

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF LINCOLN

**ORRIN WALLACE**, an individual;  
**SUZANNE O'TOOLE**, an individual; and  
**ELLEN EVERITT (BRANFORD)**, an  
individual,

Plaintiffs,

vs.

**LINCOLN COUNTY**, a political subdivision  
of the State of Oregon; **DAVID COLLIER**,  
an individual; and **TONY CAMPA**, an  
individual,

Defendants.

Case No.:

**COMPLAINT**

(Retaliation – ORS 659A.040, ORS 659A.199,  
ORS 659A.109, ORS 659A.030(1)(f) (20  
Counts); Marital Status Discrimination – ORS  
659A.030 (2 Counts); Disability  
Discrimination – ORS 659A.112 (4 Counts);  
Age Discrimination – ORS 659A.030 (5  
Counts); Sex Discrimination – ORS 659A.030  
(5 Counts); Sick Leave Discrimination – ORS  
653.641; Defamation; Intentional Infliction of  
Emotional Distress; Wrongful Discharge (3  
Counts))

**PRAYER:** \$3,300,000.00

Not Subject to Mandatory Arbitration

**Filing Fee:** \$884.00 – ORS 21.160(1)(d)

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Plaintiffs hereby allege as follows:

**INTRODUCTION**

1.

Plaintiffs witnessed a longstanding pattern of discrimination, retaliation, and workplace hostility throughout Lincoln County and its agencies. Defendant Lincoln County, acting through its Department of Human Resources under the direction of Defendant David Collier, fostered a pervasive culture of unlawful employment practices. These included sham investigations conducted under false pretenses, which spread fear and intimidation across multiple county

1 departments. Defendant Collier operated without meaningful oversight or accountability, using  
2 fear-based tactics to target and remove employees, all while engaging in repeated violations of  
3 statutory and regulatory law. This misconduct was not isolated. Longstanding County  
4 Commissioner Claire Hall (hereinafter “Hall”), County Counsel Kristen Yuille (hereinafter  
5 “Yuille”), and Defendant Tony Campa acted in concert with Defendant Collier and other bad  
6 actors to further an entrenched agenda of fear, hostility, and retaliation throughout Lincoln  
7 County government.

## 8 **PARTIES AND VENUE**

### 9 **2.**

10 Orrin Wallace (hereinafter “Plaintiff Wallace”) is a resident and citizen of the State of  
11 Oregon and of Lincoln County. Plaintiff Wallace is a disabled person for the purposes of ORS  
12 659A.104.  
13

### 14 **3.**

15 Suzanne O’Toole (hereinafter “Plaintiff O’Toole”) is a resident and citizen of the State  
16 of Oregon and of Lincoln County. Plaintiff O’Toole is a sixty-three-year-old woman.

### 17 **4.**

18 Ellen Everitt who went by Ellen Branford at Lincoln County (hereinafter “Plaintiff  
19 Branford”) is a resident and citizen of the State of Oregon and of Lincoln County. Plaintiff  
20 Branford is a forty-four-year-old woman and a disabled person for the purposes of ORS  
21 659A.104.  
22

### 23 **5.**

24 Defendant Lincoln County is a political subdivision of the State of Oregon, a public  
25 body subject to suit.  
26

1 6.

2 Defendant David Collier (hereinafter “Defendant Collier”) is a resident and citizen of the  
3 State of Oregon and of Lincoln County. At all material times, Defendant Collier was employed  
4 by Lincoln County as Human Resources Director. Defendant Collier is a “person” for purposes  
5 of ORS 659A.030(1)(f) and (g) and acted at all times within the course and scope of his  
6 employment.

7 7.

8 Defendant Tony Campa (hereinafter “Defendant Campa”) is a resident and citizen of the  
9 State of Oregon and of Lincoln County. At all material times, Defendant Campa was employed  
10 by Defendant Lincoln County as Director of its Parole and Probation Division. Defendant Campa  
11 is a “person” for purposes of ORS 659A.030(1)(f) and (g) and acted at all times within the course  
12 and scope of his employment.

13  
14 **GENERAL ALLEGATIONS – PART ONE**

15 **(Plaintiff Wallace)**

16 8.

17 Plaintiff Wallace was a contracted employee of the Lincoln County District Attorney’s  
18 Office under a workers’ compensation grant following his on-the-job injury years earlier.

19 9.

20 In early 2024, Plaintiff Wallace and his co-worker, Martin Bennett (hereinafter  
21 “Bennett”), discovered a pay discrepancy within the Lincoln County Sheriff’s Office. Sherriff’s  
22 Office employees with the same job titles and descriptions as Plaintiff Wallace and Bennett were  
23 making between \$10 and \$15 more per hour than Plaintiff Wallace and Bennett.

10.

Plaintiff Wallace and Bennett filed a Pay Equity Analysis and a complaint with the Bureau of Labor and Industries (“BOLI”) to seek redress.

11.

On March 7, 2024, Plaintiff’s wife, Jenna Wallace, submitted papers for election to the position of Lincoln County District Attorney. The next day, March 8, 2024, Plaintiff Wallace applied for the position of Chief Medical-Legal Death Investigator (“MDI”).

12.

On or about April 3, 2024, Bennett received layoff paperwork stating that the grant that funded his position was being revoked, even though his position was supposed to be funded through October 2024. Bennett was further informed there was another grant he was working under that would provide him with substantially less hours a week of employment.

13.

Jenna Wallace (hereinafter “DA Wallace”) was elected Lincoln County District Attorney on May 21, 2024.

14.

On or about May 23, 2024, Plaintiff Wallace was turned down for the Chief MDI position. On information and belief, Plaintiff Wallace was qualified for this position.

15.

Pursuant to her election, DA Wallace was officially appointed to the position of Lincoln County District Attorney on June 21, 2024.

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16.

On or about June 24, 2024, Plaintiff Wallace was notified by email that his employment as a detective with Lincoln County District Attorney's Office had been terminated. Plaintiff Wallace filed a grievance.

17.

Around this time, Bennett's layoff notice was retracted by Defendant Lincoln County.

18.

On or about June 28, 2024, DA Wallace met with County Administrator Tim Johnson (hereinafter "Johnson"). Johnson informed DA Wallace that he had been informed by County Counsel Yuille that Plaintiff Wallace's working in the District Attorney's Office was a nepotism violation.

19.

DA Wallace previously filed a conflict-of-interest notice and received a letter from the ethics committee approving Plaintiff Wallace's continued employment with Lincoln County District Attorney's Office notwithstanding DA Wallace's election and appointment as District Attorney.

20.

Additionally, Plaintiff Wallace was not supervised by DA Wallace. Plaintiff Wallace was supervised by Toby Tingleaf (hereinafter "Tingleaf"), an attorney from the Department of Justice who was appointed by DA Wallace, followed by Plaintiff Branford, the Office Manager.

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1 21.

2 On or about July 11, 2024, Plaintiff Wallace received an email from Defendant Collier  
3 claiming that Plaintiff Wallace did not qualify for any other position within the District  
4 Attorney's Office.

5 22.

6 On or about July 23, 2024, after talking with Tingleaf, Plaintiff Wallace emailed  
7 Defendant Collier about bumping into the position of Digital Forensic Analyst. Tingleaf emailed  
8 Defendant Collier on or about July 29, 2024, informing him that Plaintiff Wallace was qualified  
9 for the position and expressed his support for Plaintiff.

10 23.

11 On or about July 30, 2024, Defendant Collier informed Plaintiff Wallace that he did not  
12 have the necessary education for the Digital Forensic Analyst position, but that he did have the  
13 seniority to bump into a Senior Legal Assistant's position. This assertion by Defendant Collier  
14 was false.

15 24.

16 On or about September 3, 2024, Plaintiff Wallace was bumped into a Senior Legal  
17 Assistant position despite the fact that Human Resources had not conferred with the District  
18 Attorney's Office, in violation of the contract between Lincoln County and the Lincoln County  
19 Employee's Association. This resulted in a pay decrease of \$14 per hour compared to Plaintiff  
20 Wallace's previous position.

21 25.

22 On or about November 15, 2024, Plaintiff Wallace attended a meeting with the Lincoln  
23 County Board of Commissioners at which Defendant Collier was present. Defendant Collier  
24

1 asserted again that Plaintiff Wallace did not have the necessary education for the Digital Forensic  
2 Analyst position. At this meeting it was asserted that a bachelor's degree in computer science or  
3 a related field was required to hold the position. Plaintiff Wallace informed the Board of  
4 Commissioners that he held a bachelor's degree in criminal justice and a Master of Business  
5 Science in Supply Chain and Digital Analytics. Plaintiff Wallace learned that at a previous  
6 hearing on or about November 13, 2024 Defendant Collier advised that the last two employees to  
7 hold the Digital Forensic Analyst position did not have master's degrees. On information and  
8 belief, one of the prior employees held an associate's degree and the other held a bachelor's  
9 degree.

10  
11 26.

12 On December 23, 2024, Plaintiff Wallace's attorneys filed a Tort Claim Notice with  
13 Lincoln County on Plaintiff's behalf.

14 27.

15 On March 19, 2025, DA Wallace issued a public statement to the Lincoln County Board  
16 of Commissioners condemning the Board's failure to investigate the conduct of Defendant  
17 Collier, among others.

18 28

19 On April 16, 2025, DA Wallace signed up to deliver another public statement at another  
20 meeting of the Lincoln County Board of Commissioners. However, the meeting was abruptly  
21 ended before DA Wallace could deliver her statement. DA Wallace subsequently released her  
22 planned statement to the press on the same day. Said statement was a direct call upon the Lincoln  
23 County Board of Commissioners to order an external independent investigation into Defendant  
24 Collier and others.

29.

On April 18, 2025, Plaintiff Wallace was placed under investigation regarding his work assisting in the investigation of a criminal homicide at the direction of his manager. On information and belief, this investigation was launched in retaliation for DA Wallace's public statement and press release as described in the paragraphs above.

30.

