



SKAMANIA COUNTY CLAIM FOR DAMAGE FORM

<p>CLAIMANT: <u>THIS CLAIM MUST BE FILED WITH THE</u></p> <p style="padding-left: 40px;">SKAMANIA COUNTY AUDITOR'S OFFICE Skamania County Courthouse P.O. Box 790 240 NW Vancouver Avenue, Room 27 Stevenson, WA 98648</p> <p>NO DAMAGES CAN BE PAID BY SKAMANIA COUNTY UNLESS THIS FORM IS COMPLETE. THIS PROVISION CANNOT BE WAIVED.</p>	<p>FOR OFFICE USE ONLY:</p> <p>CLAIM NO. _____</p> <p>DATE FILED: _____</p> <p>COPIES TO: _____</p> <p>ATTACHMENTS: YES(#____) NO</p>
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1. Name (including spouse if married): (Please Print)
Beth E. Pinson, as Guardian of the person and the Estate of Krysta Necole Pinson

2. 1000 N.E. 65th Street Vancouver WA 98665
Address City State Zip

3. HM Phone: (360)891-1670 WK Phone: (360)891-7296 MSSG Phone: _____

4. Date and time of incident: On or about the evening of October 10th, 2005.

5. Location of incident:
Camp WI-RI-KI, 17051 Washougal River Road, Washougal, WA 98671

6. Describe in narrative form and in detail exactly how the incident occurred:
See attached and annexed Tort Claim Notice

7. What is the amount of damages claimed arising out of the following circumstances (Include estimates and bills, if available): See attached and annexed Tort Claim Notice

- 8. Please list name and address of any and all witnesses or persons involved:
(Please Print)
See attached and annexed Tort Claim Notice

- 9. Describe the damages or injuries you sustained as a result of the incident: See attached and annexed Tort Claim Notice

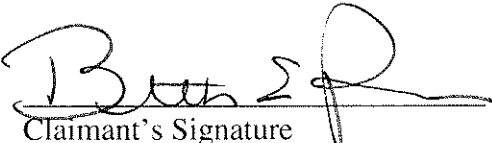
- 10. Was incident investigated by a police officer? No. Sheriff N/A State Patrol N/A
City N/A
- 11. If a vehicle was involved in the incident, describe: Make _____
Model _____ Year _____ State _____ License No. _____
Insurance Company _____ Policy Number _____
- 12. Describe what you did after the incident occurred: See attached and annexed Tort Claim Notice.

- 13. Describe the conversations you had, if any, with County personnel during or after the incident occurred. None known.

- 14. How did you identify the County as the party responsible for your damage?
Skamania County owns the premises where Krysta Necole Pinson was injured.

I certify under penalty of perjury under the laws of the State of Washington that the information contained in this claim is true and correct.

DATED THIS 1 DAY OF July, 2008


Claimant's Signature

File Name: Commiss/Risk Mang/Claims/Claim For Damages

NOTE: Personal property (car, etc.) damages are to be accompanied by 2 estimates for repair costs. The Skamania County Risk Manager will investigate this claim. The decision to honor this claim will be based upon that investigation. Making a false report or providing false evidence is a crime and punishable by fine and/or imprisonment. Additional pages may be attached if needed to answer the questions.

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Beth E. Pinson, as Guardian of)
 the person and the Estate of)
 Krysta Necole Pinson (a minor);)
 Britton T. Pinson,)
 individually; and Beth E.)
 Pinson, individually.)
 Claimants,)
 v.)
 Skamania County, a Washington)
 State County)
 Respondent.

**TORT CLAIM NOTICE
 PURSUANT TO RCW 4.96.020
 FOR DAMAGES FOR PERSONAL
 INJURIES**

COME NOW claimants, and for their claims against the Respondent, Skamania County, a Washington State County, and allege and claim as follows:

Tort Claim Notice- 1

Law Office Of
 Grant A. Gehrman p.s
 203 SE Park Plaza Dr.
 Suite 240
 Vancouver, WA 98684
 (360) 253-3667

1 I. Identification of Claimants

2 1.1 Claimants are as follows: Beth E. Pinson, as Guardian
3 of the person and Estate of Krysta Necole Pinson;
4 Britton T. Pinson, individually, and as father of
5 Krysta Necole Pinson; and Beth E. Pinson, individually,
6 and as mother of Krysta Necole Pinson.

