

The highlighted text is notes that ProService is aware of, but does not address.

1. On or about July 7, 2004, I was hired as a Risk Management Administrative Assistant for ProService Hawaii at its Hawaii Kai office.
2. I applied to ProService through the Church of Jesus Christ of Latter-Day Saints' employment office, which did not legally obligate me to wear the Mormon undergarments at work because my "temple recommend" was not current at this time. The Mormons renew their "temple recommends" once a year. I had let my recommend expire before working at ProService. This is important to understand when you read #35.
3. On December 1, 2004, I was promoted to the position of Executive Administrative Assistant, a position that I resigned from one month later asking Annie Mitchell to be transferred back to Risk Management because I found working directly under Don Wakeman to be intolerable. He was terribly manipulative and when people couldn't confront him, they retaliated on me. He brought terrible contention and disrespect to the office, which is clearly evident in Sherri's statement to me at the Receptionist desk that "Don is going to sexually harass you Jackie." (#13) Witnessed by co-worker, Betsy, who said "I think Jackie can take care of herself." Sherri could not get me to join her in this accusation against Mr. Wakeman so she retaliated on me.
4. I was laid off from my position as Risk Management Administrative Assistant on March 15, 2005.
5. I have personal knowledge of the matters set forth herein and I am competent to so testify.
6. As an employee of ProService, I met and became acquainted with Sherri Akeo, another ProService employee.
7. In October, 2004, Sherri invited me to go to a karaoke club and to spend the night at the Royal Hawaiian with her and her husband. She posed the invitation back to the hotel in such a way that I felt like I was the only one being invited, which is why I challenged her invitation. I said "Sherri if you have a weekend alone with your husband don't invite other people, just enjoy him." This would have been a good time for her to have told me that her family was going to be present too. Instead she said "No, that's ok, I've already told George that you're coming." I had already been approached by Teresa Jamile on the subject of three-somes that had been going on in their congregation. I accepted Sherri's invitation, but I went back to my desk and something didn't feel right about it. [It's this gut feeling right here, this moment, that makes me still believe that she was feeling me out for a three-some]. I sat my things down and immediately went back into the work room to ask Sherri who all was going to be present that the hotel. She confirmed that her children and employees from ProService would be there, specifically Karen and Bob were coming. On that note I accepted her invitation.
8. Note: Sherri let me know on Friday night at the hotel when she walked me back to show me the master bedroom, her and George's bedroom, that one of George's benefits at the Royal Hawaiian was that he can sign up for a free Penthouse Suite. I think she was feeling me out to see if I would be open to a three-some in the future. There was no mention of the kids; in fact, she said she would leave the kids at home. She said they should take advantage of it more often, we can sign up for this and we can leave the kids at home. I assumed at the time that she was just talking

about her and George, but I don't think I can be so naive anymore. I believe that I was being felt out for a three-some for the second time only more discretely.

9. When I went to the Karaoke club, several ProService employees were also present at this get together. Sherri was there, but Sherri's daughter, Haunani Hew-Len, was not.
10. After we left the karaoke club, everyone went back to Sherri's hotel room. Sherri's husband, George, and two of Sherri's children were inside the hotel room. I went home briefly to get medication and then returned to the hotel. When I returned to the hotel, everyone had left except Sherri, George and two of Sherri's children. Haunani never came to the hotel that night.
11. That night, Sherri and I talked. Sherri told George that I was learning how to surf, and in turn, George offered to take me out surfing.
12. The next morning I got up and went home to get my surfboard. When I came back to the hotel, I went to the pool to meet up with Sherri and her family. When Sherri came downstairs, for some reason, she was very cold to me. Nonetheless, George and one of Sherri's daughters, Ashley, took me out to the beach and gave me surfing lessons.
13. This was the only get together that I attended with Sherri's family.
14. On December 1, 2004, I received a promotion to work for the President of ProService. After I was promoted, I noticed that Sherri was acting odd around me. Sherri openly admitted to me that she was jealous of me being promoted. Sherri even went so far as to tell me that Don was going to sexually harass me if I worked for him. I was offended by Sherri's statement because it dismissed the fact that I got the promotion from working hard.
15. During the time I worked at ProService, Sherri openly disclosed to me several personal details about her family. One of those personal details was that her daughter, Haunani, had a boyfriend and they were getting really close.
16. Naturally, I was concerned about Haunani since I taught girls around Haunani's age at the Mormon Church. Haunani also reminded me of my little sister, who had passed away in a car accident when she was Haunani's age.
17. On December 7, 2004, I had two conversations with Haunani, one in the morning and one after lunch.
18. In the first conversation, I was standing in the kitchen with Haunani and asked her if her stepfather could take pictures of me surfing so that I could put the pictures in Christmas cards to my relatives.
19. In the second conversation, I asked Haunani whether she was sexually active with her boyfriend. When Haunani said "no", I told her that I commended her. This conversation was in no way to threaten her.
20. Since I was a mentor to girls around Haunani's age and it was second nature to me, I raised this topic with Haunani only because Sherri raised this specific concern to me. This was the only time that I had a personal conversation with Haunani.