On May 15, 2025, Plaintiff Wallace was contacted over the phone by "Jennifer" from the City of Eugene's Human Resources Department advising that Assistant County Counsel Douglas Holbrook (hereinafter "Holbrook"), who is supervised directly by County Counsel Yuille, submitted a records request to the City of Eugene attempting to obtain Plaintiff Wallace's application and background information related to a prior job application from 2018. Jennifer advised that she found Holbrook's request to be "odd" as Plaintiff Wallace was not a current job applicant, Holbrook was not a background investigator, and Holbrook was relying on a records release form from 2023. Notably, the release in Holbrook's possession was signed by Plaintiff Wallace in relation to his job application to work at Lincoln County in 2023. No one at Lincoln County, including Holbrook, informed Plaintiff Wallace of their intent to further use the release to attempt to obtain further information about Wallace without his consent or notification. Jennifer advised that she intended to deny the records request and inform Holbrook that he needed to use a records release signed by Plaintiff Wallace within the last year.

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1 felt he was constantly changing the rules and instituting standards that were not approved by the  
2 State of Oregon. Defendant Campa informed Plaintiff O'Toole that he intended to move her to  
3 the Juvenile Department.

4 36.

5 On or about August 31, 2023, Plaintiff O'Toole spoke with Human Resources Generalist  
6 Nan Buck (hereinafter Buck) and shared that she could not continue to take Defendant Campa's  
7 abuse. Buck advised she would share Plaintiff O'Toole's concerns with Defendant Collier. Buck  
8 asked whether Plaintiff O'Toole was interested in mediation or another alternative resolution.  
9 Buck advised that Human Resources would contact Plaintiff O'Toole within a week. No one  
10 contacted Plaintiff O'Toole following her complaint.

11 37.

12 In November 2023, Plaintiff O'Toole was transferred to the Juvenile Probation  
13 Department under the pretext that it was part of her duties and job description. On information  
14 and belief, there is nothing in Plaintiff O'Toole's job description to state that her position works  
15 with juveniles or in the Juvenile Probation Department. On information and belief, there is no  
16 job description at Defendant Lincoln County for a Deputy Director of Juvenile Probation.

17 38.

18 Shortly after Plaintiff O'Toole was transferred, an employee who filed for FMLA  
19 protections came to her and provided the reason for his medical leave. The employee specifically  
20 asked that Plaintiff O'Toole not share the information with Defendant Campa. In an abundance  
21 of caution, Plaintiff O'Toole contacted Buck in Human Resources and confirmed that she should  
22 not disclose the information. That same day, Defendant Campa called Plaintiff O'Toole to his  
23 office and asked why the employee was on FMLA leave. When Plaintiff O'Toole could not share  
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1 the information even if she did know, Defendant Campa became upset and questioned Plaintiff  
2 O'Toole's loyalty to him. Shortly thereafter, another co-worker was promoted to supervisor and  
3 given some of Plaintiff O'Toole's duties at Adult Parole and Probation. Plaintiff O'Toole was  
4 specifically told that she was in charge of the Juvenile Department.

5 39.

6 In taking over leadership of the Juvenile Department, Plaintiff O'Toole received no  
7 training or guidance from Defendant Campa or anyone else specific to her new responsibilities.  
8 She repeatedly told Defendant Campa that she knew nothing of the workings of the Juvenile  
9 Department. Defendant Campa replied that he knew nothing about the Juvenile Department  
10 either and alluded to Plaintiff O'Toole's prior experience as a D.A.R.E officer. Shortly  
11 thereafter, one of two Juvenile Probation Officers under Plaintiff O'Toole's supervision left,  
12 requiring Plaintiff O'Toole to take over their caseload in addition to her management duties.  
13

14 40.

15 In February 2024, Defendant Campa directed Plaintiff O'Toole to provide a budget for  
16 the Juvenile Probation Department on two days' notice, with no information to build a budget  
17 from, and no assistance from Defendant Campa. Regardless, Plaintiff O'Toole was able to  
18 compile and submit a budget to Defendant Campa. To date, Plaintiff O'Toole has never received  
19 a response from Defendant Campa indicating that he received the budget. This behavior of  
20 assigning huge projects without guidance or directives and then failing to follow-up after the  
21 project's completion was in line with Defendant Campa's typical practice and treatment of  
22 Plaintiff O'Toole at work.  
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1 41.

2 Shortly thereafter, Defendant Campa called Plaintiff O'Toole into his office and  
3 informed her that she would receive \$100,000.00 for the Juvenile Department, exclusive of  
4 wages and benefits. Defendant Campa also told Plaintiff O'Toole that he was doing away with  
5 the Juvenile Supervisor position and that he didn't know if the current Juvenile Probation Officer  
6 position could be fulfilled due to a hiring freeze. Plaintiff O'Toole found this confusing, as both  
7 the Juvenile Supervisor and Juvenile Probation Officer positions were still available. Defendant  
8 Campa then told Plaintiff O'Toole that she would get \$245,000.00 "to run juvenile." Plaintiff  
9 O'Toole took this to mean that Defendant Campa intended her to be the Director of the Juvenile  
10 Probation Department.  
11

12 42.

13 From April of 2024 onwards, Defendant Campa repeatedly undermined Plaintiff  
14 O'Toole by, without limitation:

15 42.1 Being deliberately unresponsive to communications about operational and  
16 strategic decisions;

17 42.2 Falsely claiming that Plaintiff O'Toole had missed supervisory meetings;

18 42.3 Falsely claiming that Plaintiff O'Toole had not gone through "proper  
19 channels" regarding an office move for an employee;

20 42.4 Falsely claiming that Plaintiff O'Toole and her subordinates were not  
21 doing their jobs properly;

22 42.5 Failing to attend to requests from Plaintiff O'Toole's department in a clear  
23 and timely manner;

24 42.6 Attempting to change Plaintiff O'Toole's hours under false pretenses;  
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- 1           42.7           Egregiously insulting Plaintiff O'Toole's subordinates;  
2           42.8           Questioning Plaintiff O'Toole's judgment and professionalism; and  
3           42.9           Retaliating against Plaintiff O'Toole for standing up to his misbehavior.

4                               43.

5           Defendant Campa further created a toxic work environment through the Juvenile  
6 Probation Department and through the Parole and Probation Division generally by engaging in  
7 the following unlawful behaviors, without limitation:

8           43.1           Retaliation, including without limitation public mockery, undermining,  
9 transferal or removal from positions, and arbitrary increases in workloads;

10           43.2           Bullying, and discrimination, including on the basis of age and sex; and

11           43.3           Blatant favoritism towards certain employees.  
12

13                               44.

14           On information and belief, since Defendant Campa became Director of the Parole and  
15 Probation Division, more than sixty employees left Defendant Lincoln County's Community  
16 Justice Department. On information and belief, most if not all of those employees left in whole  
17 or in part due to Defendant Campa's unlawful and toxic behavior. In fact, Plaintiff O'Toole  
18 shared multiple concerns and complaints reported to her by employees to Human Resources,  
19 without seeing any action taken.

20                               45.

21           On information and belief, Defendant Collier was aware of Defendant Campa's unlawful  
22 and/or tortious actions. Defendant Collier not only failed to restrain Defendant Campa from  
23 committing said unlawful and/or tortious actions but actively aided and abetted him in  
24 committing them and creating an atmosphere of retaliation and discrimination.  
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1 46.

2 In or around September of 2024, Plaintiff O'Toole submitted requests to Defendants for  
3 Oregon Protected Leave related to her husband's infirmities.

4 47.

5 On information and belief, Defendant Campa previously permitted other employees who  
6 had been placed on administrative leave to continue working. When Plaintiff O'Toole requested  
7 to do the same, Defendant Campa refused to allow her to do so.

8 48.

9 In or around February 2024, Plaintiff O'Toole submitted a complaint to Lincoln County  
10 Human Resources about Defendant Campa's behavior, described above.

11 49.

12 Defendant Campa initiated an investigation into Plaintiff O'Toole that concluded a year  
13 later, accusing her of insubordination. Notably, the accusations of insubordination related to  
14 Plaintiff O'Toole's prior complaint to Lincoln County Human Resources regarding statutory,  
15 regulatory, and Lincoln County violations related to Defendant Campa's behavior discussed  
16 above. These allegations were false and manufactured by Defendants Campa and Collier after  
17 Plaintiff O'Toole made complaints to Human Resources about Defendant Campa.  
18

19 50.

20 On March 10, 2025, Plaintiff O'Toole was placed on paid administrative leave on the  
21 basis of the retaliatory allegations of insubordination made by Defendant Campa against Plaintiff  
22 O'Toole. Plaintiff O'Toole observed that only she and Plaintiff Branford, both women, were  
23 placed on administrative leave at the time.  
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1 51.

2 On or about March 19, 2025, Plaintiff O'Toole participated in an interview regarding  
3 Lincoln County's investigation into Plaintiff O'Toole, where she reported that she believed the  
4 entire investigation was a retaliatory act to her previous report and was further evidence of age  
5 and gender discrimination. Thereafter, on April 11, 2025, Plaintiff O'Toole's attorneys filed a  
6 Tort Claim Notice with Lincoln County on Plaintiff's behalf.

7 52.

8 Plaintiff O'Toole was terminated by Defendant Lincoln County on April 24, 2025.

9 53.

10 On information and belief, the investigation into Plaintiff O'Toole was conducted by a  
11 third-party but was based upon submissions from Defendant Campa. The investigation  
12 concluded on April 29, 2025 with findings that the accusations against Plaintiff O'Toole were  
13 substantiated.

14 54.

15 On April 30, 2025, Defendants Collier and Campa referred Plaintiff O'Toole to the  
16 Oregon Department of Public Safety Standards and Training (DPSST) for a moral fitness  
17 investigation. In their allegations Defendants Collier and Campa cited insubordination and used  
18 their own retaliatory investigation based on manufactured and false accusations as the basis for  
19 their report and referral to DPSST.

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**(Plaintiff Branford)**

55.

Plaintiff Branford was employed by the Lincoln County District Attorney's Office. She was Plaintiff Wallace's interim Department Head and de facto supervisor.

56.

