

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF KENTUCKY
CENTRAL DIVISION AT LEXINGTON
CASE NO. 5:18-351-KKC**

NICHOLAS CHARLES BREINER

PLAINTIFF

v.

**BOARD OF EDUCATION OF
MONTGOMERY COUNTY, KENTUCKY**

DEFENDANT

PLAINTIFF'S FRCP 26(1)(A) DISCLOSURES

Comes now the Plaintiff, by and through counsel, pursuant to the Court's Scheduling Order and submits his initial FRCP 26(1)(A) disclosures.

Potential Witnesses:

1. **Mr. Mark Rogers.** Plaintiff is unaware of Mr. Rogers' address. Mr. Rogers can be reached at 606-694-1904, 502-875-2889, or 606-474-5321. Mr. Rogers is the UniServ Director at KEA. Mr. Rogers has knowledge of this action.
2. **Ms. Bridget Brown.** Plaintiff is unaware of Ms. Brown's address. Ms. Brown can be reached at 800-231-4532. Ms. Brown works in KEA Diversity. Ms. Brown has knowledge of this action.
3. **Mr. Jason Toller.** Plaintiff is unaware of Mr. Toller's address. Mr. Toller can be reached at 606-280-3246. Mr. Toller is a friend and former coworker of the Plaintiff. Mr. Toller has knowledge of this action.
4. **Ms. Vicki Molstad.** Plaintiff is unaware of Ms. Molstad's address. Ms. Molstad can be reached at 218-779-7302. Ms. Molstad is a friend and parent of a former student of the Plaintiff's. Ms. Molstead has knowledge of this action.

5. **Ms. Dorinda Watkins.** Plaintiff is unaware of Ms. Watkins' address. Ms. Watkins can be reached at 859-274-7562. Ms. Watkins is a former coworker of the Plaintiff and has knowledge of this action.
6. **Mr. Rick Culross.** Plaintiff is unaware of Mr. Culross' address. Mr. Culross can be reached at 859-497-8760. Mr. Culross is an Administrator for Montgomery County Schools and has knowledge of this action.
7. **Mr. Matt Thompson.** Plaintiff is unaware of Mr. Thompson's address. Mr. Thompson can be reached at 859-497-8760. Mr. Thompson is the Superintendent for Montgomery County Schools and has knowledge of this action.
8. **Mr. Josh Valentine.** Plaintiff is unaware of Mr. Valentine's address. Mr. Valentine can be reached at 859-234-7123 and Joshua.valentine2@harrison.kyschools.us. Mr. Valentine is the Plaintiff's former supervisor and has knowledge of this action.
9. **Ms. Hopey Newkirk.** Plaintiff is unaware of Ms. Newkirk's address. Ms. Newkirk can be reached at 859-497-8760. Ms. Newkirk is an Administrator for Montgomery County Schools and has knowledge of this action.
10. **Mr. Jon Ledford.** Plaintiff is unaware of Mr. Ledford's address. Mr. Ledford can be reached at 859-498-9150 or 859-497-1126. Mr. Ledford is an Appellee in this action as well as a parent of a former student of the Plaintiff's, court liaison, and high school SBDM member. Mr. Ledford has knowledge of this action.
11. **Ms. Tonia Toy.** Plaintiff is unaware of Ms. Toy's address. Ms. Toy can be reached at 859-497-8770 and tonia.toy@montgomery.kyschools.us. Ms. Toy is a former coworker and guidance counselor and has knowledge of this action.

