

**SUPERIOR COURT FOR THE DISTRICT OF COLUMBIA  
CIVIL DIVISION**

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STACY A. BOHLEN )  
3400 Sterling Avenue )  
Alexandria, Virginia 22304 )  
Plaintiff, )  
v. ) Case No. \_\_\_\_\_ )  
NATIONAL INDIAN HEALTH BOARD )  
50 F Street, N.W, Suite 600 )  
Washington, D.C. 20001 )  
Serve: National Indian Health Board )  
50 F Street, N.W, Suite 600 )  
Washington, D.C. 20001 )  
A.C. Locklear, II, Interim CEO )  
Registered Agent )  
and )  
WILLIAM SMITH )  
221 Tatitlek Street )  
Valdez, Alaska 99686-9800 )  
Defendants. )

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**COMPLAINT**

Plaintiff Stacy A. Bohlen, by counsel, hereby moves this Court for Judgment against NATIONAL INDIAN HEALTH BOARD and WILLIAM SMITH, jointly and severally, and in support thereof, states as follows:

This is a civil action arising out of discrimination on the basis of gender, specifically the creation and maintenance of a discriminatory and hostile working environment, by Defendants National Indian Health Board and William Smith, in the course of the employment and termination of Plaintiff Stacy Bohlen.

This action is brought under the District of Columbia Human Rights Act, D.C. Code §2-1401.01 *et seq.*, and under the common law of the District of Columbia.

### **PARTIES**

1. Plaintiff Stacy Bohlen (“Ms. Bohlen”) is a resident and citizen of the Commonwealth of Virginia. At all times relevant hereto, Ms. Bohlen was employed by Defendant National Indian Health Board as its Chief Executive Officer.

2. Defendant National Indian Health Board (“NIHB”) is foreign non-profit corporation registered to do business and in good standing in the District of Columbia, and which maintains its headquarters and an agent for service of process in the District of Columbia.

3. NIHB is a non-profit organization committed to advocating on behalf of all Federally Recognized Tribal Governments and American Indian/Alaska Natives while promoting healthy practices; preventing diseases and injuries; providing programmatic support for public health and advocacy, health and public health systems and infrastructure to Tribes; and researching and developing tribal, local, state, and national health policy.

4. Defendant William Smith (“Chief Bill”) is a resident and citizen of the State of Alaska. At all times relevant hereto, Chief Bill was (and is) the Chairperson of the NIHB Board of Directors (“the Board”), with supervisory authority over Ms. Bohlen in the District of Columbia. The terms of Ms. Bohlen’s employment are set by the Board, and the Board decides whether to renew Ms. Bohlen’s employment contract. Ms. Bohlen reports directly to the Board of Directors.

### **JURISDICTION AND VENUE**

5. This Court has jurisdiction over Ms. Bohlen’s claims under the common law of the District of Columbia.

6. The amount in controversy exceeds the jurisdictional minimum amount for this Court.
7. NIHB is an “employer” within the meaning of D.C. Code § 2-1401.02(10).
8. NIHB is headquartered and conducts business in the District of Columbia, and is subject to the personal jurisdiction of this Court.
9. Ms. Bohlen was an “employee” of NIHB within the meaning of D.C. Code § 2-1401.02(9A).
10. At all times relevant hereto, NIHB was (and is) present in, and conducted business in, the District of Columbia, and therefore is subject to the personal jurisdiction of this Court.
11. Defendant Chief Bill was (and is) the Chairman of the NIHB Board of Directors, with supervisory authority over Ms. Bohlen in the District of Columbia. Ms. Bohlen reported directly to the Board, and the Board controlled the terms and conditions of Ms. Bohlen’s employment in the District of Columbia.
12. The tortious acts alleged in this Complaint were committed in the District of Columbia.
13. Jurisdiction and venue are proper in this Court.

### **BACKGROUND**

14. Ms. Bohlen is a nationally recognized leader in advancing American Indian and Alaska Native health and public health, and has served with NIHB since 2004.
15. Prior to her employment with NIHB, Ms. Bohlen was the Director of Federal Relations for the American Indian Higher Education Consortium, the Education Officer for a graduate medical education consortium in New York City, Deputy Director of the American

Osteopathic Association's Washington, DC Office, and as a Legislative Assistant to a US Congressman.

16. Ms. Bohlen has been a policy, appropriations and budget professional for more than 38 years. She began her career as a Legislative Assistant to a Michigan State Senator, then serving in Washington, DC Legislative Assistant to her home Congressman, who was an Appropriations Committee Chairman.

17. Ms. Bohlen joined NIHB in November 2004 as the Director of Government relations, and was promoted to the position of CEO a year later, in December 2005.

