

Snohomish County Superior Court
Sonya Kraski
Snohomish County Clerk
Everett WA

2015 OCT 28 PM 3:44

SONYA KRASKI
COUNTY CLERK
SNOHOMISH CO WASH

15-2-06889-8

Rcpt. Date	Acct. Date	Time
10/28/2015	10/29/2015	04:03 PM
Receipt/Item #	Tran-Code	Docket-Code
2015-02-24704/01	1100	\$FFR
Cashier: KAA		

Paid By: LAW OFFICES, JUDITH A. LONNQUIST
Transaction Amount: \$240.00

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

DENNIS TAYLOR,

Plaintiff,

NO. **15 2 06889 8**

v.

SUMMONS [20 days]

CITY OF LAKE STEVENS d/b/a LAKE
STEVENS POLICE DEPARTMENT, JAN
BERG, and VERN LITTLE, individually and
as its agent,

Defendants.

TO DEFENDANT: City of Lake Stevens
Norma Scott, City Clerk
City Hall
1812 Main Street
Lake Stevens, WA 98258

A lawsuit has been started against you in the above-entitled court by Dennis Taylor, Plaintiff. Plaintiff's claim is stated in the written complaint, a copy of which is served upon you with this summons.

In order to defend against this lawsuit, you must respond to the complaint by stating your defense in writing, and by serving a copy upon the person signing this summons within twenty (20) days after the service of this summons, excluding the day of service, or a default judgment may be entered against you without notice. A default judgment is one where Plaintiff is entitled to what

1 he/she asks for because you have not responded. If you serve a notice of appearance on the
2 undersigned person, you are entitled to notice before a default judgment may be entered.

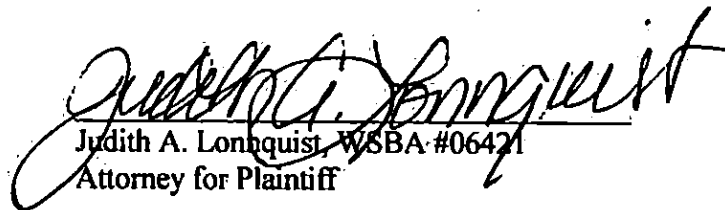
3 You may demand that the Plaintiff file this lawsuit with the court. If you do so, the demand
4 must be in writing and must be served upon the person signing this summons. Within fourteen (14)
5 days after you serve the demand, the Plaintiff must file this lawsuit with the court, or the service on
6 you of this summons and complaint will be void.

7
8 If you wish to seek the advice of any attorney in this matter, you should do so promptly so
9 that your written response, if any, may be served on time.

10 This summons is issued pursuant to Rule 4 of the Superior Court Civil Rules of the State of
11 Washington.

12 DATED this 26th day of October, 2015

13
14 LAW OFFICES OF
15 JUDITH A. LONNQUIST, P.S.

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17 
18 Judith A. Lonquist, WSBA #06421
19 Attorney for Plaintiff

FILED

2015 OCT 28 PM 3:44

SONYA KRASKI
COUNTY CLERK
SNOHOMISH CO. WASH

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

DENNIS TAYLOR,
Plaintiff,

NO. **15 2 06889 8**

v.

SUMMONS [20 days]

CITY OF LAKE STEVENS d/b/a LAKE
STEVENS POLICE DEPARTMENT, JAN
BERG, and VERN LITTLE, individually and
as its agent,
Defendants.

TO DEFENDANT: Jan Berg
City Hall
1812 Main St.
P.O. Box 257
Lake Stevens, WA 98258

A lawsuit has been started against you in the above-entitled court by Dennis Taylor, Plaintiff. Plaintiff's claim is stated in the written complaint, a copy of which is served upon you with this summons.

In order to defend against this lawsuit, you must respond to the complaint by stating your defense in writing, and by serving a copy upon the person signing this summons within twenty (20) days after the service of this summons, excluding the day of service, or a default judgment may be entered against you without notice. A default judgment is one where Plaintiff is entitled to what

1 he/she asks for because you have not responded. If you serve a notice of appearance on the
2 undersigned person, you are entitled to notice before a default judgment may be entered.

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18 Judith A. Lonnquist, WSBA #06421
19 Attorney for Plaintiff
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SONYA FRASKI
COUNTY CLERK
SNOHOMISH CO. WASH

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

DENNIS TAYLOR,

Plaintiff,

NO. **15 2 06889 8**

v.

SUMMONS [20 days]

CITY OF LAKE STEVENS d/b/a LAKE
STEVENS POLICE DEPARTMENT, JAN
BERG, and VERN LITTLE, individually and
as its agent,

Defendants.