In or around July 2021, an employee in the District Attorney’s Office used racial slurs to describe people to his direct supervisor on his first day at work and admitted to a co-worker that he used Oxycontin at work. Plaintiff Branford reached out to Human Resources to report the employee but was told by Human Resources that they “weren’t sure the conduct was terminable.” The employee later resigned.

57.

In or around January 2022, a prosecutor at the Lincoln County District Attorney's Office was placed on leave by then-District Attorney Lane Danforth pending investigation into the prosecutor's alleged withholding of exculpatory evidence involving a defendant that belonged to a protected race class. Defendant Lincoln County's Human Resources Department declared the claims unsubstantiated without conducting a standard investigation and reinstated the prosecutor. Plaintiff Branford believed this pattern to be racially motivated discrimination. In March 2022, Plaintiff Branford called Commissioner Kaety Jacobson on the phone to share her concerns about Defendant Collier's failure to conduct a proper investigation into individuals who were alleged to have committed racially motivated acts of misconduct. Jacobson abruptly ended the call after stating that she was not allowed to discuss the matter.



1 58.

2 On or about April 6, 2022, Plaintiff Branford gave public comments at a recorded  
3 Lincoln County Board of Commissioners meeting criticizing Human Resources' mishandling of  
4 the employee who used racial slurs. Plaintiff Branford shared her concerns about Defendant  
5 Collier's failure to properly investigate the prior employee. Among others, Defendant Collier,  
6 County Counsel Yuille, and County Commissioner Hall were present at this meeting. Following  
7 the meeting, no one reached out to Plaintiff Branford to discuss or further inquire about her  
8 comments and concerns.

9 59.

10 In Fall 2022, Plaintiff Branford disclosed to Human Resources Generalist Buck that she  
11 had a brain tumor that would require surgery and time off. Plaintiff Branford requested FMLA  
12 and sick leave paperwork.

13 60.

14 Plaintiff Branford was an exceptional employee throughout her time at Defendant  
15 Lincoln County. In fact, in or around 2023, Plaintiff Branford was awarded a letter of  
16 commendation by the County Board of Commissioners at large.

17 61.

18 On March 15, 2023, Plaintiff Branford underwent brain tumor resection surgery. This  
19 required Plaintiff Branford to take time off from work and left her partially disabled. Defendant  
20 Lincoln County was repeatedly advised by Plaintiff Branford of her medical condition and of her  
21 disability.  
22

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62.

In or around Spring 2024, Plaintiff Branford learned that Defendant Lincoln County's Human Resources department had been holding applications for multiple vacant Deputy District Attorney positions and not sending them to the District Attorney's office for review. On information and belief, these applications were held up because there was a contentious election for District Attorney then underway and certain parties were hoping that one of the candidates would win the election and subsequently make hiring decisions. Plaintiff Branford sent multiple emails to the Human Resources Department regarding these applications. These emails were largely ignored.

63.

In or around Winter 2024, Plaintiff Branford submitted a request for Plaintiff Wallace to work out of class. This request and such decisions were within Plaintiff Branford's purview. Plaintiff Wallace's working out of class was necessary under the circumstances described above, and Plaintiff Branford had the consent of Plaintiff Wallace to make the request. Shortly thereafter, Plaintiff Branford's request that Plaintiff Wallace work out of class was denied by Defendant Collier. Plaintiff Branford emailed Defendant Collier's supervisor, then-County Administrator Tim Johnson, and questioned why Defendant Lincoln County's Human Resources processes seemed to change only when applied to Plaintiff Wallace. Plaintiff Branford further stated that she believed that Plaintiff Wallace was being retaliated against.

64.

Shortly thereafter, Plaintiff Branford was placed on paid administrative leave and placed under investigation, on the grounds that a request for an employee to work out of class could only come from Defendant Lincoln County's Human Resources Department and that for Plaintiff

1 Branford to make such a request was a violation of personnel rules. On information and belief,  
2 DA Wallace, as Plaintiff Branford's department head, was the only person who could place  
3 Plaintiff Branford on administrative leave. Here, DA Wallace did not want to place Plaintiff  
4 Branford on leave; Defendant Collier did so anyway.

5 65.

6 On April 14, 2025, Plaintiff Branford's attorneys filed a Tort Claim Notice with Lincoln  
7 County on Plaintiff's behalf.

8 66.

9 On April 15, 2025, Plaintiff Branford met with Defendant Collier and Assistant County  
10 Counsel Brian Gardner (hereinafter "Gardner"), who was directly supervised by County Counsel  
11 Yuille, to discuss allegations previously raised by Lincoln County relating to Plaintiff Branford's  
12 request that Plaintiff Wallace be permitted to work out of class. During this meeting, Defendant  
13 Collier and Gardner accused Plaintiff Branford of making false statements in earlier interviews  
14 concerning minor inaccuracies or inconsistencies—if any existed at all. Plaintiff Branford  
15 explained that she did not recall making the alleged statements and reminded both Defendant  
16 Collier and Gardner that she had undergone significant brain surgery, specifically a brain tumor  
17 resection, of which they were aware. She further explained that the surgery and associated  
18 medication could have affected her memory, potentially contributing to any inaccuracies or  
19 inconsistencies they alleged had occurred. Moreso, Plaintiff Branford articulated to Defendant  
20 Collier and Gardner that she was never provided with any of the materials she was questioned  
21 about even though some of the materials presented to her were not relevant, were trivial, and  
22 were immaterial to the retaliatory investigation and were dated months prior to the underlying  
23 allegations.  
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1 67.

2 On April 16, 2025, DA Wallace signed up to deliver another public statement at another  
3 meeting of the Lincoln County Board of Commissioners. However, the meeting was abruptly  
4 ended before DA Wallace could deliver her statement. DA Wallace subsequently released her  
5 planned statement to the press on the same day. The statement related to her employees who  
6 were wrongfully under investigation and was a direct call upon the Lincoln County Board of  
7 Commissioners to order an external independent investigation into Defendant Collier and others.  
8

9 68.

10 On May 12, 2025, Defendant Collier sent Plaintiff Branford a letter of termination. In  
11 the email relaying the letter, Defendant Collier stated that the letter was “from Mr. Campa.”  
12 Plaintiff Branford informed Defendant Collier that neither Defendant Campa nor Defendant  
13 Collier were her department head. Plaintiff Branford’s department head, DA Wallace, previously  
14 stated that she did not want Plaintiff Branford to be terminated. On information and belief, as of  
15 May 20, 2025, DA Wallace had not been formally notified of Plaintiff Branford’s termination.

16 **DAMAGES ALLEGATIONS**

17 69.

18 As a result of the unlawful and/or tortious actions alleged herein, Plaintiffs have and will  
19 continue to suffer economic damages. Plaintiffs are entitled to recover from Defendants such  
20 current, future, and ongoing lost wages and benefits of employment and other economic losses in  
21 such amount as may be established at trial. Solely for the purposes of ORCP 18B, Plaintiff  
22 Wallace estimates and alleges his economic damages as \$50,000.00, Plaintiff O’Toole estimates  
23 and alleges her economic damages as \$400,000.00, and Plaintiff Branford estimates and alleges  
24 her economic damages as \$550,000.00.  
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70.

As a further result of Defendants' actions alleged herein, Plaintiffs have suffered and continue to suffer noneconomic damages, including emotional and mental harm, and are entitled to recover from Defendants an amount to be found appropriate by a jury or \$200, whichever is greater. Solely for the purposes of ORCP 18B, Plaintiff Wallace estimates and alleges his noneconomic damages as \$300,000.00, Plaintiff O'Toole estimates and alleges her noneconomic damages as \$1,000,000.00, and Plaintiff Branford estimates and alleges her noneconomic damages as \$1,000,000.00.

71.

Plaintiffs are entitled to a declaration that Defendants acted in violation of the statutes set forth in Plaintiffs' Complaint and to such injunctive relief as the Court finds appropriate to cause Defendants to stop their violations of law and disregard of the rights of persons protected by state law.

72.

Defendants' acts were done intentionally, with a discriminatory motive, and with malice or ill will, with knowledge that their actions violated state law, or with reckless disregard or callous indifference to the risk that their actions violated state law. Pursuant to ORS 31.725 and ORS 31.730, Plaintiffs intend to move the Court to permit an amendment to this Complaint to assert a claim for assessment of punitive damages against Defendants in an amount to be found appropriate by a jury, to punish Defendants, and to deter them and others from similar conduct in the future.

///

1 **FIRST CLAIM FOR RELIEF**

2 **RETALIATION**

3 **Count One: Workers' Compensation Retaliation – ORS 659A.040**

4 **(Plaintiff Wallace against Defendant Collier)**

5 73.

6 Plaintiff Wallace re-alleges the facts and allegations set forth above and incorporates  
7 them herein by reference.

8 74.

9  
10 ORS 659A.040 provides, in part, that “It is an unlawful employment practice for an  
11 employer to discriminate against a worker with respect to hire or tenure or any term or condition  
12 of employment because the worker has applied for benefits or invoked or utilized the procedures  
13 provided for in ORS chapter 656 . . .”.

14 75.

15 Defendant Collier’s conduct towards Plaintiff Wallace was motivated in whole or in part  
16 as retaliation for use of a detective position made available under a workers’ compensation grant  
17 following Plaintiff Wallace’s compensable work injury and his use of the workers’ compensation  
18 system.

19 **Count Two: Workers' Compensation Retaliation – ORS 659A.040**

20 **(Plaintiff Wallace against Defendant Lincoln County – Vicarious Liability)**

21 76.

22 Plaintiff Wallace re-alleges the facts and allegations contained in the paragraphs above  
23 and incorporates them by reference.

1 77.

2 Defendant Lincoln County was Defendant Collier's employer and therefore vicariously  
3 liable for the acts and/or omissions of Defendant Collier.

4 78.