18. Some of her notable achievements include leading the successful effort to win the permanent reauthorization of the Indian Health Care Improvement Act, and creating a Tribal COVID response and advocacy effort that led to \$9 billion in direct appropriations to the Tribes in COVID response funding as well as early access to the vaccination. Ms. Bohlen also led the successful effort to win advance appropriations for the Indian Health Service, numerous reauthorizations of the Special Diabetes Program for Indians, and the successful advocacy for increased funding for the Indian Health Service every year of her tenure.

19. Ms. Bohlen also led NIHB to create a national, Tribal presence and established NIHB as the national leader in Tribal public health. During the Pandemic, she transformed NIHB into a national TRIBAL COVID response entity – a successful effort made possible only because of the brilliant work and dedication of the NIHB Team that earned NIHB the largest unsolicited donation (\$5Million) made by the Mackenzie Scott Foundation to any Native American Nonprofit Organization in the USA (National Congress of American Indians received only \$2.5 Million).

20. Most recently, during the Summer of 2024, Ms. Bohlen led successful renewal efforts for NIHB to be granted two Centers for Disease Control (CDC) 5-year Cooperative Agreements.

21. In 2019, as a result of the Covid-19 pandemic, NIHB (like most organizations across the board) faced heightened hiring challenges. William Smith (a.k.a. “Chief Bill”), NIHB Board Chairman, and the entire Board of Directors were continually updated on the status of NIHB’s staffing difficulties.

22. In 2022, NIHB’s books/financial accounting fell into disarray and remained so up to (and after) the time of Ms. Bohlen’s termination, despite her best efforts to take steps to reconcile NIHB’s finances, including hiring an external financial comptroller (whose CPAs worked on NIHB’s books for years) and a Forensic Auditor.

23. In 2022, Nick Lewis (“Mr. Lewis”), a Councilman for the Lummi Nation, joined NIHB’s Board as the Northwest Portland Area Indian Health Board’s Representative. He was elected to serve as Vice Chairman of the NIHB Board. From the outset of his tenure, Mr. Lewis treated Ms. Bohlen in a hostile and demeaning manner, based on her gender.

24. In 1st Quarter 2023, all NIHB Board Members (including Mr. Lewis) received New Board Member Orientation instructions from NIHB Attorney Rob Portman (“Mr. Portman”) on Board member fiduciary and other responsibilities, liabilities under the laws of the United States, and proper and improper NIHB Board Member behavior. This training was necessary because most Board members are elected Tribal officials and, in that arena, enjoy sovereign Tribal immunity for their actions and behaviors. Not so under the laws of the United States governing 501(c)(3) organizations: a critical distinction. Among the acts NIHB Board Members were expressly prohibited from engaging in were communications that would

compromise the “confidentiality in matters that are handled in Executive Session and those matters regarding personnel.” Board Members were also expressly instructed by Mr. Portman, when preparing for Board Meetings, to become informed by ... “seeking clarification from the Executive Director when necessary” so to foster “a strong Board/Executive Director relationship” with a “clear differentiation of roles, delegation, and direction (no surprises).” During his tenure as Vice Chairman, Mr. Lewis violated these directives early and often, and Chief Bill did not take a single corrective action to mitigate the matter. Actions initiated and coordinated by Mr. Lewis against Ms. Bohlen were coordinated to prevent Ms. Bohlen from effectively managing NIHB’s employees.

25. Shortly after receiving Board Member Training, Mr. Lewis disregarded Mr. Portman’s instructions by inviting and encouraging current and former NIHB staffers to lodge complaints against Ms. Bohlen, leading a coordinated effort to that end.

26. Mr. Lewis’ conduct opened the gate for other Board members to also disregard Mr. Portman’s instructions, compromise the confidentiality of personnel issues, and weaken Board/Executive Director relations - by not seeking clarification from the Executive Director for any allegation made by NIHB Staff to NIHB Board Members concerning Ms. Bohlen. The NIBY Board did not treat any male employees in a similar manner.

27. In the 1Q 2023, Mr. Lewis met with the Chairman of the Board of the Native American Housing Council, and without previously consulting with Ms. Bohlen nor the NIHB Board, made promises to the Housing Council Chairman that NIHB would take on reauthorization of the NAHASADA (Native American Housing Assistance and Self Determination Act of 1996 – a Housing Bill). When Ms. Bohlen learned of this, she informed Mr. Lewis that this was not an effort NIHB could lead because it was outside NIHB's core

mission, and NIHB did not have the dedicated staff needed to perform the work. Moreover, the work itself was politically problematic, as Ms. Bohlen explained to Mr. Lewis in detail, including how leading efforts to reauthorize NAHASADA would jeopardize NIHB's credibility in its most critical sector - healthcare.

