


**NAILAH K. BYRD**
**CUYAHOGA COUNTY CLERK OF COURTS**
**1200 Ontario Street**
**Cleveland, Ohio 44113**

# Court of Common Pleas

**New Case Electronically Filed: COMPLAINT**
**May 30, 2025 15:17**

By: SEAN SOBEL 0086905

Confirmation Nbr. 3511164

PATRICK COSTIGAN

vs.

CITY OF CLEVELAND HEIGHTS, ET AL.

CV 25 118536

**Judge:** CARL J. MAZZONE

**Pages Filed:** 9

IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

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|---|---|---|
| PATRICK COSTIGAN<br>c/o Sean H. Sobel<br>Sobel, Wade & Mapley, LLC<br>65 Erieview Plaza, Suite 610<br>Cleveland, Ohio 44114<br><br>Plaintiff,<br><br>v.<br><br>CITY OF CLEVELAND HEIGHTS<br>c/o Gregory Beck<br>Baker, Dublikar, Beck, Wiley & Matthews<br>400 South Main Street<br>North Canton, Ohio 44720<br><br>-and-<br><br>NATALIE MCDANIEL<br>[Address Withheld, Waiver of Service Being Sought]<br><br>Defendants. | ) | CASE NO.<br><br>JUDGE<br><br>**COMPLAINT FOR INJUNCTIVE RELIEF** |

## INTRODUCTION

1. Plaintiff Patrick Costigan is an Ohio resident.
2. Costigan is the former Special Assistant to the Mayor for Cleveland Heights.
3. Costigan is an "employee" within the meaning of Chapter 4112 of the Ohio Rev. Code.
4. Defendant City of Cleveland Heights is a local government in the county of Cuyahoga and state of Ohio.
5. At all times material herein, Cleveland Heights was Costigan's "employer" within the meaning of R.C. § 4112.01(A)(2).
6. Defendant Natalie McDaniel is a Cuyahoga County resident.

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7. McDaniel is the wife of the Mayor of Cleveland Heights, Kahlil Seren.
8. Seren has publicly referred to McDaniel as the "First Lady" of Cleveland Heights, and acknowledged that she acts as his counsel and advisor.
9. McDaniel has been personally involved in official Cleveland Heights business, including sitting in on numerous committee meetings and job interviews for Cleveland Heights employees and consultants.
10. Costigan was specifically ordered by Mayor Seren to follow all directives given to him by McDaniel as if they were coming directly from the Mayor.
11. Numerous other Cleveland Heights employees were instructed by Mayor Seren to follow any and all directives coming from McDaniel.
12. While not elected or officially employed by Cleveland Heights, McDaniel acted in a supervisory capacity over Costigan.
13. Costigan brings an aiding and abetting claim against McDaniel in her individual capacity.
14. Costigan has submitted a Charge of Discrimination with the Equal Employment Opportunity Commission ("EEOC"), EEOC No. 532-2025-03273, against the City of Cleveland Heights.
15. While the Right to Sue letter has yet to be issued by the EEOC, Costigan brings the instant action seeking injunctive relief against the Defendants.
16. Costigan plans to amend the instant action to include additional relief once he has exhausted his administrative remedies with the EEOC.
17. The conduct and injuries giving rise to the claims below arose in Cuyahoga County, Ohio.
18. Personal jurisdiction is proper over the Defendants pursuant to R.C. § 2307.382(A)(1).
19. Venue is proper pursuant to Civ.R. 3(B)(3).

20. This Court is a court of general jurisdiction over the claims presented herein, including all subject matters of this Complaint.

## FACTUAL ALLEGATIONS

21. Costigan identifies as an ethnic Jew.

22. Costigan, on multiple occasions, discussed his Jewish heritage with McDaniel, and she was fully aware that he identified as an ethnic Jew.

23. McDaniel subjected Costigan to countless anti-Semitic remarks, orally and in writing, directed at Cleveland Heights elected officials, employees, and even a resident.

24. McDaniel made a comment to Costigan, while using what can be described as a stereotypical New York Jewish accent, that "black people don't grow up with generational wealth and things like a Jewish accountant," when discussing new state legislation that would charge interested parties for police body camera footage.

25. McDaniel made numerous comments about City Council's desire to recruit a "Jewish candidate" to fill an open council seat, and also referred to now-council member Jim Posch multiple times as the "Jewish candidate" the majority of council wanted.

26. McDaniel also made derogatory statements about former council members Michael Ungar and Jason Stein, who are both Jewish, and how they put their allegiance to the Orthodox Jewish community in Cleveland Heights above all else.

27. McDaniel, again in Costigan's presence, referred to Marty Gelfand as "one of them," meaning that Gelfand was being recruited to run against Mayor Seren because Gelfand is Jewish.