5 Defendant Collier's conduct as alleged herein resulted from Defendant Lincoln County's  
6 negligence under the theory of vicarious liability in the following particulars:

7 78.1 Knowing its duty to prevent workers' compensation retaliation and failing  
8 to adopt or enforce policies forbidding workers' compensation retaliation;

9 78.2 Knowing its duty to prevent workers' compensation retaliation and failing  
10 to take reasonable measures to protect Plaintiff Wallace against workers' compensation  
11 retaliation;

12 78.3 Knowing its duty to prevent workers' compensation retaliation and failing  
13 to train Defendant Collier about workers' compensation retaliation;

14 78.4 Knowing its duty to prevent workers' compensation retaliation and failing  
15 to oversee Defendant Collier's supervision of employees in such a way as to detect, prevent,  
16 and/or address workers' compensation retaliation.

17  
18 **Count Three: Whistleblower Retaliation – ORS 659A.199**

19 **(Plaintiff Wallace against Defendant Collier)**

20 79.

21 Plaintiff Wallace re-alleges the facts and allegations set forth above and incorporates  
22 them herein by reference.

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1 80.

2 ORS 659A.199 provides, in part, that “It is an unlawful employment practice for an  
3 employer to discharge, demote, suspend, or in any manner discriminate or retaliate against an  
4 employee with regard to promotion, compensation, or other terms, conditions, or privileges of  
5 employment for the reason that the employee has in good faith reported information that the  
6 employee believes is evidence of a violation of a state or federal law, rule, or regulation.”

7 81.

8 Defendant Collier’s conduct towards Plaintiff Wallace as described above was motivated  
9 in whole or in part by Plaintiff Wallace’s filing of a Pay Equity Analysis, BOLI complaint,  
10 grievance, objection to Defendants’ invalid nepotism claims, tort claim notice, DA Wallace’s  
11 public statement on behalf of Plaintiff Wallace, and/or other grievances.  
12

13 **Count Four: Whistleblower Retaliation – ORS 659A.199**

14 **(Plaintiff Wallace against Defendant Lincoln County – Vicarious Liability)**

15 82.

16 Plaintiff Wallace re-alleges the facts and allegations contained in the paragraphs above  
17 and incorporates them by reference.

18 83.

19 Defendant Lincoln County was the employer of Defendant Collier and therefore  
20 vicariously liable for the acts and/or omissions of Defendant Collier.  
21

22 84.

23 The acts described above, and the intentional attempt to retaliate against Plaintiff  
24 Wallace as alleged in Count Three above, resulted from Defendant Lincoln County’s negligence  
25 under the theory of vicarious liability in the following particulars:  
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84.1 Knowing its obligation to prevent unlawful retaliation and failing to adopt or enforce policies forbidding unlawful retaliation;

84.2 Knowing its obligation to prevent unlawful retaliation and failing to take reasonable measures to protect Plaintiff Wallace against unlawful retaliation;

84.3 Knowing its obligation to prevent unlawful retaliation and failing to train Defendant Collier on unlawful retaliation; and/or

84.4            Knowing its obligation to prevent unlawful retaliation and failing to oversee Defendant Collier's supervision of employees in such a way as to detect, prevent, and/or address unlawful retaliation.

### Count Five: Disability Retaliation – ORS 659A.109

**(Plaintiff Wallace against Defendant Collier)**

85.

Plaintiff Wallace re-alleges the facts and allegations set forth above and incorporates them herein by reference.

86.

It is an unlawful employment practice for an employer to discriminate against an individual with respect to hire or tenure or any term or condition of employment because the individual has applied for benefits or invoked or used the procedures provided for in the Oregon Law Against Disability Discrimination, ORS 659A.103 to 659A.145.

87.

Plaintiff Wallace’s request for accommodation via the workers’ compensation grant constituted his application for benefits under and his invocation and use of the procedures provided for in ORS 659A.103 to 659A.145.

1 88.

2 Defendant Collier discriminated against Plaintiff Wallace in the terms and conditions of  
3 his employment and in the pay discrepancies and ultimate termination of his workers'  
4 compensation grant position because Plaintiff Wallace made use of the Oregon Law Against  
5 Disability Discrimination in violation of ORS 659A.109.

6 **Count Six: Disability Retaliation – ORS 659A.109**

7 **(Plaintiff Wallace against Defendant Lincoln County – Vicarious Liability)**

8 89.

9 Plaintiff Wallace re-alleges the facts and allegations set forth above and incorporates  
10 them herein by reference.

11 90.

12 It is an unlawful employment practice for an employer to discriminate against an  
13 individual with respect to hire or tenure or any term or condition of employment because the  
14 individual has applied for benefits or invoked or used the procedures provided for in the Oregon  
15 Law Against Disability Discrimination, ORS 659A.103 to 659A.145.

16 91.

17 Plaintiff Wallace's request for accommodation via the workers' compensation grant  
18 constituted his application for benefits under and his invocation and use of the procedures  
19 provided for in ORS 659A.103 to 659A.145.

20 92.

21 Defendant Lincoln County was the employer of Defendant Collier and therefore  
22 vicariously liable for the acts and/or omissions of Defendant Collier.  
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1 93.

2 The acts described above, and the intentional attempt to retaliate against Plaintiff  
3 Wallace as alleged in Count Five above, resulted from Defendant Lincoln County's negligence  
4 under the theory of vicarious liability in the following particulars:

5 93.1 Knowing its obligation to prevent unlawful retaliation and failing to adopt  
6 or enforce policies forbidding unlawful retaliation;

7 93.2 Knowing its obligation to prevent unlawful retaliation and failing to take  
8 reasonable measures to protect Plaintiff Wallace against unlawful retaliation;

9 93.3 Knowing its obligation to prevent unlawful retaliation and failing to train  
10 Defendant Collier on unlawful retaliation; and/or

11 93.4 Knowing its obligation to prevent unlawful retaliation and failing to  
12 supervise Defendant Collier's supervision of employees in such a way as to detect, prevent,  
13 and/or address unlawful retaliation.  
14

15 94.

16 Defendant Lincoln County discriminated against Plaintiff Wallace in the terms and  
17 conditions of his employment and in the pay discrepancies and ultimate termination of his  
18 workers' compensation grant position because Plaintiff Wallace made use of the Oregon Law  
19 Against Disability Discrimination in violation of ORS 659A.109.

20 **Count Seven: Retaliation – ORS 659A.030(1)(f)**

21 **(Plaintiff Wallace against Defendant Collier)**

22 95.

23 Plaintiff Wallace re-alleges the facts and allegations set forth above and incorporates  
24 them herein by reference.  
25

1 96.

2 It is an unlawful employment practice ...[f]or any person to discharge, expel or  
3 otherwise discriminate against any other person because that other person has opposed any  
4 unlawful practice, or because that other person has filed a complaint, testified or assisted in any  
5 proceeding under this chapter or has attempted to do so.”

6 97.

7 Plaintiff Wallace opposed Defendant Collier’s discrimination by expressing his  
8 opposition to Defendant Collier’s actions related to ORS 659A.030(1)(f) via the Pay Equity  
9 Analysis, BOLI complaint, grievance, objection to Defendant Collier’s invalid nepotism claims,  
10 Tort Claim Notice, DA Wallace’s public statement on behalf of Plaintiff Wallace, and/or other  
11 grievances. The actions by Plaintiff Wallace, as described herein, constitute opposition to  
12 unlawful practices under ORS Chapter 659A.

13  
14 **Count Eight: Retaliation – ORS 659A.030(1)(f)**

15 **(Plaintiff Wallace against Defendant Lincoln County – Vicarious Liability)**

16 98.

17 Plaintiff Wallace re-alleges the facts and allegations set forth above and incorporates  
18 them herein by reference.

19 99.

20 It is an unlawful employment practice for any person to discharge, expel or otherwise  
21 discriminate against any other person because that other person has opposed any unlawful  
22 practice under ORS Chapter 659A.

23  
24 ///

100.

Defendant Lincoln County was the employer of Defendant Collier and therefore vicariously liable for the acts and/or omissions of Defendant Collier.

101.

The acts described above, and the intentional attempt to retaliate against Plaintiff Wallace as alleged in Count Seven above, resulted from Defendant Lincoln County's negligence under the theory of vicarious liability in the following particulars:

101.1 Knowing its obligation to prevent unlawful retaliation and failing to adopt or enforce policies forbidding unlawful retaliation;

101.2 Knowing its obligation to prevent unlawful retaliation and failing to take reasonable measures to protect Plaintiff Wallace against unlawful retaliation;

101.3 Knowing its obligation to prevent unlawful retaliation and failing to train Defendant Collier on unlawful retaliation; and/or

101.4 Knowing its obligation to prevent unlawful retaliation and failing to supervise Defendant Collier's supervision of employees in such a way as to detect, prevent, and/or address unlawful retaliation.

102.

Plaintiff Wallace opposed Defendant Collier's discrimination by expressing his opposition to Defendant Collier's actions related to ORS 659A.030(1)(f) via the Pay Equity Analysis, BOLI complaint, grievance, objection to Defendant Collier's invalid nepotism claims, Tort Claim Notice, DA Wallace's public statement on behalf of Plaintiff Wallace, and/or other grievances. The actions by Plaintiff Wallace, as described herein, constitute opposition to unlawful practices under ORS Chapter 659A.

**Count Nine: Whistleblower Retaliation – ORS 659A.199**

**(Plaintiff O’Toole against Defendant Campa)**

103.

Plaintiff O’Toole re-alleges the facts and allegations contained in the paragraphs above and incorporates them by reference.

104.

ORS 659A.199 provides, in part, that “It is an unlawful employment practice for any employer to discharge, demote, suspend or in any manner discriminate or retaliate against an employee with regard to promotion, compensation, or other terms, conditions, or privileges of employment for the reason that the employee has in good faith reported information that the employee believes is evidence of a violation of state or federal law, rule, or regulation.”

105.

Plaintiff O’Toole opposed Defendant Campa’s unlawful practices by reporting her concerns of abuse and harassment to Human Resources, filing a complaint, filing a Tort Claim Notice, and/or directly confronting Defendant Campa on multiple occasions. Defendant Campa’s retaliatory conduct toward Plaintiff O’Toole was motivated in whole or in part by Plaintiff O’Toole’s opposition to Defendant Campa’s unlawful practices.