28. When Ms. Bohlen informed Mr. Lewis of these facts, Mr. Lewis immediately became hostile, personally attacking Ms. Bohlen in front of NIHB's Board and attendees during an open Board of Directors meeting, demonstrating wanton disregard for NIHB's Board Member policies protecting the confidentiality of personnel matters relating to Ms. Bohlen.

29. Chief Bill took no action to censor or reprimand Mr. Lewis for his conduct, nor to protect Ms. Bohlen. By taking no action and not speaking up to support Ms. Bohlen's position, Chief Bill effectively ratified and condoned Mr. Lewis' statements and conduct in the presence of the other NIHB Board Members, Representatives of the Federal Government, Congressional offices, other external organizations in attendance, and NIHB employees who were also present at this meeting. NIHB's Board demonstrated gender bias by compromising the confidentiality of "matters regarding personnel" when they applied to Ms. Bohlen.

30. After the Board meeting, Ms. Bohlen told Chief Bill that she felt personally threatened and bullied by Mr. Lewis. Again, Chief Bill took no action to admonish Mr. Lewis, protect Ms. Bohlen, or enforce the NIHB Board Member Policy of keeping personnel matters confidential, leaving Mr. Lewis unrestrained to continue his discriminatory and hostile treatment of Ms. Bohlen by encouraging NIHB staffers (and former employees) to file complaints against her.

31. In or around March 2023, Tyler Dougherty ("Mr. Dougherty") left NIHB to accept a position as VP of Operations of National Council of Urban Indian Health (NCUIH).

32. On or around June 10-11, 2023, Mr. Lewis missed a Board call and blamed Ms. Bohlen for not sending him a calendar invite. Notably, Ms. Bohlen did not send calendar invites to any other NIHB Board Members. Yet Mr. Lewis was the only NIHB Board Member to miss the call. Mr. Lewis did not, and would not, have treated a male employee in a similar manner. As the CEO of NIHB, it was not Ms. Bohlen's job to perform administrative functions such as sending meeting reminders to Board members. Yet Mr. Lewis, broadcast his belief that women in the workplace were only capable of performing administrative/secretarial functions.

33. On that call, NIHB's Board voted unanimously to send a letter to the House Natural Resources Committee, stating that the NIHB Board needed more time to review a Bill being discussed regarding urban confer policy and its potential impact on Tribal sovereignty.

34. On or around June 12, 2023, Mr. Lewis contacted both the Majority and Minority Staff Leaders of the House Interior Committee, purposely misinforming both Committee Staff Leaders that the NIHB letter they received was not a legitimate action of NIHB's Board but rather an unauthorized act taken exclusively by Ms. Bohlen of her own volition. This was part of Mr. Lewis' personal vendetta and retaliation for Ms. Bohlen refusing to lead efforts to reauthorize NAHASADA Legislation and due to his new-found fealty to NCUIH, which had given him an award.

35. As a result of Mr. Lewis's actions, during the House Interior Bill markup session on June 13, 2023, Congressman Raul Grijalva, the bill's author, called out Ms. Bohlen's name three times into the public record, implying that Ms. Bohlen was the sole reason why legislation "critical for the welfare of urban AI/Ans" was being unduly stalled from passage. This was an unprecedented personal attack that was allowed to stand despite the fact that the actions taken by



Ms. Bohlen were taken at the Board's direction in furtherance of the Board's position by unanimous vote.

36. Immediately following Mr. Lewis' actions that subverted the intentions of NIHB's Board, the interests of the Federally recognized Tribes that NIHB serves, and the lawful actions of the U.S. House Committee on Interior, the Board took no corrective action to censure or otherwise discipline Mr. Lewis. Instead, NIHB's Board went into a closed Executive Session for several hours, and barred Ms. Bohlen from participating.

37. After the closed Executive Committee session, Ms. Bohlen asked Chief Bill and Mr. Portman, in writing, to formally communicate the correction to the Congressman in writing that the letter in question was in fact directly authorized by NIHB's Board. No action was taken by either NIHB's Board or Mr. Portman, further eroding a "strong Board/Executive Director relationship" by effectively ratifying that the false statements made about Ms. Bohlen by Congressman Raul Grijalva, Mr. Lewis, and his NIHB Alternate, Nate Tyler (Makah Tribal Councilman).

38. Ms. Bohlen was later belittled by Mr. Lewis and Mr. Tyler on a well-attended, recorded, national Zoom meeting of the NIHB Medicare, Medicaid Health Care Reform Committee regarding the NIHB action on the confer bill. During this meeting, both leaders threatened to punish "whoever is responsible for this." Both, again, denying the legitimate action of the NIHB Board and stating that one person was responsible for the action. Ms. Bohlen learned that despite their vocal dissent, neither Mr. Lewis nor Mr. Tyler had even bothered to read the contents of the NIHB authorized letter before approaching both Congressional Staff Leaders with their knowingly false accusations engineered to demean and discredit Ms. Bohlen. Again, NIHB's Board did not treat male employees of NIHB in a similar manner.

