

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: Shellie Lynn Pollitt

First, Middle, Last (or business name)

Address: c/o 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 _____

Address at time loss / incident occurred: 6211 86th Ave. W. University Place WA 98467

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):

(Attach additional pages if necessary).

see attachment

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 _____ Insurance _____ Policy _____
Number _____ Name _____ Number _____

Were you injured? No Yes If yes, then complete the following:

Are you still receiving medical treatment? Yes No

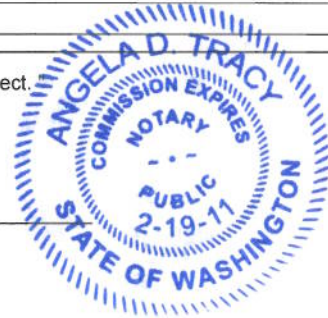
Are you currently on Medicare/Medicaid? Yes No

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.

Shellie Pollitt
Signature of Claimant or Authorized Agent (RCW 4.96.020 (3))

1-4-2011
Date



Subscribed and sworn to before me this 4th day of January 2011.

(SEAL)

Angela D. Tracy
NOTARY PUBLIC in and for the State of Washington,
residing at Puyallup, WA

Tort Claim Against Pierce County - Attachment

- **Date(s) of Injury:** On or about January 22, 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:** \$500,000 – \$800,000. The amount of general damages is within the province of the jury to determine. Juries in cases involving defamation, false light, retaliatory demotion, 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 January 22, 2009 Pierce County, through its agents, representatives and employees at the Assessor-Treasurer's Office ("the Office"), began to marginalize and retaliate against Shellie Pollitt, a dedicated 22-year employee of the Office. 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 Ms. Pollitt. Washam has targeted Ms. Pollitt 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 and the fact that Ms. Pollitt and others were participating in the corresponding investigation, Washam became outwardly aggressive, demeaning and retaliatory toward Ms. Pollitt.

In May 2009, Alberto Ugás was appointed Chief Deputy of the Office and informed Ms. Pollitt that she and Jim Hall, who supervised the commercial division of the office, would swap roles. Ms. Pollitt had worked her way up the ranks as a residential appraiser, and had no experience in commercial appraisal. Such a drastic change in positions was not only retaliatory, but also an act of poor management that resulted in Ms. Pollitt's skills and experience being completely underutilized and Ms. Pollitt becoming overburdened with responsibility for which she had not been properly trained. In the following weeks and months, the working conditions at the office and Ms. Pollitt's treatment by Washam continued to deteriorate. During meetings Washam would belittle Ms. Pollitt and accuse her of being complicit in the alleged criminal acts of the Madsen administration; at one point, Washam became enraged and exhibited threatening behavior toward her.

The investigative report from Ms. Barnes' EEO complaint was published in August 2009, and concluded that Washam had unlawfully retaliated against her. 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 continued to retaliate against Ms. Pollitt and other employees in the Office, eventually demoting her, while simultaneously overburdening her with more responsibilities that had been taken away from other employees. By all accounts, Washam appeared to be setting Ms. Pollitt up for failure.

On May 24, 2010, Kent Nakamura provided HR with an investigation report that was created in response to a complaint of improper governmental action. 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, including Ms. Pollitt, 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 his employees, 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 that Washam retaliated against employees, abused his power and misused public funds, he has relentlessly continued to use unlawful behavior, subjecting Ms. Pollitt to stress, anguish, disparagement, defamation, false light, emotional distress and further substantial injury and damage to her reputation. Ms. Pollitt has been portrayed as a fraudulent criminal on the Assessor-Treasurer's Office's web site, transferred to a position for which she was not properly trained, demoted, and overburdened with the responsibilities that are well beyond her job description. Based on the facts listed above, as well as others, Ms. Pollitt files this tort claim against Pierce County.

▪ **Description of Injuries or Damages:**

As a result of the actions listed above, as well as others, Ms. Pollitt has suffered lasting physical injury and extreme mental anguish. Ms. Pollitt's professional reputation and standing within her career field has been significantly damaged. Her ability to pursue meaningful career alternatives has been significantly limited. In addition, as a result of the intolerable working conditions at the Pierce County Assessor-Treasurer's Office, and her subsequent constructive discharge, she has lost rightfully earned retirement benefits and wages.

▪ **Claimed Damages:**

Ms. Pollitt has incurred lost wages, retirement benefits, and enduring damage to her professional and personal reputation within the community.

▪ **Pierce County's Involvement:** Pierce County Assessor-Treasurer, Dale Washam.

▪ **Witnesses:**

- **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
- **Bill Curtindale** - 2401 South 35th Street, # 142, Tacoma, WA 98409-7498; 253-798-6111
- **Jim Hall** - 2401 South 35th Street, # 142, Tacoma, WA 98409-7498; 253-798-6111
- **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
- **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