**Count Ten: Whistleblower Retaliation – ORS 659A.199**

**(Plaintiff O’Toole against Defendant Campa and Defendant Collier – Tortious Concert)**

106.

Plaintiff O’Toole re-alleges the facts and allegations contained in the paragraphs above and incorporates them by reference.

107.

Defendant Campa and Defendant Collier acted in concert with each other to oversee the Lincoln County Parole and Probation Division and manage and supervise the employees therein. Defendant Campa committed the unlawful and/or tortious acts alleged herein while under the supervision and authority of Defendant Collier. Defendant Collier actively aided and abetted Defendant Campa's unlawful and/or tortious acts. Defendant Collier and Defendant Campa acted in tortious concert to create a toxic work environment and a general atmosphere of discrimination and retaliation.

108.

Defendant Campa and Defendant Collier are also subject to liability for the harm done to Plaintiff O'Toole from the tortious conduct of each other because:

108.1 Defendant Campa and Defendant Collier each knew or reasonably should have known that the other's described conduct constituted whistleblower retaliation in violation of ORS 659A.199 and substantially aided each other in so acting; and/or

108.2 Defendant Collier and Defendant Campa gave substantial assistance to each other in accomplishing the tortious outcome of retaliating against Plaintiff O'Toole for whistleblowing in violation of ORS 659A.199 and their own conduct, separately consisted and constituted whistleblower retaliation against Plaintiff in violation of ORS 659A.199.

**Count Eleven: Whistleblower Retaliation – ORS 659A.199**

**(Plaintiff O'Toole against Defendant Lincoln County – Vicarious Liability)**

109.

Plaintiff O'Toole re-alleges the facts and allegations contained in the paragraphs above and incorporates them by reference.

110.

Defendant Lincoln County was the employer of both Defendant Campa and Defendant Collier and therefore vicariously liable for the acts and/or omissions of Defendant Campa and Defendant Collier.

111.

The acts described above, and the intentional attempt to retaliate against Plaintiff O'Toole as alleged in Count Nine above, resulted from Defendant Lincoln County's negligence under the theory of vicarious liability in the following particulars:

111.1 Knowing its obligation to prevent whistleblower retaliation, and failing to adopt or enforce policies forbidding whistleblower retaliation;

111.2 Knowing its obligation to prevent whistleblower retaliation, and failing to take reasonable measures to protect Plaintiff O'Toole against whistleblower retaliation;

111.3 Knowing its obligation to prevent whistleblower retaliation, and failing to train Defendant Campa on whistleblower retaliation;

111.4 Knowing its obligation to prevent whistleblower retaliation, and failing to train Defendant Collier on whistleblower retaliation;

111.5 Knowing its obligation to prevent whistleblower retaliation, and failing to oversee Defendant Campa's supervision of employees in such a way as to detect, prevent, and/or address whistleblower retaliation; and/or

111.6 Knowing its obligation to prevent whistleblower retaliation and failing to oversee Defendant Collier's supervision of employees in such a way as to detect, prevent, and/or address whistleblower retaliation.



**Count Twelve: Retaliation – ORS 659A.030(1)(f)**

**(Plaintiff O’Toole against Defendant Campa)**

112.

Plaintiff O’Toole re-alleges the facts and allegations set forth in the paragraphs above and incorporates them by reference.

113.

It is an unlawful employment practice ...[f]or any person to discharge, expel or otherwise discriminate against any other person because that other person has opposed any unlawful practice, or because that other person has filed a complaint, testified or assisted in any proceeding under this chapter or has attempted to do so.”

114.

Plaintiff O’Toole opposed Defendant Campa’s unlawful practices by reporting her concerns of abuse and harassment to Human Resources, filing a complaint, filing a Tort Claim Notice, and/or directly confronting Defendant Campa on multiple occasions. Defendant Campa’s retaliatory conduct toward Plaintiff O’Toole was motivated in whole or in part by Plaintiff O’Toole’s opposition to Defendant Campa’s unlawful practices.

**Count Thirteen: Retaliation – ORS 659A.030(1)(f)**

**(Plaintiff O’Toole against Defendant Campa and Defendant Collier – Tortious Concert)**

115.

Plaintiff re-alleges the facts and allegations contained in the paragraphs above and incorporates them by reference.

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116.

Defendant Campa and Defendant Collier acted in concert with each other to oversee the Lincoln County Parole and Probation Division and manage and supervise the employees therein. Defendant Campa committed the unlawful and/or tortious acts alleged herein while under the supervision and authority of Defendant Collier. Defendant Collier actively aided and abetted Defendant Campa's unlawful and/or tortious acts. Defendant Collier and Defendant Campa acted in tortious concert to create a toxic work environment and a general atmosphere of discrimination and retaliation.

117.

Defendant Campa and Defendant Collier are also subject to liability for the harm done to Plaintiff O'Toole from the tortious conduct of each other because:

117.1 Defendant Campa and Defendant Collier each knew or reasonably should have known that the other's described conduct constituted retaliation in violation of ORS 659A.030(1)(f) and substantially aided each other in so acting;

117.2 Defendant Campa and Defendant Collier gave substantial assistance to each other in accomplishing the tortious outcome of retaliating against Plaintiff O'Toole for confronting Defendants about their violations and their own conduct, separately consisted and constituted retaliation against Plaintiff O'Toole in violation of ORS 659A.030.

**Count Fourteen: Retaliation – ORS 659A.030(1)(f)**

**(Plaintiff O'Toole against Defendant Lincoln County – Vicarious Liability)**

118.

Plaintiff O'Toole re-alleges the facts and allegations contained in the paragraphs above and incorporates them by reference.

119.

Defendant Lincoln County was the employer of both Defendant Campa and Defendant Collier and therefore vicariously liable for the acts and/or omissions of Defendant Campa and Defendant Collier.

120.

The acts described above, and the intentional attempt to retaliate against Plaintiff O'Toole as alleged in Count Twelve above, resulted from Defendant Lincoln County's negligence under the theory of vicarious liability in the following particulars:

120.1 Knowing its obligation to prevent retaliation and failing to adopt or enforce policies forbidding retaliation pursuant to ORS 659A.030(1)(f);

120.2 Knowing its obligation to prevent retaliation and failing to take reasonable measures to protect Plaintiff O'Toole against retaliation pursuant to ORS 659A.030(1)(f);

120.3 Knowing its obligation to prevent retaliation and failing to train Defendant Campa about retaliation pursuant to ORS 659A.030(1)(f);

120.4 Knowing its obligation to prevent retaliation and failing to train Defendant Collier on retaliation pursuant to ORS 659A.030(1)(f);

120.5 Knowing its obligation to prevent retaliation and failing to oversee Defendant Campa's supervision of employees in such a way as to detect, prevent, and/or address retaliation pursuant to ORS 659A.030(1)(f); and/or

120.6 Knowing its obligation to prevent retaliation and failing to oversee Defendant Collier's supervision of employees in such a way as to detect, prevent, and/or address retaliation pursuant to ORS 659A.030(1)(f).

**Count Fifteen: Whistleblower Retaliation – ORS 659A.199**

**(Plaintiff Branford against Defendant Collier)**

121.

Plaintiff Branford re-alleges the facts and allegations contained in the paragraphs above and incorporates them by reference.

122.

ORS 659A.199 provides, in part, that “It is an unlawful employment practice for any employer to discharge, demote, suspend or in any manner discriminate or retaliate against an employee with regard to promotion, compensation, or other terms, conditions, or privileges of employment for the reason that the employee has in good faith reported information that the employee believes is evidence of a violation of state or federal law, rule, or regulation.”

123.

Plaintiff Branford opposed Defendants Collier and Lincoln County’s unlawful practices by reporting the tortious and/or unlawful behavior of the employees referenced in Paragraphs 56 through 58, by reporting Human Resource’s improper handling of employment applications in an attempt to delay hiring decision until after the election, in contacting County Administrator Johnson about improper Human Resources practices targeting Plaintiff Wallace, and/or by directly confronting Defendant Collier and/or Lincoln County on multiple occasions. Defendant Collier’s retaliatory conduct in relation to these complaints or reports was motivated in whole or in part by Plaintiff Branford’s opposition to Defendants’ unlawful practices.

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**Count Sixteen: Whistleblower Retaliation – ORS 659A.199**

**(Plaintiff Branford against Defendant Lincoln County – Vicarious Liability)**

124.

Plaintiff Branford re-alleges the facts and allegations contained in the paragraphs above and incorporates them by reference.

125.

Defendant Lincoln County was the employer of Defendant Collier and therefore vicariously liable for the acts and/or omissions of Defendant Collier.

126.

The acts described above, and the intentional attempt to retaliate against Plaintiff Branford as alleged in Count Fifteen above resulted from Defendant Lincoln County's negligence under the theory of vicarious liability in the following particulars:

126.1 Knowing its obligation to prevent whistleblower retaliation and failing to adopt or enforce policies forbidding whistleblower retaliation;

126.2 Knowing its obligation to prevent whistleblower retaliation and failing to take reasonable measures to protect Plaintiff Branford against whistleblower retaliation;

126.3 Knowing its obligation to prevent whistleblower retaliation and failing to train Defendant Collier on whistleblower retaliation; and/or

126.4 Knowing its obligation to prevent whistleblower retaliation and failing to oversee Defendant Collier's supervision of employees in such a way as to detect, prevent, and/or address whistleblower retaliation.

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1 132.

2 It is an unlawful employment practice for an employer to discriminate against an  
3 individual with respect to hire or tenure or any term or condition of employment because the  
4 individual has applied for benefits or invoked or used the procedures provided for in the Oregon  
5 Law Against Disability Discrimination, ORS 659A.103 to 659A.145.

6 133.

7 Plaintiff Branford invoked the provisions of ORS 659A.103 to 659A.145 following her  
8 surgery, time off, and resulting partial disability.

9 134.

10 Defendant Lincoln County was the employer of Defendant Collier and therefore  
11 vicariously liable for the acts and/or omissions of Defendant Collier.  
12

13 135.

