FILED
MAR 19 2010
THOMAS R FALLOUIST
SPOKANE COUNTY CLERK

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON IN AND FOR THE COUNTY OF SPOKANE

JEANETTE IVAN,

10201101-8

Plaintiff.

COMPLAINT FOR DAMAGES

ADAMS COUNTY,

v.

Defendant.

COMES NOW the plaintiff, by and through her attorneys of record and alleges as follows:

I. PARTIES & JURISDICTION

- 1.1. Plaintiff is an individual currently residing in King County, Washington. At all times relevant hereto, plaintiff was employed by defendant Adams County.
- 1.2. Defendant Adams County is organized under the laws of the State of Washington. It includes its agents and employees, including but not limited to employees of Adams County Sheriff's Office.
- 1.3. The conduct occurred in Adams County, Washington where the plaintiff worked and the defendant conducted business. Pursuant to RCW 36.01.050(1), all actions against any county may be commenced in the superior court of such county, or in the superior court of either of the two nearest judicial districts. Jurisdiction and venue are proper

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in Spokane County as it is one of the two nearest judicial districts to Adams County.

1.4. A tort claim was filed in this matter pursuant to RCW 4.96 et seq., and sixty(60) days have passed without resolution of the claim.

11. STATEMENT OF FACTS

- 2.1. Plaintiff was employed as a dispatcher with the Adam County Sheriff's Office. In January 2007, plaintiff was tased at work by CO Robert Reynolds. Plaintiff reported the tasing to her supervisor. He thought it was humorous.
- 2.2. Others heard about the incident and plaintiff's complaint and the tasing became a widespread "joke" in the workplace. From the time of the initial tasing until she resigned in May 2009, plaintiff suffered ongoing harassment by both co-workers and supervisors. Most prevalent and disturbing was the continued use of tasers to frighten and intimidate plaintiff. On a frequent basis, and occasionally several times in a day, tasers were pointed at her as a threat. On several occasions, the Jail Commander touched a taser to plaintiff's back or fired one at her at close range. On one day in particular, he pointed it at the back of plaintiff's head and asked her "are you scared bitch?" Undersheriff John Hunt was in the room and witnessed this incident, but did nothing.
- 2.3. In February 2009, plaintiff put her complaints in the form of an inter-office memo and gave it to her supervisor, the 911 Coordinator. Undersheriff Hunt responded, telling her he needed names and specifics. Plaintiff had provided names, dates, and specifics several times over the previous two years and been retaliated against because of her complaints. Plaintiff referred Hunt to her prior complaints, which he took as a refusal to cooperate and took no action.

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2.4	4. Plaintiff realized just how futile her complaints were when she was provided
with a cop	by of a correction notice written by her supervisor, the 911 Coordinator, on March
23, 2009.	The supervisor had written a note to a sheriff department employee jokingly
telling her that the Jail Commander would "tase her" if she didn't leave the NCIC number	
blank.	

2.5. With the harassment ongoing and no action being taken by her supervisors, plaintiff felt she had no choice but to leave her employment, which she did on May 17, 2009.

III. LIABILITY

- 3.1. Defendant is liable for reckless and negligent infliction of emotional distress.
- 3.2. Defendant is liable for the tort of outrage.
- 3.3. Defendant is liable to plaintiff for gender discrimination in violation of RCW49.60, et. seq.
- 3.4. Defendant is liable to plaintiff for violation of 42 U.S.C. §1983 and plaintiff's right to equal protection of the law.

IV. DAMAGES

- 4.1. As a direct and proximate result of defendant's actions described above, plaintiff has sustained injuries for which she is entitled to be compensated, including but not limited to:
 - a. Past, present and future pain and suffering, both physical and emotional;
 - b. Past, present and future psychological trauma and impairment;
 - Mental health treatment bills and other expenses for past and future treatment related to the negligence;
 - d. Past and future wage loss and impaired earning capacity;

e. Attorneys fees and costs pursuant to RCW 49.60 and RCW 49.48.030, et. seq.

V. PRAYER FOR RELIEF

Judgment against defendant for damages set forth in this complaint, and for attorneys' fees and costs, pre-judgment interest and such other relief as the Court deems just and equitable.

DATED this $\frac{16^{4h}}{6}$ day of March, 2010.

SCHROETER, GOLDMARK & BENDER

REBECCA J. ROE, WSBA #7560

Counsel for Plaintiff