39. In July 2023, after writing Ms. Bohlen an effusive “thank you” email upon his departure from NIHB for being the only person to give him the opportunity for a chance at a career at the national level, and making it possible for him to meet his husband, Mr. Dougherty “flipped” soon thereafter when contacted by Mr. Lewis to enlist former and current NIHB staff to participate in a coordinated effort to remove Ms. Bohlen from NIHB. Mr. Dougherty took on Mr. Lewis’s assignment with vigor, personally reaching out to current and former NIHB staff during NCUIH office hours to solicit accusations against Ms. Bohlen, using a private online chat room as a staging area to assemble and coordinate attacks against Ms. Bohlen.

40. It was reported to Ms. Bohlen by then-NIHB staff member Nathan Billy (“Mr. Billy”), Liz Kearney (“Ms. Kearney”), and other NIHB staff members that they and others had been contacted by Mr. Dougherty during NIHB office hours, told of the effort to gather complaints against Ms. Bohlen to have Ms. Bohlen fired, and that they were seeking signatures for a complaint letter they planned to send to the Board.

41. On August 19, 2023, Ms. Bohlen presented Chief Bill with a summary of her accomplishments to date, for consideration by the Board when making its determination on the renewal of Ms. Bohlen’s employment contract.

42. Despite the complaints presented to the Board against Ms. Bohlen, in October, 2023, the Board unanimously approved a new five-year contract for Ms. Bohlen. Ms. Bohlen’s new contract included automatic annual pay raises, and provided for a two-month sabbatical (which she never received) as well as \$25,000 toward graduate school (which she also never received). The Board was fully aware of all ongoing allegations against Ms. Bohlen, but the Board vote was still unanimous in favor of renewing Ms. Bohlen’s contract for five years.

43. During the Summer/Fall 2023, this coordinated attack led by Mr. Lewis and Mr. Dougherty continued, allowing several former and current NIHB staff members to present complaints about Ms. Bohlen directly to the Board. Ms. Bohlen was not made aware of the content of these complaints, nor given the opportunity to answer these complaints.

44. In 1<sup>st</sup> Quarter 2024, Marty Wafford (“Ms. Wafford”) was elected to the Treasurer position on NIHB’s Board. Ms. Wafford was not present when elected Treasurer, did not attend a single NIHB Board Meeting (from the date elected and as of the date Ms. Bohlen was terminated), and did not at any time make herself available to Ms. Bohlen for consultation or assistance. By taking no corrective action, NIHB’s Board abandoned its obligation to be a “fiscal steward” and act “in the best interest of the organization,” effectively preventing Ms. Bohlen from resolving NIHB’s ongoing accounting problems.

45. In February 2024, Mr. Lewis failed to be re-elected as NIHB’s Vice Chairman,

46. In April 2024, Mr. Lewis left NIHB to focus on his role as the Treasurer of the National Congress of American Indians (NCAI).

47. On April 15, 2024, Ms. Bohlen’s doctor (who has treated Ms. Bohlen for approximately 20 years) recommended that Ms. Bohlen take medical leave for severe burn out, elevated stress and anxiety associated with her professional position, which she did from April 22 to May 3, 2024. The letter also stated that Ms. Bohlen should be permitted to work remotely during the week of May 6, 2024, per medical advice. Ms. Bohlen provided the letter to Chief Bill and Jamie Gomez (“Ms. Gomez”), NIHB’s COO at the time, ahead of taking the leave. The leave was approved.

48. On May 16, 2024, after Ms. Bohlen requested a meeting of the NIHB Executive Committee, the Executive Committee met (minus its Treasurer) and Ms. Bohlen alerted the

Board about her grave concern about NIHB's unresolved accounting. Ms. Bohlen allowed then-Finance Director, Diane Roberts ("Ms. Roberts"), to present the issue to the Executive Committee. Ms. Roberts firmly stated that the accounting challenges were due to the gross mismanagement of NIHB finances at the hands of the external comptroller, Your Part Time Controller. Ms. Roberts promised the Executive Committee that she would have a correct and complete financial report for the Board within two weeks. Once again, Ms. Roberts failed to deliver.

49. On May 17, 2024, Ms. Bohlen contacted Chief Bill to express her ongoing concern that NIHB's Board was not maintaining confidentiality regarding personnel matters relating to Ms. Bohlen, negatively impacting both her professional reputation and her ability to function as NIHB's CEO. Chief Bill dismissed Ms. Bohlen's concern and responded, "Let's discuss at Executive Session when the Board meets."