14 The acts described above, and the intentional attempt to retaliate against Plaintiff  
15 Branford as alleged in Count Fifteen above, resulted from Defendant Lincoln County's  
16 negligence under the theory of vicarious liability in the following particulars:

17 135.1 Knowing its obligation to prevent unlawful retaliation and failing to adopt  
18 or enforce policies forbidding unlawful retaliation;

19 135.2 Knowing its obligation to prevent unlawful retaliation and failing to take  
20 reasonable measures to protect Plaintiff Branford against unlawful retaliation;

21 135.3 Knowing its obligation to prevent unlawful retaliation and failing to train  
22 Defendant Collier on unlawful retaliation; and/or  
23  
24  
25  
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135.4            Knowing its obligation to prevent unlawful retaliation and failing to supervise Defendant Collier's supervision of employees in such a way as to detect, prevent, and/or address unlawful retaliation.

136.

Defendant Lincoln County discriminated against Plaintiff Branford in the terms and conditions of her employment, including her ultimate wrongful termination, because Plaintiff Branford made use of the Oregon Law Against Disability Discrimination in violation of ORS 659A.109.

**Count Nineteen: Retaliation – ORS 659A.030(1)(f)**  
**(Plaintiff Branford against Defendant Collier)**

137.

Plaintiff Branford re-alleges the facts and allegations set forth above and incorporates them herein by reference.

138.

It is an unlawful employment practice ...[f]or any person to discharge, expel or otherwise discriminate against any other person because that other person has opposed any unlawful practice, or because that other person has filed a complaint, testified or assisted in any proceeding under this chapter or has attempted to do so.”

139.

Plaintiff Branford opposed Defendant Collier’s discrimination when her attorney filed a Tort Claim Notice providing notification of multiple legal claims, including those under the subject chapter. Thereafter, Defendant Collier wrongfully terminated Plaintiff Branford. The



actions by Plaintiff Branford, as described herein, constitute opposition to unlawful practices under ORS Chapter 659A.

**Count Twenty: Retaliation – ORS 659A.030(1)(f)**

**(Plaintiff Branford against Defendant Lincoln County – Vicarious Liability)**

140.

Plaintiff Branford re-alleges the facts and allegations set forth above and incorporates them herein by reference.

141.

It is an unlawful employment practice for any person to discharge, expel or otherwise discriminate against any other person because that other person has opposed any unlawful practice under ORS Chapter 659A.

142.

Defendant Lincoln County was the employer of Defendant Collier and therefore vicariously liable for the acts and/or omissions of Defendant Collier.

143.

The acts described above, and the intentional attempt to retaliate against Plaintiff Branford as alleged in Count Seventeen above, resulted from Defendant Lincoln County's negligence under the theory of vicarious liability in the following particulars:

143.1        Knowing its obligation to prevent unlawful retaliation and failing to adopt or enforce policies forbidding unlawful retaliation;

143.2        Knowing its obligation to prevent unlawful retaliation and failing to take reasonable measures to protect Plaintiff Branford against unlawful retaliation;

143.3 Knowing its obligation to prevent unlawful retaliation and failing to train Defendant Collier on unlawful retaliation; and/or

143.4            Knowing its obligation to prevent unlawful retaliation and failing to supervise Defendant Collier's supervision of employees in such a way as to detect, prevent, and/or address unlawful retaliation.

144.

Plaintiff Branford opposed Defendant Collier's discrimination by expressing her opposition to Defendant Collier's actions related to ORS 659A.030(1)(f) via the Tort Claim Notice filed on April 14, 2025, and/or other grievances. The actions by Plaintiff Branford, as described herein, constitute opposition to unlawful practices under ORS Chapter 659A.

## SECOND CLAIM FOR RELIEF

**Count One: Marital Status Discrimination – ORS 659A.030**

**(Plaintiff Wallace against Defendant Collier)**

145.

Plaintiff Wallace re-alleges the facts and allegations contained in the paragraphs above and incorporates them by reference.

146.

ORS 659A.030(1)(a) and (b) makes it an unlawful employment practice for an employer to discriminate against an individual by refusing to hire or employ them, or by refusing to compensate them, including in terms, conditions, or privileges of employment because of the individual's marital status.

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147.

Defendant Collier discriminated against Plaintiff Wallace in whole or in part due to his marital status, when Plaintiff Wallace was demoted based upon invalid claims of nepotism due to his marital status.

**Count Two: Marital Status Discrimination – ORS 659A.030**

**(Plaintiff Wallace against Defendant Lincoln County – Vicarious Liability)**

148.

Plaintiff re-alleges the facts and allegations contained in the paragraphs above and incorporates them by reference.

149.

Defendant Lincoln County was Defendant Collier's employer and therefore vicariously liable for the acts and/or omissions of Defendant Collier.

150.

Defendant Collier's conduct as alleged herein resulted from Defendant Lincoln County's negligence under the theory of vicarious liability in the following particulars:

150.1 Knowing its duty to prevent discrimination on the basis of marital status and failing to adopt or enforce policies forbidding discrimination on the basis of marital status;

150.2 Knowing its duty to prevent discrimination on the basis of marital status and failing to take reasonable measures to protect Plaintiff Wallace against discrimination on the basis of marital status;

150.3 Knowing its duty to prevent discrimination on the basis of marital status and failing to train Defendant Collier about marital status discrimination; and/or

1           150.4           Knowing its duty to prevent discrimination on the basis of marital status  
2 and failing to oversee Defendant Collier’s supervision of employees in such a way as to detect,  
3 prevent, and/or address discrimination on the basis of marital status.

4                                   **THIRD CLAIM FOR RELIEF**

5                                   **Count One: Disability Discrimination – ORS 659A.112**

6                                   **(Plaintiff Wallace against Defendant Collier)**

7                                   151.

8           Plaintiff Wallace re-alleges the facts and allegations contained in the paragraphs above  
9 and incorporates them by reference.

10                                  152.

11           ORS 659A.112 provides, in part, that “It is an unlawful employment practice for any  
12 employer to . . . bar or discharge from employment or to discriminate in compensation or in  
13 terms, conditions, or privileges of employment on the basis of disability.”

14                                  153.

15           Plaintiff Wallace is a disabled person for purposes of ORS 659A.104. Defendant Collier  
16 knew of Plaintiff Wallace’s disability. Defendant Collier’s conduct towards Plaintiff Wallace  
17 was motivated in whole or in part by Plaintiff Wallace’s disability.

18                                   **Count Two: Disability Discrimination – ORS 659A.112**

19                                   **(Plaintiff Wallace against Defendant Lincoln County – Vicarious Liability)**

20                                  154.

21           Plaintiff Wallace re-alleges the facts and allegations contained in the paragraphs above  
22 and incorporates them by reference.  
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24  
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155.

Defendant Lincoln County was Defendant Collier's employer and therefore vicariously liable for the acts and/or omissions of Defendant Collier.

156.

Defendant Collier's conduct as alleged herein resulted from Defendant Lincoln County's negligence under the theory of vicarious liability in the following particulars:

156.1 Knowing its duty to prevent discrimination on the basis of disability and failing to adopt or enforce policies forbidding discrimination on the basis of disability;

156.2 Knowing its duty to prevent discrimination on the basis of disability and failing to take reasonable measures to protect Plaintiff Wallace against discrimination on the basis of disability;

156.3 Knowing its duty to prevent discrimination on the basis of disability and failing to train Defendant Collier about disability discrimination; and/or

156.4 Knowing its duty to prevent discrimination on the basis of disability and failing to oversee Defendant Collier's supervision of employees in such a way as to detect, prevent, and/or address discrimination on the basis of disability.

**Count Three: Disability Discrimination – ORS 659A.112**

**(Plaintiff Branford against Defendant Collier)**

157.

Plaintiff Branford re-alleges the facts and allegations contained in the paragraphs above and incorporates them by reference.

///

158.

ORS 659A.112 provides, in part, that “It is an unlawful employment practice for any employer to . . . bar or discharge from employment or to discriminate in compensation or in terms, conditions, or privileges of employment on the basis of disability.”

159.

Plaintiff Branford is a disabled person for purposes of ORS 659A.104. Defendant Collier’s conduct towards Plaintiff Branford was motivated in whole or in part by Plaintiff Branford’s disability, resulting from her brain surgery and subsequent surgery.

160.

Defendant Collier’s conduct towards Plaintiff Wallace as alleged herein is in violation of ORS 659A.112.

**Count Four: Disability Discrimination – ORS 659A.112**

**(Plaintiff Branford against Defendant Lincoln County – Vicarious Liability)**

161.

Plaintiff Branford re-alleges the facts and allegations contained in the paragraphs above and incorporates them by reference.

162.

Defendant Lincoln County was Defendant Collier’s employer and therefore vicariously liable for the acts and/or omissions of Defendant Collier.

163.

Defendant Collier’s conduct as alleged herein resulted from Defendant Lincoln County’s negligence under the theory of vicarious liability in the following particulars:

1           163.1           Knowing of its duty to prevent discrimination on the basis of disability,  
2 failing to adopt or enforce policies forbidding discrimination on the basis of disability;

3           163.2           Knowing of its duty to prevent discrimination on the basis of disability,  
4 failing to take reasonable measures to protect Plaintiff Branford against discrimination on the  
5 basis of disability;

6           163.3           Knowing of its duty to prevent discrimination on the basis of marital  
7 status, failing to train Defendant Collier on disability discrimination;

8           163.4           Knowing of its duty to prevent discrimination on the basis of disability,  
9 failing to supervise Defendant Collier's supervision of employees in such a way as to detect,  
10 prevent, and/or address discrimination on the basis of disability.

11  
12                           **FOURTH CLAIM FOR RELIEF**

13                           **Count One: Age Discrimination – ORS 659A.030**

14                           **(Plaintiff O'Toole against Defendant Campa)**

15                           164.

16           Plaintiff O'Toole re-alleges the facts and allegations contained in the paragraphs above  
17 and incorporates them by reference.

18                           165.

19           ORS 659A.030 provides, in part, that "It is an unlawful employment practice for an  
20 employer, because of an individual's . . . age . . . to discriminate against the employee with  
21 regard to compensation or in terms, conditions, or privileges of employment."