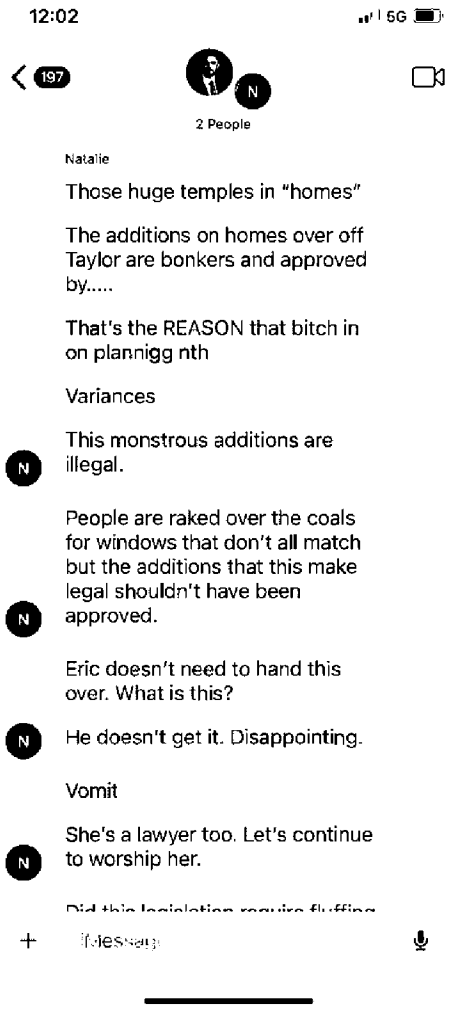
28. She also referred to Eric Zamft, the City's Planning and Economic Development Director and an Orthodox Jew, as a "pawn" of the Orthodox community and accused him and the City's

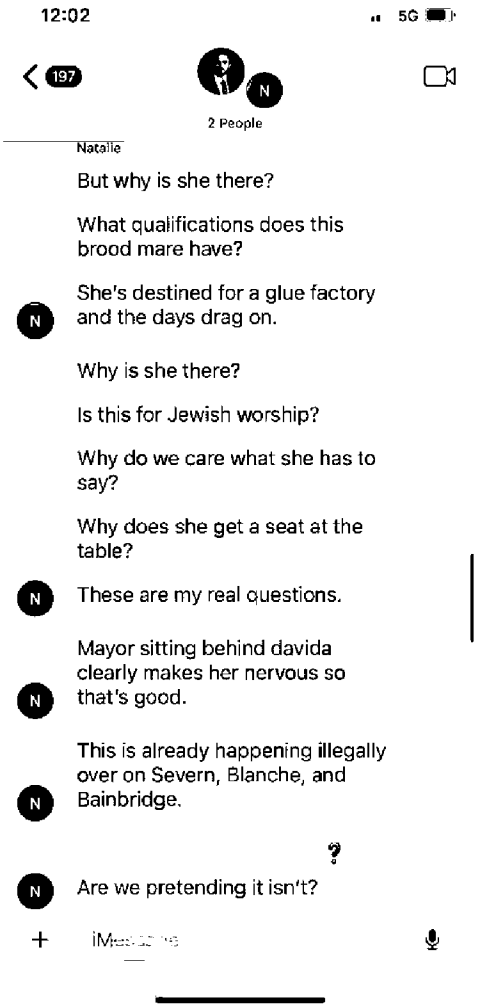
Planning Commission Chair, Jessica Cohen, of "fucking each other" simply because they are both Orthodox Jews.

29. McDaniel made Cohen the most frequent target of derogatory comments in Costigan's presence, consistently making fun of Cohen's Orthodox Jewish dresses and wigs, stating that she wanted to "rip her wig off."

30. During a Planning Commission meeting, McDaniel sent a series of text messages to Costigan and Mayor Seren using coded anti-Semitic language directed at Cohen.

31. The unedited text messages sent by McDaniel to Costigan and Mayor Seren are pictured below:






32. In the text messages, McDaniel was upset about new legislation that would change the zoning requirements for places of worship.

33. McDaniel was clearly taking issue with the effect these new requirements would have on the Orthodox Jewish community in Cleveland Heights.

34. McDaniel stated "the additions on homes over on Taylor and bonkers and approved by…" referencing homes in a predominantly Orthodox Jewish area of Cleveland Heights and stating that Cohen, an Orthodox Jew, is approving these additions.

35. McDaniel further remarked, ""That's the REASON that bitch in [sic] on planning nth [no thanks]," and is making the accusation that Cohen is on the Planning Commission simply to benefit Orthodox Jewish residents.