50. As recommended by Chief Bill, when the NIHB Board of Directors met on June 25, 2024, Ms. Bohlen attempted to bring the issue for discussion with the Board. During Executive Session Ms. Bohlen reviewed the NIHB Grievance Policy with the Board and referenced the training provided by Mr. Portman for guidance on this matter. Ms. Bohlen and Acting COO Amber Torres described to the Board the personnel and management challenges they were experiencing and expressed their concern that these challenges were largely due to the "back door" access staff had to the Board to complain about NIHB policy and HR matters. Several Board members stated that they had been talking with staff about such matters. In response, the Board told Ms. Bohlen they did not know why she was bringing these matters before them and told Ms. Bohlen, "Personnel is your job." Once again, NIHB's Board offered Ms. Bohlen no support.

51. Also on June 25, 2024, during Executive Session, Ms. Bohlen again brought up the issue of NIHB's unresolved accounting issues before the Board, informing the Board of her intent to hire an independent forensic auditor with expertise in Tribal Finance to address the matter and describing in detail the challenges with the Finance Director and the state of NIHB's finances. Ms. Bohlen asked for the Board's help with bringing the books into compliance and asking probative questions of Ms. Roberts when they received her report later the same day. The Board responded that they will not be receiving the Finance Report because if they receive it in open session, they are then liable for the information. Once again, the Board rejected its fiduciary responsibility to NIHB and left Ms. Bohlen with no help, guidance or support.

52. On July 2, 2024, Ms. Bohlen hired an independent forensic auditor Altitude Advisory Group ("AAG") recommended by the Native American Finance Officers Association, to review NIHB's books and financial policies. To begin their audit, AAG provided Ms. Roberts with a list of NIHB documents needed to begin the audit. Ms. Roberts deliberately delayed responding by waiting 2 weeks to provide the needed documents to AAG. When Ms. Roberts finally did respond to AAG, about half of the documents had AAG requested were still missing.

53. In the afternoon of August 5, 2024, after being held accountable for missing NIHB's most recent payroll and failure to perform her duties, Diane Roberts resigned as NIHB's Finance Director, and emailed a manifesto (guised as a whistleblower complaint) to scores of people, compromising NIHB's finances by publishing confidential Wells Fargo bank account information and making numerous ungrounded and unsubstantiated allegations against Ms. Bohlen – all of which have been proven false. Ms. Bohlen had been working with Ms. Roberts for over 18 months in an attempt to reconcile NIHB's finances. Ms. Bohlen hired seven different employees or contractors (all of Ms. Roberts' choosing), so NIHB's Finance Department would

have the resources it needed to address NIHB's unresolved accounting issues. During Ms. Roberts' entire 18 month tenure as Finance Director, NIHB's books remained in disarray, with Ms. Roberts missing deadline after deadline, blaming Ms. Bohlen and the independent finance contracting firms she had previously hired to help her with NIHB's unresolved accounting problems.

54. On August 8, 2024, a former NIHB staff member sent out a blast text communication stating that, "It's done. They fired her. Announcement coming tomorrow." That means a former staff member was sending a communication about Ms. Bohlen being "fired" **before** NIHB had even placed Ms. Bohlen on administrative leave. Again, NIHB's Board demonstrated gender bias by compromising the confidentiality of "matters regarding personnel" when they applied to women in senior management at NIHB.

55. On August 9, 2024, Ms. Bohlen was notified during a Zoom call with Chief Bill, Mr. Portman, and two other men that she was being placed on Paid Administrative Leave pending results of a TBD Independent Investigator's Report into the alleged allegations filed against her.

56. Days later Ms. Bohlen received a letter from Chief Bill Smith confirming the discussion, and informing her that the Board had made the decision "in response to the serious financial and personnel allegations against you that have been brought to our attention through a recent employee complaint," despite Ms. Bohlen's ongoing updates to the Board regarding NIHB's ongoing unresolved personnel and accounting problems. The letter also stated that A.C. Locklear (a less qualified man) would serve as Acting CEO during her administrative leave.

57. The letter, dated August 9, 2024 (and received shortly after that) also assured Ms. Bohlen that the Board would "make every effort to maintain the confidentiality of this matter and

expect you to do so as well,” but that the Board would be required to issue a statement indicating that the Board was taking the complains seriously and that Ms. Bohlen had been placed on leave while the matter was under investigation (which the Board did).

58. On August 12, 2024, Ms. Bohlen emailed a letter to NIHB Legal Counsel Rob Portman expressing distrust in the “NIHB’s Board’s sincerity or ability to conduct a fair investigation.”

