

Claim for Damages Pierce County

Risk Management Department
Ph: 253-798-7462

This Box is For Official Use Only.

Notice: No damages can be paid by Pierce County unless a claim complying with Washington State Law is presented to Risk Management. After filing a claim, please direct all questions to Risk Management at (253) 798-7462 (Office Hours 8:00am - 4:30pm). Pursuant to RCW 42.56 any documents submitted with this claim form are public records subject to disclosure.

Instructions: (1) Complete this form giving specific details about your damage or loss. Include dates, times, witnesses and supporting documents. (2) Sign the form and have it notarized. (3) Return completed form with original signature to Pierce County Risk Management, Suite 303, 955 Tacoma Avenue S., Tacoma, WA 98402. **Explanation of claims process:** After this Claim for Damages form is submitted to the Pierce County Risk Management Department, a claim number will be assigned to your claim. An investigator will conduct an investigation and be in contact with you.

Name: James Hall
First, Middle, Last (or business name)

Address: 110 Connelly Law Offices, 2301 N. 30th St. Tacoma, WA 98403
(Home or Business) City State Zip

Business Phone: 253-593-5100 Home Phone: _____ Message / Cell Phone: _____

Date of Birth 04/17/1966

Address at time loss / incident occurred: 28910 Hinkleman Rd. Buckley WA 98321
Address City State Zip

Date of Incident: see attachment Time of Incident: _____ Amount Claimed: \$ see attachment

Location of loss/incident: see attachment

Description of Details (Describe how the loss / incident occurred): see attachment

Pierce County's Involvement (if possible, please identify employee, department and/or vehicle involved): see attachment (Attach additional pages if necessary).

Witnesses (please provide addresses and phone numbers):
(1) see attachment (2) _____ (3) _____

Property Damage (please describe the value and extent of the damage to your home, automobile or personal property. Attach estimates, bills, photographs and whatever documentation of damages you may have): _____

Model _____ Make _____ Year _____ License Number _____ Insurance Name _____ Policy Number _____

Were you injured? No Yes If yes, then complete the following: Are you still receiving medical treatment? Yes No
Are you currently on Medicare/Medicaid? Yes No

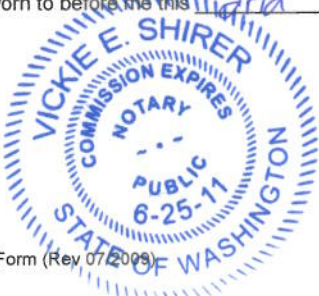
Describe your injury (Identify your doctor(s)/healthcare provider(s)): see attachment

" I declare under penalty of perjury under the laws of the State of Washington that the above is true and correct. "

James Hall Signature of Claimant or Authorized Agent (RCW 4.96.020 (3)) 11/2/10 Date

Subscribed and sworn to before me this 2nd day of November, 2010

(SEAL)



Vickie Shirer
NOTARY PUBLIC in and for the State of Washington,
residing at Tacoma

Tort Claim Against Pierce County - Attachment

- **Date(s) of Injury:** On or about March 19, 2009 and afterward.
- **Place Injuries Occurred:** Pierce County Assessor-Treasurer's Office, 2401 South 35th Street, # 142, Tacoma, WA 98409-7498. The injuries initially occurred at the this address, but also occurred throughout Washington State, including everywhere newspaper articles and web postings about the subject matter giving rise to this lawsuit were distributed or read.
- **Amount Claimed:** \$800,000 - 1,200,000. The amount of general damages is within the province of the jury to determine. Juries in cases involving defamation, false light, adverse employment actions in violation of public policy, and negligent and intentional infliction of emotional distress have awarded amounts in this range or higher as damages. Plaintiff reserves the right to increase or decrease this amount as the evidence warrants.
- **Attorney for Claimant:** John R. Connelly, Jr., Connelly Law Offices, 2301 N. 30th St., Tacoma, WA. 98403; (253) 593-5100.
- **Circumstances which brought about the injury or damages:**