36. McDaniel then wrote to Costigan and Mayor Seren that "What qualifications does this brood mare have?" and "She is destined for a glue factory and the days drag on."

37. McDaniel is referring to Cohen as a "broodmare," a female horse that is kept primarily for breeding. This is coded and anti-Semitic language towards Cohen referencing the number of children in Orthodox Jewish families.

38. McDaniel would often complain to Costigan about the number of children in Cleveland Heights' Orthodox Jewish families.

39. McDaniel also directed anti-Semitic comments towards Jewish Cleveland Heights residents who would exercise their right to speak at Council meetings.

40. In one instance, an Orthodox Jewish resident who had what can be described as an East Coast Jewish accent, complained about City services.

41. McDaniel mimicked the accent on numerous occasions in Costigan's presence to make fun of the resident.

42. McDaniel also referred to a Cleveland Heights resident who frequently complained about City services as "that Jewish bitch."

43. McDaniel also approached Costigan to inquire whether the managing partner of an outside firm retained by Cleveland Heights for a development agreement for Severance Town Center was "a Jew" and whether there was an "alliance" between the managing partner and Zamft.

44. Not only did McDaniel make anti-Semitic statements to Costigan, but she also subjected him to grossly derogatory comments towards the LGBTQ community, of which Costigan is a member.

45. On numerous occasions, McDaniel referred to a Cleveland Heights council member as a "faggot" in Costigan's presence in response to an ongoing disagreement with Mayor Seren's budget proposal.

46. McDaniel even went so far as to boast to Costigan that she referred to that council member as a "faggot" to McDaniel's father in a telephone call.

47. The frequency and severity of these anti-Semitic and homophobic comments created a hostile work environment for Costigan and gave him no choice but to seek medical leave from the City.

48. On February 5, 2025, Costigan corresponded with Dan Horrigan, who was the City Administrator at the time, and cited a personal matter with McDaniel as contributing to his health issues and necessitating medical leave.

49. After the City did nothing to follow up with the issues that Costigan referenced with McDaniel, the City terminated Costigan's employment on March 13, 2025.

**FIRST CAUSE OF ACTION**
**(Hostile Work Environment)**
**(Against City of Cleveland Heights Only)**

50. Costigan incorporates by reference the allegations from the preceding paragraphs, as if fully realleged herein.

51. Because Costigan is an ethnic Jew, he is a member of a protected class for the purposes of R.C. § 4112.02.

52. McDaniel subjected Costigan to a hostile work environment in the form of unwelcome and offensive comments on the basis of religion and ancestry.

53. McDaniel was acting as Costigan's supervisor at the time she made numerous anti-Semitic comments to him.

54. The derogatory comments made by McDaniel to Costigan were severe and pervasive sufficient to interfere with the terms and conditions of Costigan's employment, in violation of R.C. § 4112.02.

55. The derogatory comments made by McDaniel to Costigan led to Costigan taking leave from his position and subsequently led to his termination of employment.

56. As a direct and proximate result of Cleveland Heights' unlawful conduct, Costigan suffered and will continue to suffer damages.

**SECOND CAUSE OF ACTION**
**(Aiding and Abetting in Violation of R.C. § 4112.02(J))**
**(Against Natalie McDaniel Only)**

57. Costigan incorporates by reference the allegations from the preceding paragraphs as if fully realleged herein.

58. Pursuant to R.C. § 4112.02(J), it is unlawful for any person to aid or abet unlawful discrimination.

59. In making extremely offensive and unwanted comments about Costigan's religion and/or ancestry in the workplace, McDaniel aided and abetted Cleveland Heights in unlawful discrimination.

60. As a direct and proximate result of the unlawful conduct of McDaniel, Costigan suffered and will continue to suffer damages.

**PRAYER FOR RELIEF**

Plaintiff Patrick Costigan, at this time, seeks injunctive relief against the City of Cleveland Heights ordering the City to:

1) institute policies, procedures, and educational programs sufficient to safeguard against further discrimination in the workplace on the basis of race, gender, national origin, disability, religion, sexual orientation or identity, age, or any other protected class;
2) certify that non-employees are not permitted to conduct official City business or be given unsupervised access to areas of Cleveland Heights City Hall that are reserved only for Cleveland Heights employees or elected officials; and
3) ensure that no retaliation occurs against individuals who take part in protected activity, including the unauthorized access of personnel files or other records in contravention of Ohio law.

Respectfully Submitted,

s/ Sean H. Sobel
Sean H. Sobel (0086905)
Sobel, Wade & Mapley, LLC
65 Erieview Plaza, Suite 610
Cleveland, Ohio 44114
T: (216) 223-7213
F: (216) 223-7213
sobel@swmlawfirm.com

Counsel for Plaintiff Patrick Costigan