59. Specifically, the letter detailed Ms. Bohlen’s shock and dismay that an NIHB Executive Committee member was the first person to respond to Ms. Roberts’ and all of the recipients of her “manifesto” by expressing sympathy and assuring her that Ms. Bohlen would be investigated without ever speaking to Ms. Bohlen. Ms. Bohlen also expressed to Mr. Portman her concern that a former NIHB employee was communicating to other current and former staff members that Ms. Bohlen had been fired, and that “more allegations are coming.”

60. On August 20, 2024, Ms. Bohlen was fired.

61. On August 21, 2024, NIHB updated its website to announce “The National Indian Health Board of Directors met on August 20, 2024, and made the decision to terminate the CEO, Stacy Bohlen, effective immediately. In a statement issued to the press, the NIHB Board stated that The Board has lost faith in Bohlen’s ability to lead the organization, and named A.C. Locklear, Lumbee, Interim CEO....” Significantly, and further demonstrating the gender bias against women at the hands of NIHB, Mr. Locklear was hand-picked over three women at NIHB who were senior to him on the organization chart as well as in experience and education.

62. At the time of her termination, Ms. Bohlen had been with the NIHB for nearly 20 years. During that time, Ms. Bohlen had a stellar (sometimes spectacular) record. Ms. Bohlen never had a performance evaluation, and had never been written up or received a verbal warning

for any performance related issues. To the contrary, in November 2023, the Board unanimously voted to renew Ms. Bohlen's contract for five years.

63. In addition to its discriminatory and illegal conduct towards Ms. Bohlen, NIHB has demonstrated a pattern and practice of discriminating against women.

64. Around February 14, 2024, at a National Congress of American Indians conference, Jamie Gomez ("Ms. Gomez"), NIHB's COO at the time, was approached by a young Native girl, shaking in terror because she wanted to participate in an honoree greeting line but would be forced to be in proximity to Mr. Lewis, who had become an Executive Committee member of the National Congress of American Indians. When Ms. Gomez asked why she was so afraid, the young girl stated that she had personal knowledge that Mr. Lewis had been a perpetrator of domestic violence and that he had "buried" a restraining order "because he is powerful and connected." Ms. Gomez informed Chief Bill of this event but again, no corrective (or other) action was taken toward Mr. Lewis.

65. In or around March 2024, during an interview of an NIHB job candidate, when Ms. Bohlen asked the candidate why she wanted to leave her then-current employment (with Northwest Portland Area Indian Health Board – for which Mr. Lewis serves as Chairman of the Board), the candidate answered, "To get away from Nick Lewis." Ms. Bohlen communicated this statement to Chief Bill, so he was further aware of Mr. Lewis' propensity to treat women in a hostile and discriminatory manner during the time he was taking no steps to protect Ms. Bohlen from Mr. Lewis, or otherwise support her. Ms. Bohlen is aware of other female professionals leaving Northwest Portland Area Indian Health Board for the same reason – so they would not have to work with Mr. Lewis.



66. In May 2024, leading up to the 77<sup>th</sup> World Health Assembly of the World Health Organization in Geneva, Switzerland, Ms. Bohlen informed Chief Bill that Catrin Shuy (“Ms. Shuy”) was next in seniority to take Ms. Bohlen’s place in Geneva, as Ms. Bohlen had prior professional commitments and could not attend. Chief Bill responded, “I won't work with 'old ironsides' (referring to Ms. Shuy). Send AC Locklear or Win Davis. I can work with them.” A.C. Locklear and Win Davis are males subordinates who directly report to Ms. Shuy, and therefore not as senior as Ms. Shuy. Again, NIHB’s Board demonstrated gender bias by overlooking a senior female professional in favor of her male subordinates.

67. During and after June 2024, on multiple occasions, when Ms. Shuy, was assigned to staff Capitol Hill Visits in her role as Director of Government Relations, Chief Bill refused to work with her, stating "Send Win or send A.C. Don't send her (Ms. Shuy)." Again, Chief Bill decreed that he would not work with her – but would work with either of Ms. Shuy’s male subordinates.

68. In August 2024, Ned Johnson, NIHB’s Director of Communications, was reprimanded in writing by interim COO Amber Torres and Mr. Johnson immediately contacted Chief Bill by email, including Ms. Torres in the communication. Mr. Johnson complained that he was being “harassed” and that as a veteran he is a protected class. Within 15 minutes of Chief Bill receiving this communication from Mr. Johnson, Chief Bill undercut Ms. Torres’ authority with Mr. Johnson and effectively told Mr. Johnson, "don't worry about it," referring to the written reprimand. He completely dismissed Ms. Torres’ authority, and no further action was taken.