7
8 1.2 Krysta Necole Pinson is a minor; her date of birth is
9 November 29, 1994. Krysta Necole Pinson resides with
10 her parents, Britton T. Pinson and Beth E. Pinson.
11 Krysta Necole Pinson's father is Britton T. Pinson, and
12 her mother is Beth E. Pinson. The actual residence of
13 Krysta Necole Pinson, Britton T. Pinson, and Beth E.
14 Pinson is 1000 NE 65th Street, Vancouver, Washington
15 98665. This has been Krysta Necole Pinson, Britton T.
16 Pinson, and Beth E. Pinson's residence since March,
17 2005. Further, 1000 NE 65th Street, Vancouver,
18 Washington, 98665 was the actual residence of Krysta
19 Necole Pinson, Beth E. Pinson, and Britton T. Pinson
20 for a period of six months immediately prior to the
21 time this claim arose, which was October 10th, 2005.
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1 1.3 Krysta Necole Pinson's mother, Beth E. Pinson, was
2 appointed as Guardian of the person and Estate of
3 Krysta Necole Pinson on October 27, 2006, in Clark
4 County Superior Court.

5
6 **II. Identification of Respondents**

7 2.1 The respondent is Skamania County, a County located in
8 the State of Washington. Skamania County owns property
9 at 17051 Washougal River Road, Washougal, Washington,
10 98671. This camp is known as "Camp WA-RI-KI", and also
11 known as "Camp WI-RI-KI", (hereafter referred to as
12 "Camp WA-RI-KI") located in Skamania County,
13 Washington, at 17051 Washougal River Road, Washougal,
14 Washington, 98671. The Skamania County parcel number is
15 02050000020100. This parcel is the subject of this
16 Tort Claim Notice, and further is the property
17 whereupon Krysta Necole Pinson suffered injuries.
18

19
20 **III. Facts of the Incident**

21 3.1 On or about October 10th, 2005, in Skamania County,
22 Washington, Image Elementary School hosted an overnight
23 school camp. This camp facility is known as "Camp WA-
24

1 RI-KI", and is located in Skamania County, at 17051
2 Washougal River Road, Washougal, Washington, 98671.

3
4 3.2 On or about October 10th, 2005, Krysta Necole Pinson was
5 a student at Image Elementary School in the Evergreen
6 School District and attended the overnight camp at Camp
7 WA-RI-KI, located in Skamania County, Washington.

8
9
10 3.3 On or about October 10th, 2005, at Camp WA-RI-KI, Krysta
11 Necole Pinson was participating in an overnight camp
12 with her elementary school. The children were
13 instructed to bring a sleeping bag and a pillow for
14 sleeping.

15
16 3.4 On or about October 10, 2005, Camp WA-RI-KI had bunk
17 beds (two high, an upper bunk over a lower bunk) for
18 the children to sleep upon. The mattresses of the bunk
19 beds are covered with a plastic material. The plastic
20 material used to cover the mattresses created a slick
21 surface. The bed railings on the bunks were of
22 insufficient height, length, and/or design to protect
23 against a person sliding and/or falling off of the bunk
24 beds.

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1
2 3.5 On or about October 10th, 2005, Krysta Necole Pinson was
3 sleeping on a bunk with the above-described plastic
4 material covering the mattress at Camp WA-RI-KI.
5 Krysta Necole Pinson's sleeping bag slipped off of the
6 top bunk in the middle of the night. Krysta Necole
7 Pinson fell approximately four feet down to the
8 concrete floor, landing on her head. Krysta Necole
9 Pinson was knocked unconscious and suffered injuries.
10

11
12 3.6 Krysta Necole Pinson was awakened by an Evergreen
13 School District Staff Member who told her she had
14 fallen off the bed. Krysta Necole Pinson was
15 instructed to go back to bed. Krysta Necole Pinson
16 awoke later that night and reportedly felt that she was
17 unable to move her extremities.
18

19 IV. Injuries

20 4.1 Beth E. Pinson received a call at work on October 11,
21 2005. She learned that Krysta Necole Pinson was
22 injured. Beth E. Pinson contacted Mr. Ivan Beer and
23 Mrs. Loydene Beer, Krysta Necole Pinson's Grandfather
24 and Grandmother. Beth E. Pinson asked Ivan and Loydene
25

1 to go pick Krysta Necole Pinson up from Camp WA-RI-KI
2 and take her home. Mr. Ivan Beer and Mrs. Loydene
3 Beer are both residents of Clark County.
4

5 4.2 Krysta Necole Pinson's mother, Beth E. Pinson, called
6 the Kaiser Permanente Advice line. A representative of
7 Kaiser contacted Krysta Necole Pinson's grandparents
8 directly by phone and instructed them to take Krysta
9 Necole Pinson to the Emergency Room Department at
10 Southwest Washington Medical Center, which they did.
11

