

Doc # 2007167988
Page 1 of 14
Date: 10/16/2007 10:03A
Filed by: LAW OFFICE OF GRANT A GEHRMANN
Filed & Recorded in Official Records
of SKAMANIA COUNTY
SKAMANIA COUNTY AUDITOR
J MICHAEL GARVISON
Fee: \$0.00

WHEN RECORDED RETURN TO:

SKAMANIA COUNTY AUDITORS OFFICE

PO BOX 790

STEVENSON, WA 98648

DOCUMENT TITLE(S)

CLAIM FOR DAMAGES

REFERENCE NUMBER(S) of Documents assigned or released:

☐ Additional numbers on page ____ of document.

GRANTOR(S):

SKAMANIA COUNTY

☐ Additional names on page ____ of document.

GRANTEE(S):

BETH E PINSON, AS GUARDIAN OF KRYSTA NECOLE PINSON

☒ Additional names on page 2 of document.

LEGAL DESCRIPTION (Abbreviated: i.e. Lot, Block, Plat or Section, Township, Range, Quarter):

☐ Complete legal on page ____ of document.

TAX PARCEL NUMBER(S):

☐ Additional parcel numbers on page ____ of document.

The Auditor/Recorder will rely on the information provided on this form. The staff will not read the document to verify the accuracy or completeness of the indexing information.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

RECEIVED

OCT 16 2007

SKAMANIA COUNTY
AUDITOR

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

Page 2 of 14
MC # 2007167988

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, as father of Krysta
5 Necole Pinson; and Beth E. Pinson, individually, as
6 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.
22
23
24
25

1 1.3 Krysta Necole Pinson's mother, Beth E. Pinson, was
2 appointed as Guardian of the person and Estate Krysta
3 Necole Pinson on October 27, 2006, in Clark County
4 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 also known as Camp WA-RI-KI,
11 located in Skamania County, Washington, at 17051
12 Washougal River Road, Washougal, Washington, 98671. The
13 Skamania County parcel number is 02050000020100.
14 Hereafter referred to as "Camp WA-RI-KI". This parcel
15 is the subject of this Tort Claim Notice, and further
16 is the property whereupon Krysta Necole Pinson suffered
17 injuries.
18

19 **III. Facts of the Incident**

20 3.1 On or about October 10th, 2005, in Skamania County,
21 Washington, Image Elementary School hosted an overnight
22 school camp. This camp facility is known as "Camp WA-
23 RI-KI", and is located in Skamania County, at 17051
24
25

1 Washougal River Road, Washougal, 98671, State of
2 Washington.
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 thick plastic material. The
20 plastic material used to cover the mattresses was both
21 thick and slick. The bed railings on the bunks were of
22 insufficient height and/or design to protect against a
23 person sliding off of the bunk beds.
24
25

1 3.5 On or about October 10th, 2005, Krysta Necole Pinson was
2 sleeping on a bunk with the above-described plastic
3 material covering the mattress at Camp WA-RI-KI.

4 Krysta Necole Pinson's sleeping bag slipped off of the
5 top bunk in the middle of the night. Krysta Necole
6 Pinson fell approximately four feet down to the
7 concrete floor, landing on her head. Krysta Necole
8 Pinson was knocked unconscious and suffered injuries.
9

10
11 3.6 Krysta Necole Pinson was awakened by an Evergreen
12 School District Staff Member who told her she had
13 fallen off the bed. Krysta Necole Pinson was
14 instructed to go back to bed. Krysta Necole Pinson
15 awoke later that night and reportedly felt that she was
16 unable to move her extremities.
17

18 IV. Injuries

19 4.1 Beth E. Pinson received a call at work on October 11,
20 2005. She learned that Krysta Necole Pinson was
21 injured. Beth E. Pinson contacted Mr. Ivan Beer and
22 Mrs. Loydene Beer, Krysta Necole Pinson's Grandfather
23 and Grandmother. Beth E. Pinson asked Ivan and Loydene
24 to go pick Krysta Necole Pinson up from Camp WA-RI-KI
25

1 and take her home. Mr. Ivan Beer and Mrs. Loydene
2 Beer are both residents of Clark County.
3

4 4.2 Krysta Necole Pinson's mother, Beth E. Pinson, called
5 the Kaiser Permanente Advice line. A representative of
6 Kaiser contacted Krysta Necole Pinson's grandparents
7 directly by phone and instructed them to take Krysta
8 Necole Pinson to the Emergency Room Department at
9 Southwest Washington Medical Center, which they did.
10

11
12 4.3 At Southwest Washington Medical Center, Krysta Necole
13 Pinson was treated by Dr. Peter Stich, M.D., who
14 diagnosed her with a Occipital Skull Fracture and
15 internal head injuries.
16

17 4.4 Krysta Necole Pinson was transported by ambulance to
18 Doernbecher Children's Hospital in Portland, Oregon on
19 October 11, 2005.
20

21 4.5 Krysta Necole Pinson arrived at Doernbecher Children's
22 Hospital and was evaluated by Dr. Ritu Sahni, M.D. Dr.
23 Sahni diagnosed Krysta Necole Pinson with extra-axial
24 bleeding with right occipital skull basal fracture.
25

Tort Claim Notice- 6

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

MC # 2007167988
Page 7 of 14

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

7
8
9 4.6 Krysta Necole Pinson incurred medical bills in the
10 amount of \$25,488.93, as a proximate result of the
11 injuries sustained at the outdoor camp at camp WA-RI-
12 KI, as earlier set out in this Tort Claim Notice.

