4. Plaintiff’s claims arose and all relevant events occurred within Montgomery County, Ohio.

## **FACTUAL BACKGROUND**

5. Plaintiff is female.
6. Plaintiff is an attorney licensed to practice law in the State of Ohio.
7. Plaintiff graduated from the University of Dayton School of Law in May 2016.
8. Following graduation from law school, Plaintiff was unemployed for over two-years. Despite numerous attempts, she was unable to secure employment in the legal field.
9. On or about October 19, 2018, Plaintiff met Hartley at a restaurant for a job interview with HLO.
10. During the interview, Hartley asked Plaintiff to come to his home to continue the interview. While at Hartley’s home, Hartley placed his hand inside of Plaintiff’s skirt, shoved her against a wall and tried to kiss her. Plaintiff rebuffed Hartley’s advances and left Hartley’s home. Before leaving Hartley’s home, he told Plaintiff to show up for work the following morning. Plaintiff considered Hartley’s conduct to be unwelcome, unsolicited and sexually inappropriate.
11. Due to her inability to obtain other legal work, Plaintiff showed up for work at HLO the following morning.
12. Plaintiff was employed by HLO from October 2018 through April 1, 2019, as an Associate Attorney.

13. Throughout her employment with HLO, Plaintiff's supervisor was Hartley.
14. During Plaintiff's employment with HLO, she was subjected to unwanted sexual advances and sexually offensive comments and conduct from Hartley. Hartley's unwelcome conduct of a sexual nature was severe and pervasive.
15. Hartley told Plaintiff that he asked Adam Bryant, a former client, if Plaintiff was "hot" and stated to Plaintiff that he only hired her because she was "hot."
16. Plaintiff heard Hartley refer to several women, including former employee Misty as "cunts" and "bitches."
17. Hartley stated to Plaintiff and clients on multiple occasions that he wanted to find a woman to take care of his kids, cook, clean, and with whom he could have sex.
18. Shortly after Plaintiff's employment with HLO began, Hartley stated to Plaintiff that he would say anything to get women to give him "strange." He explained to Plaintiff that "strange" was slang for sex.
19. Hartley had an office at his home which was located inside of his bedroom.
20. In February 2019, Plaintiff heard Hartley state to Jeni Haber, another employee of HLO, in his bedroom/office at his home that he knew when they met that they were going to have sex.
21. Hartley frequently told Plaintiff that he loved her and required that she state orally or in a text message to him, "I love you Aaron."
22. Hartley frequently told Plaintiff that she could never leave him, he loved her and he needed her. Hartley forced Plaintiff to promise that she would never leave his office.
23. Hartley represented to Plaintiff that he was friends with many lawyers and judges in the local community, and that they loved him. Plaintiff was afraid to seek other employment and believed that she had to have sexual relations with Hartley in order to keep my job.
24. Hartley often made comments about showing Plaintiff off to other male attorneys, buying her a big diamond and being a powerhouse attorney couple.
25. Plaintiff had at least five (5) sexual encounters with Hartley spanning from November 26, 2018 through March 1, 2019. Plaintiff did not want to have sex with Hartley, but believed that she would lose her job if she did not have sex with him. Additionally, Plaintiff was afraid of Hartley due to his size and angry outbursts. The imbalance of