12
13 4.3 At Southwest Washington Medical Center, Krysta Necole
14 Pinson was treated by Dr. Peter Stich, M.D., who
15 diagnosed her with a Occipital Skull Fracture and
16 internal head injuries.
17

18 4.4 Krysta Necole Pinson was transported by ambulance to
19 Doernbecher Children's Hospital in Portland, Oregon on
20 October 11, 2005.
21

22 4.5 Krysta Necole Pinson arrived at Doernbecher Children's
23 Hospital and was evaluated by Dr. Ritu Sahni, M.D. Dr.
24 Sahni diagnosed Krysta Necole Pinson with extra-axial
25

1 bleeding with right occipital skull basal fracture.
2 Krysta Necole Pinson was admitted to Intensive Care
3 unit for clinical observation. Krysta Necole Pinson
4 stayed at Doernbecher Children's Hospital until October
5 12, 2005. Krysta Necole Pinson was discharged with a
6 school note and special instructions limiting her
7 activities.

8
9
10 4.6 Krysta Necole Pinson incurred medical bills in the
11 amount of \$16,896.06, as a proximate result of the
12 injuries sustained at the outdoor camp at Camp WA-RI-
13 KI, as earlier set out in this Tort Claim Notice.

14
15
16 **V. Liability**

17 5.1 That at the time and place of the above-described fall
18 off of the bed, Respondent, Skamania County, was
19 negligent and/or liable in one or more of the following
20 ways:

- 21
22 a. Failing to exercise ordinary care;
23 b. Failing to provide safe sleeping arrangements
24 and/or safe conditions for Krysta Necole Pinson;

- 1 c. Having bunk bed designs that did not comply with
- 2 national standards for protection of children up
- 3 to 15 years old,;
- 4 d. Having bunk beds that were not suitable for school
- 5 age users because of the hazards due to design
- 6 issues;
- 7 e. Making modifications to bunk beds by changing
- 8 mattress size resulting in increase in the risk to
- 9 user of falling from upper bunks;
- 10 f. Having bunk beds that lacked required labeling to
- 11 indicate proper mattress size that led to wrong
- 12 mattress being used on bunk;
- 13 g. Having bunks with modifications of mattress that
- 14 increased danger to user of slipping and sliding
- 15 from upper bunk;
- 16 h. Failure to conduct an inspection to assure bunk
- 17 beds were suitable and safe for this age user;
- 18 i. Failure to conduct an inspection to assure bunk
- 19 beds complied with national standards;
- 20 j. Failure to restrict, limit, warn or instruct on
- 21 the use of certain types of sleeping bags for the
- 22 upper bunks;
- 23
- 24
- 25

- 1 k. Failure to protect and/or warn invitees and/or
2 licensees from reasonably foreseeable risks of
3 harm; and/or
4 1. Failure to warn and/or correct a latent dangerous
5 condition on the premises.
6

7
8 **VI. Damages**

9 6.1 That as a direct, proximate, and foreseeable result of
10 Respondent, Skamania County's negligence as alleged in
11 this Claim, it has been necessary for The Estate of
12 Krysta Necole Pinson, Krysta Necole Pinson, and/or her
13 parents, Britton T. Pinson and Beth E. Pinson to incur
14 medical attention and expenses, and to incur travel and
15 other expenses in securing medical treatment. The
16 Estate of Krysta Necole Pinson, Krysta Necole Pinson,
17 and/or her parents, Britton T. Pinson and Beth E.
18 Pinson, have incurred medical bills in the amount of
19 \$16,896.06, as a proximate result of the negligence of
20 Skamania County, as earlier set out in this Tort Claim
21 Notice.
22

23 6.2 That as a direct, proximate, and foreseeable result of
24 Respondent, Skamania County's negligence as alleged in
25

1 this Claim, Krysta Necole Pinson has incurred physical
2 handicap and/or disability in connection with her usual
3 activities, and has suffered injury, pain, suffering,
4 disfigurement, and an impairment of ability to enjoy
5 life. By reason of the matters alleged in this Tort
6 Claim Notice, Krysta Necole Pinson and/or The Estate of
7 Krysta Necole Pinson has suffered general damages in
8 the amount of \$75,000.00;
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11
12 6.3 The Estate of Krysta Necole Pinson, Krysta Necole
13 Pinson, and/or her parents, Britton T. Pinson and Beth
14 E. Pinson, have incurred medical bills in the amount of
15 \$16,896.06, as a proximate result of the negligence of
16 Skamania County, as earlier set out in this Tort Claim
17 Notice.
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19 6.4 Britton T. Pinson and Beth E. Pinson, as parents of
20 Krysta Necole Pinson, have suffered damages under RCW
21 4.24.010. By reason of the matters alleged in this Tort
22 Claim Notice, Britton T. Pinson has suffered damages in
23 an amount of \$10,000.00 and Beth E. Pinson has suffered
24 damages in an amount of \$10,000.00;
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Tort Claim Notice- 10