TO DEFENDANT: Vern Little
City Hall
1812 Main St.
P.O. Box 257
Lake Stevens, WA 98258

A lawsuit has been started against you in the above-entitled court by Dennis Taylor, Plaintiff. Plaintiff's claim is stated in the written complaint, a copy of which is served upon you with this summons.

In order to defend against this lawsuit, you must respond to the complaint by stating your defense in writing, and by serving a copy upon the person signing this summons within twenty (20) days after the service of this summons, excluding the day of service, or a default judgment may be entered against you without notice. A default judgment is one where Plaintiff is entitled to what

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2 undersigned person, you are entitled to notice before a default judgment may be entered.

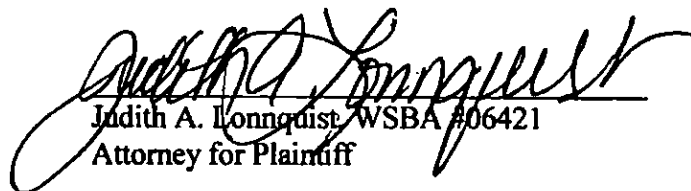
3 You may demand that the Plaintiff file this lawsuit with the court. If you do so, the demand
4 must be in writing and must be served upon the person signing this summons. Within fourteen (14)
5 days after you serve the demand, the Plaintiff must file this lawsuit with the court, or the service on
6 you of this summons and complaint will be void.

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18 Judith A. Lonquist WSBA #06421
19 Attorney for Plaintiff

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

DENNIS TAYLOR,

Plaintiff,

v.

CITY OF LAKE STEVENS d/b/a LAKE
STEVENS POLICE DEPARTMENT, JAN
BERG, and VERN LITTLE, individually and
as its agent,

Defendants.

NO. **15 2 06889 8**

COMPLAINT FOR
DAMAGES AND OTHER
RELIEF

INTRODUCTION

This action is brought pursuant to common law and RCW 49.60 to redress acts of retaliation, wrongful discharge and defamation. Plaintiff seeks lost pay, benefits and employment opportunities, emotional distress damages, attorneys' fees and costs, injunctive and other relief.

I. JURISDICTION AND VENUE

1. Defendant City does business in Snohomish County. On information and belief, Defendants Berg and Little reside in Snohomish County. Plaintiff resides in Snohomish County, and his workplace where the acts complained herein occurred is in Snohomish County.

1 2. This court has jurisdiction pursuant to common law and Chapter 49 RCW.

2
3 **II. PARTIES**

4 3. Plaintiff is a married man residing in Snohomish County, Washington. At all
5 relevant times, he has worked and is still working as a law enforcement employee in
6 Defendant's Police Department ("LSPD").

7 4. Defendant City of Lake Stevens is a municipality operating as a local government
8 subject to the laws of Washington. It employs more than eight employees and has its
9 principal office in Lake Stevens, Washington. It operates a police department in Lake
10 Stevens, Washington, where, at all relevant times, Plaintiff was employed.

11
12 5. Defendant Berg serves as the City Administrator, and was responsible for Plaintiff's
13 wrongful and retaliatory termination.

14 6. Defendant Little serves as Mayor of the City of Lake Stevens, and ratified Defendant
15 Berg's wrongful and retaliatory termination of Plaintiff.

16
17 **III. STATEMENT OF CLAIMS**

18 7. On November 1, 2013, Plaintiff was hired by LSPD as a commander.

19
20 8. In 2013, one of the employees of the LSPD, Julie Jamison complained of sexual
21 harassment and retaliation and ultimately filed a lawsuit against Defendant Lake Stevens.
22 Plaintiff supported Ms. Jamison in her pursuit of vindication for her rights to be free of
23 discrimination and retaliation pursuant to the Washington Law Against Discrimination,
24 RCW 49.60.

25
26 9. On or about March 1, 2014, Defendant Berg announced that Defendant City was
eliminating the position of Police Services Officer (PSO) ostensibly for budgetary reasons.

1 The position elimination resulted in displacing the incumbent PSO, Cindy Brooks, who
2 recently had exercised her rights under a collective bargaining agreement to challenge
3 actions of Defendant Berg:

4 10. Plaintiff objected to Defendant Berg's elimination of the PSO position for safety
5 reasons and because he believed that the move was in retaliation for PSO Cindy Brooks'
6 exercise of her rights under the collective bargaining agreement.
7

8 11. Plaintiff repeatedly raised concerns with Defendant Berg regarding a serious safety
9 issue related to assigning PSO duties to police officers untrained in handling stray or vicious
10 animals and requested appropriate training. Defendant Berg denied Plaintiff's request and
11 accused him of challenging her authority.
12

13 12. Plaintiff raised concerns that as a result of Defendant Berg's actions, LSPD officers
14 were required on occasion to transport animals in patrol cars in violation of Health rules.