13 14 15 V. Liability

16 5.1 That at the time and place of the above-described fall
17 off of the bed, Respondent, Skamania County, was
18 negligent and/or liable in one or more of the following
19 ways:

- 20
21 a. Failing to exercise ordinary care;
22 b. Failing to provide safe sleeping arrangements
23 and/or safe conditions for Krysta Necole Pinson;
24

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

6 **VI. Damages**

7 6.1 That as a direct, proximate, and foreseeable result of
8 Respondent, Skamania County's negligence as alleged in
9 this Claim, it has been necessary for Krysta Necole
10 Pinson to incur medical attention and expenses, and to
11 incur travel and other expenses in securing medical
12 treatment. By reason of the matters alleged in this
13 paragraph The Estate of Krysta Necole Pinson has
14 suffered damages in an amount of \$75,000.00;
15

16
17
18 6.2 Krysta Necole Pinson and/or her parents, Britton T.
19 Pinson and Beth E. Pinson, have further incurred
20 medical bills in the amount of \$25,488.93, as a
21 proximate result of the negligence of Skamania County,
22 as earlier set out in this Tort Claim Notice.
23
24
25

1 6.3 Britton T. Pinson and Beth E. Pinson, as parents of
2 Krysta Necole Pinson, have suffered damages under RCW
3 4.24.010. By reason of the matters alleged in this Tort
4 Claim Notice, Britton T. Pinson has suffered damages in
5 an amount of \$10,000.00 and Beth E. Pinson has suffered
6 damages in an amount of \$10,000.00;
7

8
9 **VII. Verification of Claim**

10 7.1 Krysta Necole Pinson, by and through her Mother, Beth
11 E. Pinson as Guardian of the person and Estate of
12 Krysta Necole Pinson; Britton T. Pinson, individually,
13 and as father of Krysta Necole Pinson; Beth E. Pinson,
14 individually, and as mother of Krysta Necole Pinson,
15 hereby certify (or declare) and verify under penalty of
16 perjury of the laws of the State of Washington that the
17 contents of this claim for damages are true and correct
18 and our signatures on this documents so attest.
19
20
21
22
23
24
25

1 STATE OF WASHINGTON)
2 :ss
3 County of Clark)

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

7 As the Guardian of the person and Estate of Krysta
8 Necole Pinson, minor child, and/or individually, I am
9 the Claimant in the above action; I have read the
10 foregoing TORT CLAIM NOTICE, know the contents thereof,
11 and believe the same to be true and correct.

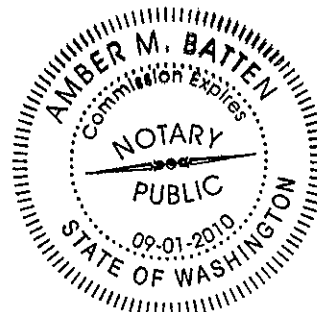
12
13
14 Beth E. Pinson
15 Beth E. Pinson

10/13/07 Vanc WA
Date and Place Signed

16 SUBSCRIBED AND SWORN to before me on this 3rd day of
17 October, 20 07

18 Amber M. Batten
19 Amber M. Batten

20 NOTARY PUBLIC in and for the state of
21 Washington, residing in Vancouver, Washington.
22 My Commission Expires: 9-01-2010



23
24
25 Tort Claim Notice- 11

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

MC # 2007167988
Page 12 of 14

1
2 STATE OF WASHINGTON)
3 :ss
4 County of Clark)

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

8 As the Father of Krysta Necole Pinson, minor child,
9 and/or individually, I am the Claimant in the above
10 action; I have read the foregoing TORT CLAIM NOTICE,
11 know the contents thereof, and believe the same to be
12 true and correct.

13 

14 Britton T. Pinson

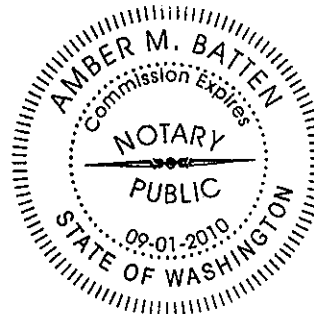
10-3-2007 Vancouver, WA
Date and Place signed

15 SUBSCRIBED AND SWORN to before me on this 3rd day of
16 October, 2007.

17 

18 Amber M. Batten

19 NOTARY PUBLIC in and for the state of
20 Washington, residing in Vancouver, Washington.
21 My Commission Expires: 09-01-2010



1 STATE OF WASHINGTON)
2 County of Clark) :ss

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

6 I, Grant A. Gehrmann, Attorney for Krysta Necole
7 Pinson, an incapacitated minor, Date of Birth November
8 29, 1994, and for Beth E. Pinson as Guardian of the
9 person and Estate of Krysta Necole Pinson, (A Minor),
10 Beth E. Pinson, Individually, and Britton T. Pinson,
11 Individually. I have read the foregoing TORT CLAIM
12 NOTICE, know the contents thereof, and believe the same
13 to be true and correct.

14
15 [Signature]
16 Grant A. Gehrmann, WSBA #21867
Attorney for Claimants

10/4/07 Vancouver, WA
Date and Place Signed

17 SUBSCRIBED AND SWORN to before me on this 4th day of
18 October, 2007

19 [Signature]
20 Amber M. Batten
21 NOTARY PUBLIC in and for the state of
22 Washington, residing in Vancouver, Washington.
23 My Commission Expires: 09-01-2010