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VII. Verification of Claim

7.1 Krysta Necole Pinson, by and through her Mother, Beth E. Pinson as Guardian of the person and Estate of Krysta Necole Pinson; Britton T. Pinson, individually, and as father of Krysta Necole Pinson; Beth E. Pinson, individually, and as mother of Krysta Necole Pinson, hereby certify (or declare) and verify under penalty of perjury of the laws of the State of Washington that the contents of this claim for damages are true and correct and our signatures on this documents so attest.

STATE OF WASHINGTON)
 : ss
County of Clark)

I, Beth E. Pinson, being first duly sworn upon oath depose, certify and declare under penalty of perjury under the laws of the State of Washington as follows:

As the Guardian of the person and Estate of Krysta Necole Pinson, minor child, and/or individually, I am the Claimant in the above action; I have read the

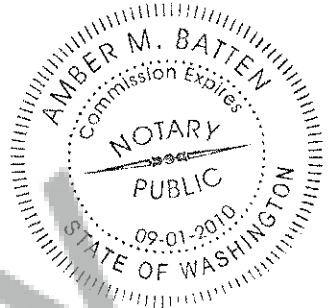
1 foregoing TORT CLAIM NOTICE, know the contents thereof,
2 and believe the same to be true and correct.

3
4
5 Beth E. Pinson 7/1/08
6 Beth E. Pinson Date and Place Signed

7
8 SUBSCRIBED AND SWORN to before me on this 1st day of
July, 2008.

9 Amber M. Batten
10 Amber M. Batten

11 NOTARY PUBLIC in and for the state of
12 Washington, residing in Vancouver, Washington.
13 My Commission Expires: 09-01-2010



14
15
16 STATE OF WASHINGTON)
17 :ss
18 County of Clark)

19 I, Britton T. Pinson, being first duly sworn upon oath
20 depose, certify and declare under penalty of perjury
under the laws of the State of Washington as follows:

21
22 As the Father of Krysta Necole Pinson, minor child,
23 and/or individually, I am the Claimant in the above
24 action; I have read the foregoing TORT CLAIM NOTICE,
25 know the contents thereof, and believe the same to be

Tort Claim Notice- 12

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true and correct.

Britton T. Pinson

7-1-08

Britton T. Pinson

Date and Place signed

SUBSCRIBED AND SWORN to before me on this 1st day of

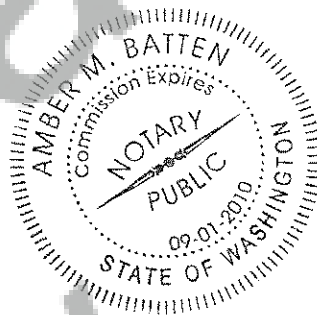
July, 2008.

Amber M. Batten

Amber M. Batten

NOTARY PUBLIC in and for the state of
Washington, residing in Vancouver, Washington.

My Commission Expires: 09-01-2010



STATE OF WASHINGTON)

: ss

County of Clark)

I, Grant A. Gehrman, being first duly sworn upon oath
depose, certify and declare under penalty of perjury
under the laws of the State of Washington as follows:

I, Grant A. Gehrman, Attorney for Krysta Necole
Pinson, an incapacitated minor, Date of Birth November
29, 1994, and for Beth E. Pinson as Guardian of the
person and Estate of Krysta Necole Pinson, (A Minor),
Beth E. Pinson, Individually, and Britton T. Pinson,
Individually. I have read the foregoing TORT CLAIM

1 NOTICE, know the contents thereof, and believe the same
2 to be true and correct.

3
4 [Signature]
5 Grant A. Gehrman, WSBA #21867
6 Attorney for Claimants

7-1-08 Vancouver WA
Date and Place Signed

7 SUBSCRIBED AND SWORN to before me on this 1st day of
8 July, 2008.

9 [Signature]
Amber M. Batten

10 NOTARY PUBLIC in and for the state of
11 Washington, residing in Vancouver, Washington.
12 My Commission Expires: 09-01-2010

