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Summons Case No 03 2 03190 2	
GRANTOR(S) (Last name, first name, middle initial)	
Skamania County	
<input type="checkbox"/> Additional names on page _____ of document.	
GRANTEE(S) (Last name, first name, middle initial)	
Thompson, Ila Mae	
<input type="checkbox"/> Additional names on page _____ of document.	
LEGAL DESCRIPTION (Abbreviated: i.e., Lot, Block, Plat or Section, Township, Range, Quarter, Quarter)	
n/a	
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JUN 17 2003

Judith McBride, Clerk, Clark Co.

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

ILA MAE THOMPSON,

Plaintiff,

vs.

SKAMANIA COUNTY, a
Washington State County,

Defendant.

No. 03 2 03 190 2

SUMMONS

TO: SKAMANIA COUNTY, defendant:

A lawsuit has been started against you in the above-entitled court by the above-named 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 serve a copy upon the undersigned attorney for the Plaintiff within twenty (20) days after the service of the Summons, excluding the day of service, or within sixty (60) days if this Summons was served outside the State of Washington, 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 he asks for because you have not responded. If you serve a notice of appearance on the undersigned attorney, you are entitled to notice before a default judgment may be entered.

You may demand that the Plaintiff file this lawsuit with the court. If you do so, the demand must be in writing and must be served upon the Plaintiff. Within 14 days after you serve the demand, the Plaintiff must file this lawsuit with the court, or the service on you of this Summons and Complaint will be void.

1 - SUMMONS

JACQUES, SHARP, SHERRER & FITZSIMONS

ATTORNEYS AT LAW

201 THIRD STREET - PO BOX 457

WOOD LAKE, WASH. 98091

PHONE (509) 894-1311

FAX (509) 894-2771

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

3 This Summons is issued pursuant to Rule 4 of Superior Court Rules of the State of
4 Washington.

5 JAQUES, SHARP, SHERRERD & FITZSIMONS

6 DATED: June 16 2003

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8 Michael B. FitzSimons, WSBA #25054
9 Attorney for Plaintiff
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2 - SUMMONS

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JUN 17 2003

Jolene McAnide, Clerk, Clark Co.

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

ILA MAE THOMPSON, a married person,)

Plaintiff,)

vs.)

SKAMANIA COUNTY, a Washington
State County,)

Defendant.)

No. **03 2 03 190 2**

COMPLAINT FOR UNPAID WAGES

Plaintiff, Ila Mae Thompson, alleges as follows:

I. PARTIES

1.1 Ila Mae Thompson is a married person, residing and working in Skamania County, Washington.

1.2 Skamania County, Washington is a Washington State County, adjacent to Clark County, Washington.

II. JURISDICTION AND VENUE

2.1 This Court has jurisdiction over this matter pursuant to RCW 36.01.030.

2.2 Venue is proper in Washington County pursuant to RCW. 36.01.050 because

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1 Clark County is the nearest judicial district to Skamania County.

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3 **III. STATEMENT OF FACTS**

4 3.1 Ms. Thompson is employed by Defendant in the Assessor's Office and has been
5 since 1974.

6 3.2 In addition to Ms. Thompson's full-time job in the County Assessor's office since
7 1974, she also has performed civil service work for Defendant since 1971.

8 3.3 From the commencement of her civil service work in 1971 until late 1996 or early
9 1997, Ms. Thompson was either never paid for her services, or paid at an incorrect amount.

10 3.4 In late 1996, Defendant was advised by the State Auditor that Ms. Thompson
11 should have been paid overtime pay for her civil service work.

12 3.5 Upon hearing of the mistake, Ms. Thompson requested back pay from Defendant
13 for her services when she was not compensated at the correct amount.

14 3.6 Defendant denied her request.

15 3.7 In 2002, the State Auditor asked Ms. Thompson whether she was ever paid back
16 pay for the period of time for which she was paid incorrectly by Defendant. It was after this
17 questioning by the State Auditor that Ms. Thompson began to suspect that the Defendant was
18 incorrect in denying her back pay for uncompensated overtime.

19 3.8 Pursuant to RCW 36.45.010, Ms. Thompson has filed a claim with the County.

20 3.9 More than 60 days have passed since Ms. Thompson filed the claim. Ms.
21 Thompson has satisfied her notification requirement which is a prerequisite to filing suit.

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IV. FIRST CLAIM FOR RELIEF
RCW 49.46.130
Unpaid Overtime Compensation

4.1 Plaintiff realleges paragraphs 1.1 through 3.9 as if fully set forth herein.

4.2 Ms. Thompson is entitled to a judgment against Defendant for her incorrectly paid wages in excess of \$70,000.

4.3 Ms. Thompson is entitled to attorney fees for prosecuting this action (RCW 49.48.030) and for her costs and disbursements incurred and otherwise prescribed by statute.

V. SECOND CLAIM FOR RELIEF
29 USC §207
Unpaid Overtime Compensation

5.1 Ms. Thompson realleges the allegations set forth in paragraphs 1.1 through 4.3.

5.2 At all material times, Defendant was an "enterprise engaged in commerce" within the meaning of Section 3 of the Fair Labor Standards Act (FLSA). 29 USC §203.

5.3 Defendant has violated the overtime compensation requirements of the FLSA by failing to pay Ms. Thompson back pay at the rate of one and a half times her regular rate of pay for all hours worked in excess of forty hours per week.

5.4 Ms. Thompson is entitled to a judgment against Defendant for her unpaid overtime in an amount in excess of \$70,000.

5.5 Ms. Thompson is entitled to an award of attorney fees and costs pursuant to the provisions of Section 16(b) of the FLSA 29 USC §216(b).

WHEREFORE Plaintiff prays for:


1. Judgment in an amount to be proven at trial, but not less than \$70,000 for Count I.

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2. Judgment in an amount to be proven at trial, but not less than \$70,000 for Count II.
 3. Attorney fees pursuant to statute; and
 4. Other relief the Court deems just and equitable.

DATED this 16 day of June, 2003.

JAKUES, SHARP, SHERRERD & FITZSIMONS


Michael B. FitzSimons, WSBA # 25054
Attorney for Plaintiff
205 Third Street / P.O. Box 457
Hood River, OR 97031
541-386-1311

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