21. One week prior to December 7, 2004 conversation, I asked Haunani if she was going on a mission, and discussed how much I gained from going on a mission. Haunani said that she intended to go on a mission, and she did not seem to be bothered by me raising this subject.
22. Earlier in September, 2004, I only complimented Haunani on the shirt she was wearing, and in no way did I touch her.
23. On December 8, 2004, I asked to see Haunani's top, but that request was made only out of concern for the way she had been dressing. In the time that Haunani was working at ProService, her attire was very provocative and unprofessional.
24. On the morning of December 8, 2004, Elizabeth ("Liz") Kauahi informed me that Haunani made a complaint against me alleging that I touched her but and said inappropriate things to her. Liz told me that she was going to bring Haunani in and asked me to apologize to her.
25. When Liz brought Haunani in, I told Haunani that I never intended to offend her and told her that she reminded me of my little sister. Although I do not believe I touched her inappropriately, I took full responsibility and apologized for anything I had done to offend her or make her feel uncomfortable.
26. In the end, Haunani appeared to genuinely accept my apology and Haunani said she was okay. Haunani and I shook hands before going back to work.
27. Shortly after that meeting, I believe that it was on a Thursday night, Liz called me at home to inform me that Haunani filed a complaint against me for sexual harassment.
28. Liz asked me if I wanted to take the next day off and I agreed. I stayed home the next day, which I believe was a Friday.
29. After the meeting with Haunani and Liz on December 8, 2004, I stayed away from Haunani.
30. The complaint against me made me physically and emotionally sick. I felt that I had a family-type connection with Sherri and her family, because I had taught Sherri's twins (in Church), spent time with Sherri's family and gotten to know Sherri on a personal level.
31. After these allegations were filed against me, I reevaluated how I communicated with other people.
32. Interestingly, on the following Monday after the complaint was filed against me, I was working in my cubicle when Haunani sat down in the cubicle right next to me. I couldn't move because I was assigned to that cubicle, and more importantly, I had to be close to the President's office, since I was his secretary.
33. That day, DoeAnn Kamakani, my former supervisor, asked me why Haunani was sitting next to me. I told DoeAnn that I didn't know why she was there. Haunani ended up sitting next to me all morning, but she did not return to that cubicle after lunch.
34. In the time that I worked at ProService, I came to realize that Clifford and Teresa Jamile and Sherri Akeo were not able to separate their personal lives from work. In early September Teresa Jamile approached me downstairs as I was unlocking my moped and started the conversation by saying that people in her "ward" wanted Clifford to be their next bishop (subtle opening to the



conversation, building my trust in Clifford) then she began telling me that three couples from their congregation (that's 9 people) were working their way back into the church from having been involved in "three-somes" (two women having sex with one man, it parallels Mormon theology regarding polygamy). Teresa asked me what I thought about that (here her body-language was not challenging me or accusing, she was excited and inviting me to talk about it). Three concerns that made her discussion more than idle church gossip:

1. her husband, Clifford, worked at ProService as my Chief Operating Officer;
2. we all three shared the same religion that advocates polygamy; and
3. I am a single woman.

