

Lora Henry  
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### INTRODUCTORY REMARKS

I want to begin by thanking the Committee for the opportunity to share my story and for recognizing the ongoing harm that mandatory confidential arbitration requirements have caused to me and countless other women who have been sexually harassed on their jobs. Without this committee's subpoenaing my testimony, no one would have ever heard my story other than one single arbitrator in a closed room with a couple of attorneys.

My name is Lora Henry. I am a former employee of Ken Ganley Kia in Medina, Ohio. This is my story. Like many, when I was hired, I had a mess of papers put in front of me and was told to sign here, here and there. Just HR stuff, I was told. I did not know at that time that I had signed an arbitration agreement.

While working at Ganley Kia, my boss, Mike Gentry grabbed my butt. He pinched my nipples. He repeatedly made comments about my body, including that he could see my vagina through my pants. He bragged about getting blow jobs from a customer in exchange for gas gift cards. I hope we can all agree that this is disgusting behavior.

I wish it ended there. It did not. On my birthday, Mike Gentry showed up at my house unannounced with a bag of sex toys as "gifts." I had to tell him – my boss – to get out of my house. Unhappy with this answer, he later offered to pay me for sex at work, like I was some kind of whore. When I told him no, he tried to put the money down my shirt.

I was disgusted. I felt alone. I did not know whether this had happened to other women too. Had other victims been silenced with a secret arbitration? I found myself worried that I had *offended him* by rejecting his advances and kicking him out of my house -- ***that I would be fired!*** I dreaded going into work. Every drive into work, I thought, "What will he do today?" I would worry about

how he would react to my choice of clothing. Do you know how mentally exhausting it is to be on guard every second for a hand that would come out of nowhere to pinch or grope?

I feared that reporting the sexual harassment to Ganley Kia would cost me my job. Mike Gentry is the face of Ganley Kia's "Mike and Darwin" advertising campaigns on local and social media. I, on the other hand, was just one of many Sales Representatives.

Right before Christmas, 2020, Mike Gentry appeared at my home again unannounced. When I cracked my door open, Mike Gentry grabbed the door, pulled it open, and pushed his way in. He said that he had gifts for me. My heart sank.

He pulled his pants down and stuck a large syringe into his penis. It would help him get an erection, he told me. I feared that he would rape me right there. I screamed for him to get out of my house as loud as I could.

That was it. I finally reported it, hoping that I was wrong and that my employer would do the right thing.

Unfortunately, everything I had feared about reporting the sexual harassment came true. Ganley Kia did not take my complaint seriously. They conducted a sham investigation and said it was my fault. My fault? In what world is the woman to blame for a man showing up at her house with sex toys and injecting his penis?

I now know that they felt like they could make these absurd attacks on me because they knew that no one except an arbitrator would ever hear their lame defense of a sexual predator.

They involved their lawyers to protect the company and their star sexual predator, who they continued to put in their advertising. He and the dealership retaliated against me by cutting me off

from sales leads, which took away my sales and commissions. And, when I still would not quit, they fired me. Just shut up and go away.

I wanted to hold Mike Gentry and Ganley Kia accountable. I believed that if I stayed silent, he would be free to continue preying on women and Ganley would allow it. I wanted to stop him. So, I gathered all of the courage that I could stomach and filed a lawsuit. But they filed a motion to dismiss because of that “sign here, here and there” arbitration agreement. They stole my right to a jury. Because you allow women like me to be silenced by arbitration, Mike Gentry will never have to stand in front of a jury and explain himself.

I cannot sit here today and tell you whether Mike Gentry has victimized other women. I cannot tell you whether the Ganley Dealerships have fired other victims who complained about sexual harassment. I cannot tell you whether Ganley has systematically buried other instances of sexual harassment at its 40-plus dealerships in Ohio. I cannot tell you any of this because you have given Ganley the legal right to keep all of this in the shadows of arbitration agreements that are buried in hiring paperwork. What I can tell you is that the cycle of sexual harassment will continue if you force women to be quiet and allow sexual harassers and the companies that allow them to hide behind arbitration agreements.

This is my story, but it is also the story of countless other victims of sexual harassment *and future unnecessary victims*. So, I ask, do you want to force sexual predators to explain themselves in front of a jury or do you want to put sexual harassment victims back in a little silent box so that people like Mike Gentry can keep being the face of Ganley Kia’s advertising?

This is not political. This is morality. Do you side with the sexual predators or their victims?