12. **Ms. Amy Kratzer.** Plaintiff is unaware of Ms. Kratzer's address. Ms. Kratzer can be reached at 859-497-8760. Ms. Kratzer is a former coworker of the Plaintiff's and has knowledge of this action.
13. **Ms. Candace Hunt.** Plaintiff is unaware of Ms. Hunt's address. Ms. Hunt can be reached at 859-497-8760. Ms. Hunt is an HR Manager for Montgomery County Schools and has knowledge of this action.
14. **Ms. Robin Patterson.** Plaintiff is unaware of Ms. Patterson's address. Ms. Patterson can be reached at 859-771-2209. Ms. Patterson is a former coworker of the Plaintiff and has knowledge of this action.
15. **Ms. Lauren Wright.** Plaintiff is unaware of Ms. Wright's address. Ms. Wright can be reached at 502-741-6416. Ms. Wright is a former coworker of the Plaintiff's and has knowledge of this action.
16. **Ms. Amanda Herceg.** Plaintiff is unaware of Ms. Herceg's address. Ms. Herceg can be reached at 317-224-3731. Ms. Herceg is a former coworker of the Plaintiff's and has knowledge of this action.
17. **Ms. Kim Brandenburg.** Plaintiff is unaware of Ms. Brandenburg's address. Ms. Brandenburg can be reached at 606-776-1374. Ms. Brandenburg is a former coworker of the Plaintiff's and has knowledge of this action.
18. **Ms. Baesha Bridges.** Plaintiff is unaware of Ms. Bridges' address. Ms. Bridges can be reached at 859-497-8770. Ms. Bridges is a former coworker of the Plaintiff's and has knowledge of this action.

19. **Mr. Adam Allison.** Plaintiff is unaware of Mr. Allison's address. Mr. Allison can be reached at 412-901-0646. Mr. Allison is a former coworker of the Plaintiff's and has knowledge of this action.
20. **Ms. Rosemary Bodie.** Plaintiff is unaware of Ms. Bodie's address. Ms. Bodie can be reached at 859-585-9854. Ms. Bodie is a former coworker of the Plaintiff and has knowledge of this action.
21. **Ms. Stephanie Chamberlain.** Plaintiff is unaware of Ms. Chamberlain's address. Ms. Chamberlain can be reached at 859-608-8843. Ms. Chamberlain is a former coworker of the Plaintiff's and has knowledge of this action.
22. **Ms. Jill Chase.** Plaintiff is unaware of Ms. Chase's address. Ms. Chase can be reached at 859-497-8770. Ms. Chase is a former coworker of the Plaintiff's and has knowledge of this action.
23. **Mr. Chris Cobb.** Plaintiff is unaware of Mr. Cobb's address. Mr. Cobb can be reached at 859-588-5552. Mr. Cobb is a former coworker of the Plaintiff's and has knowledge of this action.
24. **Ms. Elizabeth Conlee.** Plaintiff is unaware of Ms. Conlee's address. Ms. Conlee can be reached at 859-398-9481. Ms. Conlee is a former coworker of the Plaintiff and has knowledge of this action.
25. **Ms. Amanda Durand.** Plaintiff is unaware of Ms. Durand's address. Ms. Durand can be reached at 859-497-8770. Ms. Durand is a former coworker of the Plaintiff's and has knowledge of this action.

26. **Mr. Kirby Haskins.** Plaintiff is unaware of Mr. Haskin's address. Mr. Haskins can be reached at 859-497-8770. Mr. Haskins is a former coworker of the Plaintiff's and has knowledge of this action.
27. **Ms. Amy Mattingly.** Plaintiff is unaware of Ms. Mattingly's address. Ms. Mattingly can be reached at 859-497-8770. Ms. Mattingly is a former coworker of the Plaintiff's and has knowledge of this action.
28. **Ms. Karis Patterson.** Plaintiff is unaware of Ms. Patterson's address. Ms. Patterson can be reached at 859-497-8770. Ms. Patterson is a former coworker of the Plaintiff's and has knowledge of this action.
29. **Ms. Ashlyn Richards.** Plaintiff is unaware of Ms. Richard's address. Ms. REichards can be contacted at 859-550-3654. Ms. Richards is a former coworker of the Plaintiff's and has knowledge of this action.
30. **Ms. Marsha Riddell.** Plaintiff is unaware of Ms. Riddell's address. Ms. Riddell can be contacted at 859-497-8770. Ms. Riddell is a former coworker of the Plaintiff's and has knowledge of this action.
31. **Ms. Kayla Simandl.** Plaintiff is unaware of Ms. Simandl's address. Ms. Simandl can be contacted at 859-497-8770. Ms. Simandl is a former coworker of the Plaintiff's and has knowledge of this action.
32. **Ms. Kim Barnes.** Plaintiff is unaware of Ms. Barnes' address. Ms. Barnes can be contacted at 859-585-0114. Ms. Barnes is a former coworker of the Plaintiff's and has knowledge of this action.