69. NIHB engages in a pattern or practice of discriminating against women. On August 20, 2024, NIHB's Board appointed A.C. Locklear, a male staff of a non-federally

recognized tribe with limited professional experience in fields outside of both Finance and Human Resources (the two areas listed as cause for terminating Ms. Bohlen), as interim CEO, over three female candidates who were significantly more qualified and senior to him:

- i. Catrin Shuy, a, Senior Staff member with NIHB for 10 years, with a Master of Science in Economics from the London School of Economics, and American Indian Policy Lead to Representative Tom Cole, Chairman of House Appropriations Committee. Ms. Shuy was also an Assistant Secretary in the US Department of Health and Human Services, a President appointment.
- ii. Amber Torres, former Chairman of a Sovereign Federally Recognized Tribal Nation, (Walker River Paiute Tribe in Schurz, NV), a former 5-year member of NIHB's Board, a member of the US Department of Health and Human Services Secretary's Tribal Advisory Committee and the former national Co-Chair of the Indian Health Service National Budget Formulation Work Group offering a rare combination of leadership, management and honed expertise in Federal Tribal Finance – exactly what NIHB needed. Ms. Torres was serving as NIHB's action Chief Operating Officer at the time.
- iii. Karol Dixon, NIHB's Director of Public Health Policy and Programs Department and Senior Staff member and member of a federally recognized tribe (Athabascan Tribe in AK), JD, MPH, advanced training in federal grant management and financial procedures and more than 20 years of senior level experience at the Tribal, State, regional and National levels in American Indian and Alaska Native health policy. She also served as a Tribal Health Director, providing inimitable and relevant experience that would be invaluable for NIHB's needs.

70. On August 20, 2024, when Mr. Locklear, a male, was appointed Acting CEO following Ms. Bohlen's termination, several Board members offered him help with, "anything you need" and gave assurances that "you have our full support." The exchanges were described as "effusive" by witnesses. Despite Ms. Bohlen's stellar 20 year track record, when she made repeated pleas and requests for the Board's help and support, it never came. It was only offered to men.

**COUNT ONE –  
DISCRIMINATION IN THE COURSE OF EMPLOYMENT AND  
IN THE TERMINATION OF EMPLOYMENT IN VIOLATION  
OF THE DISTRICT OF COLUMBIA HUMAN RIGHTS ACT  
(against National Indian Health Board)**

71. The allegations of the foregoing paragraphs are incorporated as if re-alleged herein.

72. Ms. Bohlen was an employee of NIHB within the meaning of D.C. Code § 2-1401.02(9).

73. NIHB is an employer within the meaning of D.C. Code § 2-1401.02(10).

74. NIHB, through its agents, officers and employees, discriminated against Ms. Bohlen and subjected her to a hostile work environment on account of her gender (female) during the course of Ms. Bohlen's employment, and in the termination of her employment. This discrimination was with respect to the terms, conditions, and privileges of Ms. Bohlen's employment, in violation of D.C. Code § 2-1402.11.

75. As set out above in this Complaint, the acts of discrimination by NIHB included, but were not limited to allowing Board members, current NIHB employees, and former NIHB employees to encourage others to disparage Ms. Bohlen and spread fabricated accusations and complaints against her; allowing Board members to circumvent Ms. Bohlen and violate NIHB policy by communicating directly with Ms. Bohlen's employees; Mr. Lewis blaming Ms. Bohlen for not sending him a reminder (not her job) when he missed a Board call; allowing Mr. Lewis and Nate Tyler to disparage Ms. Bohlen to other organizations in the Native community; Chief Bill failing to take any action to support or protect Ms. Bohlen when she reported feeling threatened by Mr. Lewis; placing Ms. Bohlen on administrative leave based on false accusations by Ms. Roberts; terminating Ms. Bohlen without seeking her input or giving her the opportunity

to defend herself against the allegations made against her, and then issuing a press release stating that NIHB had lost confidence in Ms. Bohlen's ability to lead the organization.

76. NIHB engaged in the discriminatory conduct set forth above and throughout this Complaint based on Ms. Bohlen's gender (female) in violation of D.C. Code § 2-1402.11(a)(1).

77. This discrimination involved and affected the terms, conditions, and privileges of Ms. Bohlen's employment in violation of D.C. Code § 2-1402.11.

78. The actions of NIHB had the effect and consequence of violating the provisions of the D.C. Human Rights Act, D.C. Code § 2-1401, *et seq.*, in violation of D.C. Code § 2-1402.11.

79. The discriminatory actions of NIHB were intentional, were actuated by malice, spite, and ill-will, were willful and wanton, and evinced a conscious and reckless disregard for Ms. Bohlen's rights.

80. As a direct and proximate result of NIHB's conduct, Ms. Bohlen has suffered, and will in the future suffer, great damage including loss of past and future income, loss of employee benefits, loss of career and business opportunities and advancement, past pecuniary expenses, future pecuniary expenses, embarrassment, humiliation, inconvenience, a sense of betrayal, isolation and profound injustice, damage to her reputation, mental anguish, stress, pain and suffering.