15 13. Plaintiff repeatedly raised concerns about the directive that the Police Services truck
16 be used to transport animals when officers driving it often are redirected to emergencies in a
17 vehicle that is not equipped for such activities, thereby creating a safety risk for police
18 officers and the public.
19

20 14. When Plaintiff raised, or attempted to raise, these issues with the LSPD Chief, each
21 time he was ordered to cease and desist discussion his safety concerns with anyone, at pain
22 of discipline.

23 15. On several occasions, Defendant Berg told Plaintiff that she knew he had been
24 supportive of Ms. Jamison's lawsuit and threatened that it would jeopardize his job with
25 Defendant City of Lake Stevens.
26

1 16. On or about June 8, 2015, the employee who had been accused by Sargent Jamison
2 of sexual harassment lodged a complaint against Plaintiff. On or about June 30, 2015,
3 Defendant Berg placed Plaintiff on administrative leave pending further investigation.
4

5 17. On or about August 6, 2015, Defendant Berg notified Plaintiff that she had
6 determined that he had testified falsely in the City's investigation and was recommending
7 that he be discharged and that he be issued a "Brady" letter, pursuant to Lexipol Policy
8 #606.
9

10 18. On or about August 10, 2015, Defendants conducted a "Loudermill" hearing at
11 which Plaintiff defended himself and refuted the allegations. Thereafter, on September 3,
12 2015, Defendant Little upheld the recommendation of Defendant Berg and decided that
13 Plaintiff should be mandatorily retired as of December 31, 2015.
14

15 19. On September 17, 2015, Plaintiff contested the "retirement" and proposed that he be
16 reinstated as Commander immediately. Defendants rejected his proposal. After December
17 31, 2015, Plaintiff will no longer be employed by LSPD.

18 20. The acts and conduct of Defendants violate public policies ensuring police safety.
19

20 21. The acts and conduct of Defendants violate public policies protecting the health and
21 welfare of police officers and the public.

22 22. The acts and conduct of Defendants violate the public policy of due process
23 established by Article I, section 3 of the Washington Constitution.
24
25
26

1 23. The acts and conduct of Defendants violate the public policy prohibiting retaliation
2 against employees participating in proceedings to vindicate discrimination pursuant to RCW
3 49.60.210.

4
5 24. By effectively terminating Plaintiff's employment as of December 31, 2015,
6 Defendants have violated and continue to violate RCW 49.60.210.

7 25. As a result of the retaliatory acts and conduct, Plaintiff has suffered and continues to
8 suffer severe emotional distress.

9
10 26. The allegations that Plaintiff engaged in falsehoods, are false and defamatory and are
11 geared to sully and destroy Plaintiff's reputation and ability to regain employment in his
12 field.

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COUNT I

Defendants have retaliated against Plaintiff, and continue to retaliate against him, in violation of RCW 49.60.210.

COUNT II

Defendants have retaliated against Plaintiff for whistleblowing and wrongfully have discharged, or otherwise terminated Plaintiff from employment, in violation of public policy.

COUNT III

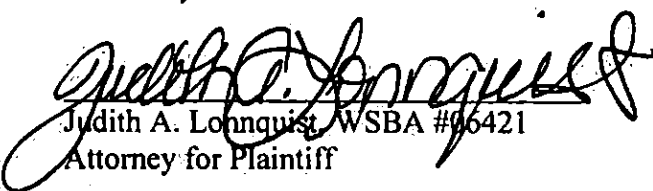
Defendants have defamed and continue to defame Plaintiff and injured his reputation and employability.

1 WHEREFORE, Plaintiff respectfully requests the following relief:

- 2 A. Back pay and other economic damages;
- 3 B. Emotional distress damages;
- 4 C. Pre-judgment interest;
- 5 D. Reasonable attorney's fees and litigation expenses pursuant to RCW
- 6 49.48.030 and/or RCW 49.60.030(3);
- 7 E. Injunctive relief;
- 8 F. Tax relief;
- 9 G. Costs;
- 10 H. Such other relief as the Court deems appropriate.

12 Dated this 26th day of October, 2015.

15 LAW OFFICES OF JUDITH A.
16 LONNQUIST, P.S.

17 

18 Judith A. Lonquist, WSBA #06421
19 Attorney for Plaintiff