On or about March 19, 2009, Pierce County, through its agents, representatives and employees at the Assessor-Treasurer's Office, began to ostracize, marginalize, retaliate against, and remove supervisory duties from Jim Hall, a dedicated 14-year employee of the Assessor-Treasurer's Office. These actions have continued to the present and are unjustified and fueled by a personal vendetta and petty office politics. Dale Washam ("Washam") was elected Pierce County Assessor-Treasurer in 2008 and took office in January 2009. Since that time, he has been obsessed with the alleged malfeasance of the prior Assessor-Treasurer, Ken Madsen, and has spent considerable County resources avoiding his Assessor-Treasurer duties and intimidating, humiliating, publicly discrediting and retaliating against employees, including Mr. Hall. Washam has targeted Mr. Hall and other employees, and has done everything in his power to create an intolerable working environment.

Shortly after taking office, Washam held an office meeting to discuss the alleged illegal acts of the Madsen administration. Washam became angry and accusatory toward those in attendance, prompting some to contact Pierce County Human Resources ("HR") while one employee, Sally Barnes, filed an Equal Employment Opportunity (EEO) complaint, citing Washam's hostility and other inappropriate actions. After learning of Ms. Barnes' complaint, Washam became outwardly aggressive and demeaning toward Ms. Barnes. At this time, Mr. Hall was favored by Washam, who confided in Mr. Hall and considered hiring him to be the Chief Deputy, a position that would later be awarded to Alberto Ugás ("Ugás"). On March 19, 2009, Washam revealed to Mr. Hall that he intended to fire Ms. Barnes by building a case against her "the dirty way." In defense of Ms. Barnes, Mr. Hall warned Washam that Ms. Barnes could not be fired without cause and, if Mr. Hall was called to testify about Ms. Barnes, he would provide both positive and negative critiques of her work. In response, Washam accused Mr. Hall of being a "protectionist" and both he and Ugás became increasingly hostile toward Mr. Hall from that point forward.

Washam's and Ugás' treatment of Mr. Hall worsened significantly after Mr. Hall participated in Ms. Barnes' EEO complaint investigation. The first retaliatory act occurred on

May 11, 2009, when Mr. Hall, who was then the Commercial Supervisor, learned that he and the Statistical Supervisor would switch positions. Mr. Hall had worked in Commercial for over a decade, earning a reputation for being a hard-working and skilled expert in commercial appraisal. Such a drastic change in positions was not only retaliatory, but also an act of poor management that resulted in Mr. Hall's skills and experience being completely underutilized. In the following weeks and months, the working conditions at the office and Mr. Hall's treatment by Washam and Ugás continued to deteriorate. Washam would erupt in anger over trivial or non-existent issues. On one occasion, Mr. Hall unintentionally offended Washam after referring to citizens who annually appeal property tax evaluations as "perennials." Shortly thereafter, Washam and Chief Deputy Albert Ugás stripped Mr. Hall of some of his supervisory responsibilities, leaving Mr. Hall with no other choice but to file his own complaint.

Around this time, the investigative report from Ms. Barnes EEO complaint was published, which concluded that Washam had unlawfully retaliated against Ms. Barnes. Pierce County HR Director Betsy Sawyers warned Washam that he needed to cease all retaliatory actions against employees, stating, "I do not believe that I can overemphasize how important it is that no further retaliation occurs to the complainant or any other employee. Such behavior would not only again, violate the law, but it would again place the County under increased liability." Despite this warning, Washam and Ugás continued to retaliate against Mr. Hall.