22                           166.

23           Plaintiff O'Toole is sixty-three years old. Defendant Campa's behavior towards Plaintiff  
24 was motivated in whole or in part by Plaintiff's age.  
25  
26

**Count Two – Age Discrimination – ORS 659A.030**

**(Plaintiff O’Toole against Defendant Collier and Defendant Campa – Tortious Concert)**

167.

Plaintiff O’Toole re-alleges the facts and allegations contained in the paragraphs above and incorporates them by reference.

168.

Defendant Campa and Defendant Collier acted in concert with each other to oversee the Lincoln County Parole and Probation Division and manage and supervise the employees therein. Defendant Campa committed the unlawful and/or tortious acts alleged herein while under the supervision and authority of Defendant Collier. Defendant Collier actively aided and abetted Defendant Campa’s unlawful and/or tortious acts. Defendant Collier and Defendant Campa acted in tortious concert to create a toxic work environment and a general atmosphere of discrimination and retaliation.

169.

Defendant Campa and Defendant Collier are also subject to liability for the harm done to Plaintiff O’Toole from the tortious conduct of each other because:

169.1 Defendant Campa and Defendant Collier each knew or reasonably should have known that the other’s described conduct constituted discrimination on the basis of age in violation of ORS 659A.030 and substantially aided each other in so acting; and/or

169.2 Defendant Campa and Defendant Collier gave substantial assistance to each other in accomplishing the tortious outcome of discriminating against Plaintiff O’Toole on the basis of age in violation of ORS 659A.030 and their own conduct, separately consisted and



1 constituted discrimination against Plaintiff O'Toole on the basis of age in violation of ORS  
2 659A.030.

3 **Count Three – Age Discrimination – ORS 659A.030**

4 **(Plaintiff O'Toole against Defendant Lincoln County – Vicarious Liability)**

5 170.

6 Plaintiff O'Toole re-alleges the facts and allegations contained in the paragraphs above  
7 and incorporates them by reference.

8 171.

9 Defendant Lincoln County was the employer of both Defendant Campa and Defendant  
10 Collier and therefore vicariously liable for the acts and/or omissions of Defendant Campa and  
11 Defendant Collier.  
12

13 172.

14 The acts described above, and the intentional attempt to discriminate against Plaintiff  
15 O'Toole on the basis of age in violation of ORS 659A.030, resulted from Defendant Lincoln  
16 County's negligence under the theory of vicarious liability in the following particulars.

17 172.1 Knowing its obligation to prevent discrimination on the basis of age and  
18 failing to adopt or enforce policies forbidding discrimination on the basis of age;

19 172.2 Knowing its obligation to prevent discrimination on the basis of age and  
20 failing to take reasonable measures to protect Plaintiff against discrimination on the basis of age;

21 172.3 Knowing its obligation to prevent discrimination on the basis of age and  
22 failing to train Defendant Campa on age-based discrimination;

23 172.4 Knowing its obligation to prevent discrimination on the basis of age and  
24 failing to train Defendant Collier on age-based discrimination;  
25

172.5            Knowing its obligation to prevent discrimination on the basis of age and failing to oversee Defendant Campa's supervision of employees in such a way as to detect, prevent, and/or address discrimination on the basis of age; and/or

172.6           Knowing its obligation to prevent discrimination on the basis of age and failing to oversee Defendant Collier's supervision of employees in such a way as to detect, prevent, and/or address discrimination on the basis of age.

**Count Four: Age Discrimination – ORS 659A.030**  
**(Plaintiff Branford against Defendant Collier)**

173.

Plaintiff Branford re-alleges the facts and allegations contained in the paragraphs above and incorporates them by reference.

174.

ORS 659A.030 provides, in part, that “It is an unlawful employment practice for an employer, because of an individual’s . . . age . . . to discriminate against the employee with regard to compensation or in terms, conditions, or privileges of employment.”

175.

Plaintiff Branford is forty-four years old. Defendant Collier's behavior, specifically her wrongful termination, was motivated in whole or in part by Plaintiff's age.

**Count Five – Age Discrimination – ORS 659A.030**  
**(Plaintiff Branford against Defendant Lincoln County – Vicarious Liability)**

176.

Defendant Lincoln County was the employer of Defendant Collier and therefore vicariously liable for the acts and/or omissions of Defendant Collier.

177.

The acts described above, and the intentional attempt to discriminate against Plaintiff Branford on the basis of age in violation of ORS 659A.030, resulted from Defendant Lincoln County's negligence under the theory of vicarious liability in the following particulars:

177.1 Knowing its obligation to prevent discrimination on the basis of age and failing to adopt or enforce policies forbidding discrimination on the basis of age;

177.2 Knowing its obligation to prevent discrimination on the basis of age and failing to take reasonable measures to protect Plaintiff against discrimination on the basis of age;

177.3 Knowing its obligation to prevent discrimination on the basis of age and failing to train Defendant Collier about age-based discrimination;

177.4 Knowing its obligation to prevent discrimination on the basis of age and failing to supervise Defendant Collier's supervision of employees in such a way as to detect, prevent, and/or address discrimination on the basis of age.

#### **FIFTH CLAIM FOR RELIEF**

##### **Count One: Sex Discrimination – ORS 659A.030**

**(Plaintiff O'Toole against Defendant Campa)**

178.

Plaintiff O'Toole re-alleges the facts and allegations contained in the paragraphs above and incorporates them by reference.

179.

ORS 659A.030 provides, in part, that "It is an unlawful employment practice for an employer, because of an individual's . . . sex . . . to discriminate against the employee in regard to compensation or in terms, conditions, or privileges of employment."

180.

Plaintiff O'Toole is a woman. Defendant Campa's conduct towards Plaintiff O'Toole as alleged herein was motivated in whole or in part by Plaintiff O'Toole's sex.

**Count Two: Sex Discrimination – ORS 659A.030**  
**(Plaintiff O'Toole against Defendant Campa and Defendant Collier – Tortious Concert)**

181.

Plaintiff O'Toole re-alleges the facts and allegations contained in the paragraphs above and incorporates them by reference.

182.

Defendant Campa and Defendant Collier acted in concert with each other to oversee the Lincoln County Parole and Probation Division and manage and supervise the employees therein. Defendant Campa committed the unlawful and/or tortious acts alleged herein while under the supervision and authority of Defendant Collier. Defendant Collier actively aided and abetted Defendant Campa's unlawful and/or tortious acts. Defendant Collier and Defendant Campa acted in tortious concert to create a toxic work environment and a general atmosphere of discrimination and retaliation.

183.

Defendant Campa and Defendant Collier are also subject to liability for the harm done to Plaintiff O'Toole from the tortious conduct of each other because:

183.1 Defendant Campa and Defendant Collier each knew or reasonably should have known that the other's described conduct constituted discrimination on the basis of sex in violation of ORS 659A.030 and substantially aided each other in so acting; and/or

183.2 Defendant Collier and Defendant Campa gave substantial assistance to

1 each other in accomplishing the tortious outcome of discriminating against Plaintiff O'Toole on  
2 the basis of sex in violation of ORS 659A.030 and their own conduct, separately consisted,  
3 constituted discrimination against Plaintiff O'Toole on the basis of age in violation of ORS  
4 659A.030.

5 **Count Three: Sex Discrimination – ORS 659A.030**

6 **(Plaintiff O'Toole against Defendant Lincoln County – Vicarious Liability)**

7 184.

8 Defendant Lincoln County was the employer of both Defendant Campa and Defendant  
9 Collier and therefore vicariously liable for the acts and/or omissions of Defendant Campa and  
10 Defendant Collier.

11 185.

12 The acts described above, and the intentional attempt to discriminate against Plaintiff  
13 O'Toole on the basis of sex in violation of ORS 659A.030, resulted from Defendant Lincoln  
14 County's negligence under the theory of vicarious liability in the following particulars.

15 185.1 Knowing its obligation to prevent discrimination on the basis of sex and  
16 failing to adopt or enforce policies forbidding discrimination on the basis of sex;

17 185.2 Knowing its obligation to prevent discrimination on the basis of sex and  
18 failing to take reasonable measures to protect Plaintiff O'Toole against discrimination on the  
19 basis of sex;

20 185.3 Knowing its obligation to prevent discrimination on the basis of sex and  
21 failing to train Defendant Campa on sex-based discrimination;

22 185.4 Knowing its obligation to prevent discrimination on the basis of sex and  
23 failing to train Defendant Collier on sex-based discrimination;

185.5            Knowing its obligation to prevent discrimination on the basis of sex and failing to oversee Defendant Campa's supervision of employees in such a way as to detect, prevent, and/or address discrimination on the basis of sex;

185.6            Knowing its obligation to prevent discrimination on the basis of sex and failing to oversee Defendant Collier's supervision of employees in such a way as to detect, prevent, and/or address discrimination on the basis of sex.

**Count Four: Sex Discrimination – ORS 659A.030**  
**(Plaintiff Branford against Defendant Collier)**

186.

Plaintiff Branford re-alleges the facts and allegations contained in the paragraphs above and incorporates them by reference.

187.

ORS 659A.030 provides, in part, that “It is an unlawful employment practice for an employer, because of an individual’s . . . sex . . . to discriminate against the employee in regard to compensation or in terms, conditions, or privileges of employment.”

188.

Plaintiff Branford is a woman. Defendant Collier's conduct towards Plaintiff Branford as alleged herein was motivated in whole or in part by Plaintiff Branford's sex.

### Count Five: Sex Discrimination – ORS 659A.030

**(Plaintiff Branford against Defendant Lincoln County – Vicarious Liability)**

189.

Plaintiff Branford re-alleges the facts and allegations contained in the paragraphs above and incorporates them by reference.

190.

Defendant Lincoln County was the employer of both Defendant Collier and therefore vicariously liable for the acts and/or omissions of Defendant Collier.

191.

The acts described above, and the intentional attempt to discriminate against Plaintiff Branford on the basis of sex in violation of ORS 659A.030, resulted from Defendant Lincoln County's negligence under the theory of vicarious liability in the following particulars.

