

JOINT PRESS RELEASE

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The lawsuit brought by three EDSO Community Services Officers has been resolved. In June 2010, Nicole Sahaj-Myers, Stacie Walls, and Jona Scher filed suit in federal court against the County and seven EDSO employees alleging they had been subjected to discrimination and harassment based on their gender, as well as retaliation for making complaints.

The County and the employees who were sued denied they violated the law, and the case was vigorously litigated. The scope of the lawsuit narrowed after the plaintiffs voluntarily dismissed the claims against the EDSO employees, and after Judge John Mendez ruled that the Sheriff's Office had just cause to terminate Scher and Sahaj-Myers from their employment. No money was paid in exchange for dismissal of the claims against the employees. Judge Mendez also ruled that the plaintiffs' harassment and gender discrimination claims could proceed to trial so a jury could make a decision based on the conflicting evidence presented by the parties.

The parties were scheduled to begin trial on June 10, 2013 on the remaining claims of gender discrimination and harassment. Rather than go through the expense and uncertainty of a three-week jury trial, the parties agreed to settle the entire case for \$95,000, inclusive of attorney's fees. The settlement is a compromise of disputed claims, not an admission of liability.

Sheriff John D'Agostini, who took office after the alleged events occurred, was confident the jury would find in favor of the County after it heard the evidence, but understands the financial benefit of resolving the case because of the law on attorney's fees. If the jury awarded even \$1 to any of the women, the County would have had to pay the plaintiffs' attorney's fees and costs—which could be hundreds of thousands of dollars.

The plaintiffs continue to maintain that they suffered harassment and gender discrimination by the County and believe a jury would agree but have agreed to settle the matter in order to resolve the issue and avoid the risk of having to pay the County's costs of suit if they were to lose at trial, which is the law.

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The federal court lawsuits filed by a former deputy sheriff, two former correctional officers, and a former EDSO sergeant have all been dismissed without payment of any money to the plaintiffs or their attorney.

In 2010, attorney Douglas Watts filed a lawsuit on behalf of Tanya Hunt against the County and five EDSO employees, claiming that Hunt had been discriminated against on the basis of her gender, and targeted by a group that Watts and Hunt called "The Boys Club". The employees named in the suit and the County denied all claims made by Hunt, including her allegation that she was terminated without cause. Hunt dropped her lawsuit in October, 2012 after significant discovery was done in the case.

Former EDSO sergeant Donald Atkinson was the primary witness for Hunt. Representing himself, Atkinson filed a lawsuit in September, 2011 just a few days before he abruptly retired. Atkinson claimed he too was targeted by the "Boys Club", an allegation that was denied by the County. Six months later he was arrested on 44 felony counts of fraud, embezzlement, grand theft, and perjury. Atkinson pled no contest to three felony counts, and is currently in state prison. His lawsuit was dismissed by the court.

In 2011, Watts filed a lawsuit on behalf of Terry Simmons and Kelly Laney, also alleging they had been discriminated against on the basis of gender and targeted by the alleged "Boys Club". The employee named in the suit and the County denied the claims. Simmons and Laney, like Hunt, dropped their lawsuit in October, 2012.

County Counsel Ed Knapp said that while the County is pleased the lawsuits were dismissed, it is unfortunate it had to spend significant money defending the baseless claims.