33. **Ms. Ashley Tyree.** Plaintiff is unaware of Ms. Tyree's address. Ms. Tyree can be reached at 859-404-1601. Ms. Tyree is a former coworker and mentor of the Plaintiff's and has knowledge of this action.
34. **Ms. Shanda Brewer.** Plaintiff is unaware of Ms. Brewer's address. Ms. Brewer can be reached at 859-498-2389. Ms. Brewer is a former coworker and parent of a former student of the Plaintiff's and has knowledge of this action.
35. **Mr. Rocky Franz.** Plaintiff is unaware of Mr. Franz's address. Mr. Franz can be reached at 859-497-8765. Mr. Franz is a former supervisor of the Plaintiff and has knowledge of this action.
36. **Ms. Angela Penix.** Plaintiff is unaware of Ms. Penix's address. Ms. Penix can be contacted at 859-497-8765. Ms. Penix is a former coworker of the Plaintiff's and has knowledge of this action.
37. **Ms. Leann Salyer.** Plaintiff is unaware of Ms. Salyer's address. Ms. Salyer can be contacted at 859-497-8765. Ms. Salyer is a former coworker of the Plaintiff's and has knowledge of this action.
38. **Mr. Josh Spencer.** Plaintiff is unaware of Mr. Spencer's address. Mr. Spencer can be contacted at 859-585-0820. Mr. Spencer is a former coworker of the Plaintiff's and has knowledge of this action.
39. **Ms. Terena Wallingford.** Plaintiff is unaware of Ms. Wallingford's address. Ms. Wallingford can be contacted at 606-422-6096. Ms. Wallingford is a former coworker of the Plaintiff and has knowledge of this action.

40. **Mr. Tom Molstead.** Plaintiff is unaware of Mr. Molstead's address. Mr. Molstead can be contacted at 218-779-7036. Mr. Molstead is a former team member and parent of a former student of the Plaintiff and has knowledge of this action.

41. **Mr. Eric Thornsbery.** Plaintiff is unaware of Mr. Thornsbery's address. Mr. Thornsbery can be contacted at 859-338-0566. Mr. Thornsbery was a former supervisor of the Plaintiff at Fayette County Schools and has knowledge of this action.

42. **Ms. Marie Conger.** Plaintiff is unaware of Ms. Conger's address. Ms. Conger can be contacted at 859-227-4054. Ms. Conger is a former coworker of the Plaintiff at Fayette County Schools and has knowledge of this action.

43. **Mr. Ryan Briggs.** Plaintiff is unaware of Mr. Briggs's address. Mr. Briggs can be contacted at 859-312-1041. Mr. Briggs is a former coworker of the Plaintiff at Fayette County Schools and has knowledge of this action.

44. Any and all witnesses on the Defendant's Witness List.

45. Any and all witnesses needed for rebuttal.

Exhibits:

1. Plaintiff's personnel file in possession of the Defendant including evaluations of the Plaintiff.
2. Plaintiff's tax returns for years 2016, 2017, 2018, 2019 and 2020.
3. Montgomery County Board of Education EEO Policy
4. Montgomery County Board of Education Employee Manual
5. Plaintiff's Complaint to Kentucky Commission on Human Rights
6. Defendant's Response to Plaintiff's Complaint to the Kentucky Commission on Human Rights.

7. January 23, 2017 Memorandum to the Plaintiff, Meeting with Stafford.
8. May 11, 2017 Memorandum from Plaintiff to Mark Rogers.
9. June 22, 2017 Article from Lexington Herald Leader.
10. February 22, 2018 Article from Washington Post.
11. February 22, 2019 Article from New York Times.
12. Article from “Que”
13. All documents with the exception of the Plaintiff’s personnel file are available for inspection at Plaintiff’s counsel’s office
14. All relevant documents discovered during discovery

Damages:

The Plaintiff has not determined an exact calculation of damages at this point. The Plaintiff will be requesting all damages available under Title VII and KRS 344.450

Respectfully Submitted,

/s/ Edward E Dove
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CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing has been mailed this the 15th day of January, 2021 to the following:

Hon. John McNeil
LANDRUM & SHOUSE LLP
106 W. Vine Steet
PO Box 951
Lexington, KY 40588-0951

/s/Edward E. Dove
EDWARD E DOVE