- power between Plaintiff and Hartley, prevented Plaintiff from refusing to acquiesce to Hartley's sexual advances.
26. Shortly after Plaintiff's first sexual encounter with Hartley, he put his hand up her skirt and touched her vagina through her underwear while Plaintiff was standing on a chair, changing a light bulb at the HLO office. Hartley's conduct was unwelcome and sexually offensive to Plaintiff.
  27. After Plaintiff's first sexual encounter with Hartley, he forced Plaintiff to tell him that she had wanted to have sex with him from the first time she met him, and then he made Plaintiff describe to him what she wanted to do to him sexually which was to give him oral sex in his office, under his desk. Hartley led the entire conversation and told Plaintiff what he wanted her to say. During this same encounter, Hartley forced Plaintiff to touch his erect penis through his pants. These events occurred at the HLO office. Hartley's conduct was unwelcome and sexually offensive to Plaintiff.
  28. On one occasion Plaintiff was working late preparing trial notes at the HLO office. Hartley called Plaintiff and instructed her to come to his house because he needed her to bring a file to him. When Plaintiff arrived at Hartley's house, he insisted that she stay at his house and finish working there. Once Plaintiff was inside his house, Hartley took Plaintiff's cell phone from her, forced her into his bedroom/office and insisted that she have sex with him. Due to the imbalance of power, she was afraid not to acquiesce. As Hartley was about to have sex with Plaintiff, he began discussing all of his female clients and employees that he wanted to "fuck in the ass," and how he wanted to "snort coke off their asses." Hartley stated to Plaintiff that he wanted their boyfriends to watch him fuck them in the ass, and said "they can love whoever they want, as long as they understand they belong to me." Plaintiff found these statements to be disturbing and frightening. That night, Hartley tried to have anal sex with Plaintiff despite Plaintiff saying no and verbally protesting multiple times. Hartley then inserted the tip of his penis into Plaintiff's vagina, from behind, repeatedly, but ultimately he could not perform. As Plaintiff tried to leave his house, Hartley paced in front of the stairs, blocking Plaintiff from leaving for an extended period of time. Plaintiff repeatedly asked Hartley to let her go home but he argued with her and then asked her to marry him. Hartley's conduct was unwelcome and sexually offensive to Plaintiff.
  29. On one occasion Hartley ejaculated inside of Plaintiff, and then commented that she would be so sexy pregnant with his baby. Hartley's conduct was unwelcome and sexually offensive to Plaintiff.
  30. There were other sexual encounters, all involving Hartley coercing Plaintiff to drink alcohol, isolating Plaintiff, and forcing Plaintiff to spend the night at his house. Hartley's conduct was unwelcome and sexually offensive to Plaintiff.

31. Hartley's conduct was extreme and outrageous.
32. Through his conduct Hartley intentionally and recklessly caused Plaintiff severe emotional distress.
33. As Hartley is the owner of HLO and Plaintiff's supervisor, he and HLO was on notice of his sexually inappropriate conduct toward Plaintiff and his conduct persisted.
34. HLO was negligent in its supervision and retention of Hartley.
35. HLO's employment of Hartley was a proximate cause of injuries to Plaintiff.
36. As a direct and proximate result of Plaintiff being subjected to unlawful sexual harassment, HLO's negligent supervision and retention of Hartley, and Hartley subjecting Plaintiff to the intentional infliction of emotional distress, Plaintiff has suffered injuries in the form of loss of earnings, severe emotional distress, and other damages.
37. The actions of Defendants were wanton and malicious and/or in reckless disregard for Plaintiff's common law rights under the laws of Ohio.

#### **FIRST CLAIM FOR RELIEF**

38. Plaintiff reasserts and realleges all the claims set forth in paragraphs one through 37, as if fully rewritten herein.
39. The actions of HLO and Hartley constitute sex discrimination/sexual harassment in violation of the common law of the State of Ohio.

#### **SECOND CLAIM FOR RELIEF**

40. Plaintiff reasserts and realleges all the claims set forth in paragraphs one through 39, as if fully rewritten herein.
41. The actions of HLO constitute negligent supervision and retention of an employee in violation of the common law of the State of Ohio.

#### **THIRD CLAIM FOR RELIEF**

42. Plaintiff reasserts and realleges all the claims set forth in paragraphs one through 41, as if fully rewritten herein.

43. The actions of Hartley constitute the intentional infliction of emotional distress in violation of the common law of the State of Ohio.

WHEREFORE, Plaintiff demands judgment as follows:

- A. Compensatory and punitive damages in an amount exceeding \$25,000.00;
- B. Reasonable attorney fees and costs of suit;
- C. Appropriate equitable relief.

Respectfully submitted

*Jason P. Matthews*

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JURY DEMAND

Plaintiff hereby demands a trial by jury in this matter.

*Jason P. Matthews*

Jason P. Matthews