191.1 Knowing its obligation to prevent discrimination on the basis of sex and failing to adopt or enforce policies forbidding discrimination on the basis of sex;

191.2 Knowing its obligation to prevent discrimination on the basis of sex and failing to take reasonable measures to protect Plaintiff Branford against discrimination on the basis of sex;

191.3 Knowing its obligation to prevent discrimination on the basis of sex and failing to train Defendant Collier on sex-based discrimination; and/or

191.4 Knowing its obligation to prevent discrimination on the basis of sex and failing to oversee Defendant Collier's supervision of employees in such a way as to detect, prevent, and/or address discrimination on the basis of sex.

## **SIXTH CLAIM FOR RELIEF**

### **Sick Leave Discrimination - ORS 653.641**

**(Plaintiff Branford against Defendant Collier and Defendant Lincoln County)**

192.

Plaintiff re-alleges and incorporates by reference the facts and allegations set forth in the paragraphs above.

193.

ORS 653.641 provides in part, “It is an unlawful practice for an employer or any other person to: . . . Retaliate or in any way discriminate against an employee with respect to any term or condition of employment because the employee has . . . submitted a request for sick time, taken sick time . . . or invoked any provision of ORS 653.601 to 653.661.”

194.

Following her use of sick time as described above, Plaintiff suffered retaliation from Defendants including, without limitation, her wrongful termination.

195.

Defendants’ conduct as alleged herein is in violation of ORS 653.641.

## **SEVENTH CLAIM FOR RELIEF**

### **Defamation Per Se**

**(Defendant O’Toole against All Defendants)**

196.

Plaintiff re-alleges and incorporates by reference the facts and allegations set forth in the paragraphs above.

197.

Defendants Campa and Collier, under the authority and control of Defendant Lincoln County, submitted a libelous report to the Oregon DPSST as alleged in Paragraph 54. This report was false and made with the intent to injure, harm, retaliate against and/or otherwise damage Plaintiff O’Toole or in reckless disregard thereof.



1 198.

2 The statements by Defendants alleged herein were such that they tended to harm Plaintiff  
3 O'Toole's reputation and to lower her in the estimation of the community (her professional  
4 organization) and/or to deter third persons from associating or dealing with her. They were such  
5 that a reasonable person would believe them to be defamatory or could draw a defamatory  
6 inference therefrom.

7 199.

8 The report made by Defendants was such that it injured Plaintiff in her employment and  
9 profession and promoted that she was unfit in her profession.  
10

11 200.

12 As a foreseeable result of the comments from Defendants, Plaintiff O'Toole has been  
13 negatively impacted.

14 **EIGHTH CLAIM FOR RELIEF**

15 **Intentional Infliction of Emotional Distress**

16 **(All Plaintiffs against All Defendants)**

17 201.

18 Plaintiffs re-allege the facts and allegations contained above and incorporate them by  
19 reference.

20 202.

21 Defendants acted as alleged herein with the intent to cause Plaintiffs severe mental or  
22 emotional distress.  
23  
24  
25  
26

1 203.

2 Defendants knew, or should have known, that the acts as alleged herein were  
3 substantially certain to result in Plaintiffs suffering severe mental or emotional distress.

4 204.

5 Plaintiff Wallace was particularly vulnerable to Defendants' conduct due to his then  
6 existing work injury and medical impairments and his role as a subordinate employee relying on  
7 his employer for job security.

8 205.

9 Plaintiff O'Toole was particularly vulnerable to Defendants' conduct due to her  
10 husband's infirmities and her role as a subordinate employee relying on her employer for job  
11 security.

12 206.

13 Plaintiff Branford was particularly vulnerable to Defendants' conduct due to her  
14 disability and her role as a subordinate employee relying on her employer for job security.

15 207.

16 Defendants' conduct directed towards Plaintiffs exceeded any limit of socially tolerable  
17 conduct.

18 208.

19 The acts as alleged herein caused Plaintiffs to suffer severe mental and emotional harm  
20 and distress.

21 ///

1 **NINTH CLAIM FOR RELIEF**

2 **WRONGFUL DISCHARGE**

3 **Count One: Wrongful Discharge (Demotion) in Violation of Public Policy**  
4 **(Plaintiff Wallace against Defendant Collier and Defendant Lincoln County)**

5 209.

6 Plaintiff Wallace re-alleges the facts and allegations contained in Paragraphs 1 through  
7 72 and 79 through 84 above and incorporates them by reference.

8 210.

9 The public policy of the State of Oregon prohibits an employer from retaliating against  
10 an employee for reporting in good faith the violation of law, regulation, or rule, which public  
11 policy is reflected in the statutes and regulations of the State of Oregon, including but not limited  
12 to ORS 659A.199, which statutes expressly reserve to an aggrieved employee “any common law  
13 remedy” or “other remedy that may be available to an employee for the conduct” constituting a  
14 violation of such statutes.  
15

16 211.

17 The public policy of the State of Oregon also entitles an employee to continue  
18 employment without facing an adverse action based on an invalid nepotism claim under ORS  
19 244.177 as described in Paragraphs 145 through 150 above.

20 212.

21 Defendant Collier and Defendant Lincoln County violated such public policies by  
22 wrongfully demoting Plaintiff Wallace to a different lower position with lower pay in retaliation  
23 for his pursuit and exercise of his rights, including but not limited to his filing of a Pay Equity  
24 Analysis, BOLI complaint, grievance, objection to Defendants’ invalid nepotism claims, Tort  
25

1 Claim Notice, DA Wallace's public statement on behalf of Plaintiff Wallace, and/or other  
2 grievances. These violations related to his role as an employee, which rights are of important  
3 public interest.

4 **Count Two: Wrongful Discharge in Violation of Public Policy**  
5 **(Plaintiff O'Toole against All Defendants)**

6 213.

7 Plaintiff O'Toole re-alleges the facts and allegations contained in Paragraphs 1 through  
8 72 and 103 through 111 above and incorporates them by reference.

9 214.

10 The public policy of the State of Oregon prohibits an employer from retaliating against  
11 an employee for reporting good faith the violation of law, regulation, or rule, which public policy  
12 is reflected in the statutes and regulations of the State of Oregon, including but not limited to  
13 ORS 659A.199, which statutes expressly reserve to an aggrieved employee "any common law  
14 remedy" or "other remedy that may be available to an employee for the conduct" constituting a  
15 violation of such statutes.

16 215.

17 The public policy of the State of Oregon also prohibits an employer from retaliating  
18 against an employee for opposing any unlawful practice, which public policy is reflected in the  
19 statutes and regulations of the State of Oregon including but not limited to ORS 659A.030.

20 216.

21 Defendants violated such public policies by wrongfully discharging Plaintiff O'Toole in  
22 retaliation for her pursuit and exercise of her rights related to her role as an employee, including  
23 but not limited to reporting concerns of abuse and harassment to Human Resources, filing a  
24  
25

1 complaint, filing a Tort Claim Notice, and/or directly confronting Defendant Campa on multiple  
2 occasions. These violations related to her role as an employee, which rights are of important  
3 public interest.

4 **Count Three: Wrongful Discharge in Violation of Public Policy**  
5 **(Plaintiff Branford against Defendant Collier and Defendant Lincoln County)**

6 217.

7 Plaintiff Branford re-alleges the facts and allegations contained in Paragraphs 1 through  
8 72 and 121 through 126 above and incorporates them by reference.

9 218.

10 The public policy of the State of Oregon prohibits an employer from retaliating against  
11 an employee for reporting good faith the violation of law, regulation, or rule, which public policy  
12 is reflected in the statutes and regulations of the State of Oregon, including but not limited to  
13 ORS 659A.199, which statutes expressly reserve to an aggrieved employee “any common law  
14 remedy” or “other remedy that may be available to an employee for the conduct” constituting a  
15 violation of such statutes.  
16

17 219.

18 The public policy of the State of Oregon also prohibits an employer from retaliating  
19 against an employee for opposing any unlawful practice, which public policy is reflected in the  
20 statutes and regulations of the State of Oregon including but not limited to ORS 659A.030.

21 220.

22 Defendants violated such public policies by wrongfully discharging Plaintiff Branford in  
23 retaliation for her pursuit and exercise of her rights related to her role as an employee, including  
24 but not limited to reporting the tortious and/or unlawful behavior of the employee referenced in  
25

Paragraph 56 through 58, reporting Human Resource's improper handling of employment applications in an attempt to delay hiring decisions until after the election, contacting County Administrator Johnson about improper Human Resources practices targeting Plaintiff Wallace, and/or by directly confronting Defendant Collier and/or Defendant Lincoln County on multiple occasions. These violations related to her role as an employee, which rights are of important public interest.

#### **PRAYER FOR RELIEF**

WHEREFORE, Plaintiffs request judgment against and relief from Defendants as follows:

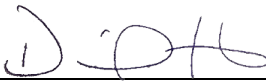
- a) Economic damages, including lost wages, benefits, and penalty wages, not to exceed \$1,000,000.00, or an amount to be proven at trial;
- b) Non-economic damages not to exceed \$2,300,000.00, or an amount to be proven at trial;
- c) Reasonable costs and attorney fees, including as authorized by ORS 659A.885, ORS 20.107, and ORS 653.055;
- d) Pre-judgment and post-judgment interest as appropriate and allowed by law;
- e) On subsequent motion, punitive damages, which Plaintiffs hereby expressly place Defendants on notice of Plaintiffs' intent to so move, if appropriate;
- f) On all claims, as applicable, amounts necessary to offset the income tax consequences of receiving a lump sum payment, rather than receiving payment of wages and receipt of benefits over the applicable time frame; and
- g) All such other relief as this Court may deem proper.

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1                                   **DEMAND FOR JURY TRIAL**

2           Plaintiffs demand a jury trial on all claims and issues to the extent allowable under the  
3 law.

4  
5                                   Dated: May 23, 2025

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7                                   

8                                   \_\_\_\_\_  
9                                   David M. Hannon, OSB No. 045666  
10                                  Of Attorneys for Plaintiffs  
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