81. As a direct and proximate result of NIHB's discrimination, Ms. Bohlen is entitled to recover damages pursuant to D.C. Code § 2-1403.16, as described in D.C. Code §2-1403.13 and the Code of D.C. Municipal Regulations, Title 4, Chapter 2, 4-200 CDCR, *et seq.*

82. Due to the character and severity of the actions of NIHB, and consistent with its intentional discrimination, Ms. Bohlen is also entitled to punitive damages.

**COUNT TWO –  
AIDING AND ABETTING DISCRIMINATION IN THE COURSE  
OF EMPLOYMENT AND IN THE TERMINATION OF EMPLOYMENT  
IN VIOLATION OF THE DISTRICT OF COLUMBIA HUMAN RIGHTS ACT  
(against William Smith)**

83. The allegations of the foregoing paragraphs are incorporated as if re-alleged herein.

84. Through his individual actions, Chief Bill aided and abetted the discrimination against Ms. Bohlen, as described in more detail in Count I above and throughout this Complaint, in violation of D.C. Code § 2-1402.11. Chief Bill aided and abetted the discrimination by NIHB because of his bias against Ms. Bohlen based on her gender (female).

85. Acts of discrimination aided and abetted by Chief Bill in supporting, condoning and failing to bring an end to acts of discrimination by NIHB include those set forth in this Count and throughout the Complaint: allowing Board members, current NIHB employees, and former NIHB employees to encourage others to disparage Ms. Bohlen and spread fabricated accusations and complaints against her; allowing Board members to circumvent Ms. Bohlen and violate NIHB policy by communicating directly with Ms. Bohlen's employees; allowing Mr. Lewis and Nate Tyler to disparage Ms. Bohlen to other organization in the Native community; failing to take any action to support or protect Ms. Bohlen when she reported feeling threatened by Mr. Lewis; placing Ms. Bohlen on administrative leave based on false accusations by Ms. Roberts; terminating Ms. Bohlen without seeking her input or giving her the opportunity to defend herself against the allegations made against her, and then issuing a press release stating that NIHB had lost confidence in Ms. Bohlen's ability to lead the organization

86. The discriminatory conduct of Chief Bill was intentional, and it evinced ill will, recklessness, and willful disregard of Ms. Bohlen's rights, as well as wantonness, oppressiveness, maliciousness, and a spirit of mischief.

87. The discriminatory conduct of Chief Bill had the effect and consequence of violating the provisions of the D.C. Human Rights Act, D.C. Code § 2-1401.1, *et seq.*, in violation of D.C. Code §§ 2-1402.68 and 2-1402.62.

88. As a direct and proximate result, Ms. Bohlen has suffered, and will in the future suffer, great damages including loss of past and future income, loss of employee benefits, including retirement benefits, loss of career and business opportunities and advancement, past pecuniary expenses, future pecuniary expenses, embarrassment, humiliation, inconvenience, a sense of betrayal, isolation and profound injustice, damage to her reputation, mental anguish, stress, pain and suffering.

89. As a direct and proximate result of the discrimination aided and abetted by Chief Bill, Ms. Bohlen is entitled to recover damages pursuant to D.C. Code § 2-1403.16, as described in D.C. Code § 2-1403.13 and the Code of the D.C. Municipal Regulations, Title 4, Chapter 2, 4-200 CDCR, *et seq.*

90. Because of the character and severity of the conduct of Chief Bill as set forth above, Ms. Bohlen is also entitled to punitive damages.

#### **PRAYER FOR RELIEF**

WHEREFORE, Plaintiff Stacy Bohlen requests that this Court enter judgment in her favor, and against the Defendants, National Indian Health Board and William Smith, jointly and severally, on the above counts as applicable to each, and further:

(a) Award Ms. Bohlen compensatory damages on each of the above-stated Counts One and Two; and in addition

(b) Award Ms. Bohlen punitive and exemplary damages of on each of the above-stated Counts One and Two; and in addition

(c) Award Ms. Bohlen reasonable attorneys' fees and the costs of this action, including expert witness fees; and in addition

(d) Declare that the Defendant NIHB has violated the District of Columbia Human Rights Act; and in addition

(e) Enjoin the Defendants from further violations of the District of Columbia Human Rights Act; and in addition,

(f) Award Ms. Bohlen such other and further relief as may be appropriate under the circumstances.

**JURY DEMAND**

**PLAINTIFF STACY BOHLEN DEMANDS A TRIAL BY JURY.**

September 9, 2024

Respectfully submitted,

/S/ CARLA D. BROWN

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