35. I was very uncomfortable with the conversation as it felt like she was suggesting something. The conversation had nothing to do with work and I was very uncomfortable with whatever she might be suggesting. Why did she want to discuss this with me? What about me reminded her of these couples? I ended the conversation by saying "Teresa, this is confidential bishopric information, how do you know about this?" She said "Oh, everyone is talking about it (validating the conversation - Let's discuss it.)" I was put off by the conversation and I quickly unlocked my moped to leave.
36. Again, in early November 2004, Clifford Jamile came into my office, took me into his office, sat me down, closed the door, and began by saying "The first thing I want to say to you Jackie is that you need to put your garments back on (the Mormons wear a religious undergarment with sleeves and I was wearing a sleeveless top so he knew that I was not wearing the garments). I was in the process of separating myself from the Mormon Church. I stopped him and said "Wait Clifford that is a decision that I have not yet made." He said "Yes you have made it you're not wearing them and you need to put them back on." I asked if this conversation will affect my job. He said no, but it did. It very directly affected my job, because when I did to Haunani what Clifford did to me, advised her on personal religious matters, a sexual harassment complaint was filed against me.
37. Clifford Jamile created a hostile working environment for me in the office. One incident with Sherri happened maybe two weeks after he met with me. Keep in mind that there was gossiping and chatter on a daily basis. I was sending a fax from the workroom, in Sherri's work area. She was facing me talking about something and Haunani, her daughter, came up to her and tucked her Mormon lace undergarment under the neckline of her moomoo. Sherri asked Haunani what she was doing and Haunani told her that she was hiding her garments. Sherri, looking at me, pulled her garment out in an exaggerated fashion and said "No! I'm very proud that I wear my garments. I want people to know that I wear my garments. No, leave my garments out. I want people to see that I wear my garments." Clifford had made me easy prey to my co-workers for hostile public confrontations of this nature. All I could do was walk away. I did report it to DoeAnn, my manager, but I don't believe DoeAnne understood the full gravity of the situation.
38. Haunani, Sherri, Clifford and Teresa all attend the same congregation. Clifford is a councilor in their bishopric so he is a very prominent man to them. Clifford is being fired from ProService. He is being treated like a secretary at work and he quits without notice. Teresa quits the same day, without notice. I am promoted to the President's secretary, and Clifford and Teresa know that I am leaving the Mormon Church. Sherri has already expressed that she is jealous of me for being promoted (#13) and is soon to lose her job; Don Wakeman told me that he was going to fire her the day that she filed the complaint against me. Haunani, a 17-year-old girl, is being exposed to sex-scandals of women sleeping with women in her church. How does a 17-year-old girl

process all this information? It must be really hard following two beautiful twins (#29), how does a girl get any attention?

39. This statement about Clifford's meeting with me in his office to put the religious undergarments back on is consistent with my December 2004 written statement submitted to ProService regarding my interactions with Haunani and her family. This statement is also consistent with my May 2005 statements submitted to Mary Wunch in the Hawaii Civil Rights office.
40. While at ProService, Sherri constantly asked me questions about my personal life, but I told her that I was not comfortable discussing those details; however, Sherri would still ask me.
41. Why have I waited two years to file this complaint?

1. I have not waited. I reported to ProService in December 2004, Mr. Jamile's meeting with me in his office ordering me to put the Mormon religious undergarment back on. ProService failed to properly advise me of my legal rights. This same written report of Mr. Jamile's meeting with me was also submitted to Mary Wunch in the Civil Rights office in May 2005, again the Civil Rights office failed to advise me on my legal rights. On March 24, 2007, I called Ms. Wunch's office to ask her why she did not call me back in 2005 upon reading my statements about Mr. Jamile's meeting with me in his office. Ms. Wunch told me that she did not read my statements. I was shocked. I asked Ms. Wunch who read my statements as they are an important part of Haunani's investigation. There was a long pause, she seemed speechless. She did ask me "Ms. Sauer, what are garments?" I explained to her on March 24, 2007, that "garments are a religious undergarment worn by the Mormons, and *that* Ms. Wunch would have been a *very* good question for you to have asked me in May 2005."

2. Intimidation. I am afraid that if I push my complaints about Mr. and Mrs. Jamile that ProService's lawyer will drop me as a client in Haunani's case against me, which was not negated by Mr. Yao or Mr. Griffin with the EEOC when I tried to file my complaints in 2006 and 2007. I was afraid that ProService would say that my complaint against ProService has become a conflict of interest and they can no longer cover my case. As long as ProService represents me in Haunani's complaint against me they keep me from filing a claim against ProService for a more serious complaint.

42. I want to file a lawsuit against Clifford and Teresa Jamile personally, and against ProService for not properly advising me and for not asking appropriate follow up questions about Mr. Jamile's meeting with me in his office that I reported in writing to ProService in December 2004. I also want to file a lawsuit against the Hawaii Civil Rights office for neglecting to read my statements on Haunani's case and neglecting to ask me appropriate follow up questions.
43. I declare under penalty of perjury under the laws of the State of Hawaii and the United States that the foregoing is true and correct.