Washam and Ugás grew increasingly antagonistic and retaliatory toward Mr. Hall in December, 2009. Mr. Hall was singled out and targeted by Washam and Ugás and received two reprimands, both of which were later deemed to be unfounded by Pierce County HR. At the beginning of the year Mr. Hall was demoted from an Appraiser 5/Statistical Supervisor to Appraiser 3. A few days later, Ugás demoted Mr. Hall yet again. This time, Mr. Hall was moved to the Residential Team and required to work as a Residential Data Collector, doing work normally assigned to an entry level Appraiser 1. As one of Pierce County's most knowledgeable and technical expert witnesses on property assessment matters, tasking Mr. Hall with work he had performed over a decade ago was demeaning, demoralizing and resulted in significant lost wages and retirement benefits. Moreover, independent investigations have repeatedly confirmed that the actions of the Assessor-Treasurer's Office, including the actions of Washam and Ugás listed above, as well as others, were retaliatory and unlawful.

On May 24, 2010, Kent Nakamura provided HR with an investigation report that was created in response to Mr. Hall's whistleblower complaint. Mr. Nakamura concluded that Washam and Ugás abused their authority, violated state and federal employment laws, misused public funds and specifically targeted employees within the Assessor-Treasurer's Office in their never-ending grudge against the prior administration. On August 12, 2010, Donald Heyrich provided HR with the most recent investigative report on EEO complaints against the Assessor-Treasurer's Office. This report concluded, yet again, that Washam unlawfully retaliated against Mr. Hall, prompting HR to send a second letter to Washam, warning "how critical it is that no further retaliation occurs to the complainant or any other employee." Despite these repeated warnings, and the multiple investigations that have concluded Washam and Ugás have retaliated against employees, abused their power and misused public funds, they have relentlessly continued their unlawful behavior, subjecting Mr. Hall to stress, anguish, disparagement, defamation, false light, emotional distress and further substantial injury and damage to his reputation. Mr. Hall has been portrayed as a fraudulent criminal on the Assessor-Treasurer's Office's web site, he has had nearly all of his job responsibilities taken away, and he has been forced to start his career over, after working for 14 years as a dedicated, trusted and hard-working Pierce County employee. Based on the facts listed above, as well as others, Mr. Hall files this tort claim against Pierce County.

▪ **Description of Injuries or Damages:**

As a result of the actions listed above, as well as others, Mr. Hall has suffered lasting physical injury and extreme mental anguish. Mr. Hall's professional reputation and standing within his career field has been significantly damaged. His ability to pursue meaningful career alternatives has been significantly limited. In addition, as a result of Mr. Hall's demotion, he has lost rightfully earned retirement benefits and wages.

▪ **Claimed Damages:**

Mr. Hall has incurred lost wages, retirement benefits, and enduring damage to his professional and personal reputation within the community.

▪ **Pierce County's Involvement:** Pierce County Assessor-Treasurer, Dale Washam; Deputy Assessor-Treasurer, Albert Ugás; Assistant to the Assessor-Treasurer, Gretchen Borck.

▪ **Witnesses:**

- **Sally Barnes** – Contact information not available
- **Gretchen Borck** - 2401 South 35th Street, # 142, Tacoma, WA 98409-7498; 253-798-6111
- **Debbie Brammer** - 2401 South 35th Street, # 142, Tacoma, WA 98409-7498; 253-798-6111
- **Billie O'Brien** – 2401 South 35th Street, # 142, Tacoma, WA 98409-7498; 253-798-6111
- **Chris Case** - Contact information not available
- **Cheri Harrison** - 2401 South 35th Street, # 142, Tacoma, WA 98409-7498; 253-798-6111
- **Mike Johnson** - 2401 South 35th Street, # 142, Tacoma, WA 98409-7498; 253-798-6111
- **Cindy O'Neill** - 2401 South 35th Street, # 142, Tacoma, WA 98409-7498; 253-798-6111
- **Shellie Pollitt** - 2401 South 35th Street, # 142, Tacoma, WA 98409-7498; 253-798-6111
- **Albert Ugás** - 2401 South 35th Street, # 142, Tacoma, WA 98409-7498; 253-798-6111
- **Dale Washam** - 2401 South 35th Street, # 142, Tacoma, WA 98409-7498; 253-798-6111
- **Mark Williams** - 2401 South 35th Street, # 142, Tacoma, WA 98409-7498; 253-798-6111