



01-2-10246-5 18340335 AMCPT 01-27-03

FILED
IN COUNTY CLERK'S OFFICE

A.M. JAN 24 2003 P.M.

PIERCE COUNTY, WASHINGTON
KEVIN STOCK, County Clerk
BY _____ DEPUTY

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON

IN AND FOR THE COUNTY OF PIERCE

_____, S, a single
person,)

NO.: 01-2-10246-5

Plaintiff,)

vs.)

AMENDED COMPLAINT

STEILACOOM HISTORICAL SCHOOL
DISTRICT, and DAVID OLSON,)

Defendants.)

COMES NOW the Plaintiff _____, by and through the undersigned attorney, and for her cause of action against the Defendants alleges as follows:

I.

Plaintiff is and was, at all times material hereto, a resident of Pierce County, Washington.

II.

Defendant STEILACOOM HISTORICAL SCHOOL DISTRICT is a school district operating within Pierce County, Washington.

III.

Defendant DAVID OLSON is, and was at all times material hereto, a resident of Pierce County, Washington.

AMENDED COMPLAINT - 1

ORIGINAL

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IV.

Beginning in 1994, Plaintiff [REDACTED], then age 13, attended Pioneer Middle School, operated by Defendant STEILACOOM HISTORICAL SCHOOL DISTRICT.

V.

During the time that Plaintiff attended Pioneer Middle School, Defendant DAVID OLSON was assigned to be her English teacher and track coach.

VI.

Beginning in 1994, Defendant DAVID OLSON repeatedly wrote letters of a sexually suggestive nature to the Plaintiff.

VII.

Beginning in 1994, Defendant DAVID OLSON repeatedly touched the Plaintiff, to include touching of a sexual nature.

VIII.

Defendant DAVID OLSON repeatedly instructed the Plaintiff to keep their relationship secret from the Plaintiff's parents.

IX.

On one or more occasions, Defendant DAVID OLSON was seen by employees of Defendant STEILACOOM HISTORICAL SCHOOL DISTRICT inappropriately touching the Plaintiff on school property.

X.

On one or more occasions, Defendant DAVID OLSON's inappropriate touching of the Plaintiff on school property was reported to the school principal.

XI.

Despite being advised of Defendant DAVID OLSON's
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1 inappropriate touching of the Plaintiff on school property,
2 Defendant STEILACOOM HISTORICAL SCHOOL DISTRICT failed to take
3 appropriate steps to investigate, failed to report the incidents to
4 appropriate persons, including the Plaintiff's parents, and failed
5 to protect the Plaintiff from further tortious conduct on the part
6 of Defendant DAVID OLSON.

7 XII.

8 Defendant STEILACOOM HISTORICAL SCHOOL DISTRICT knew, or
9 should have known, that Defendant DAVID OLSON was engaged in an
10 inappropriate relationship, including touching of a sexual nature,
11 with the Plaintiff.

12 XIII.

13 Defendant STEILACOOM HISTORICAL SCHOOL DISTRICT was negligent
14 in failing to protect Plaintiff from the tortious conduct of
15 Defendant DAVID OLSON.

16 XIV.

17 Defendant STEILACOOM HISTORICAL SCHOOL DISTRICT was negligent
18 in hiring and retaining Defendant DAVID OLSON as a teacher for
19 Defendant STEILACOOM HISTORICAL SCHOOL DISTRICT.

20 XV.

21 Defendant STEILACOOM HISTORICAL SCHOOL DISTRICT's behavior
22 with respect to [REDACTED] whether by omission or
23 commission, was deliberately indifferent and clearly unreasonable.

24 XVI.

25 As a result of the tortious conduct of the Defendants and
26 their agents and employees, Plaintiff [REDACTED] sustained
27 injuries and damages, including, but not limited to, the negligent

1 and intentional infliction of severe emotional distress.

2 XVII.

3 The conduct of the Defendants, as described herein,
4 constitutes the tort of outrage.

5 XVIII.

6 That the conduct of Defendant STEILACOOM HISTORICAL SCHOOL
7 DISTRICT constitutes a violation of 42 U.S.C. § 1983, and Title IX.

8 XIX.

9 A proper claim form was timely filed with Defendant STEILACOOM
10 HISTORICAL SCHOOL DISTRICT by the Plaintiff herein more than 60
11 days prior to the filing of this action.

12 WHEREFORE, Plaintiff prays for judgment as follows:

- 13 1. For such general and special damages as shall be proven
14 at the time of trial;
- 15 2. For Plaintiff's costs incurred herein;
- 16 3. For Plaintiff's attorneys' fees;
- 17 4. For punitive damages;
- 18 5. For an award either through supplemental proceedings or
19 otherwise for compensation for the adverse tax
20 consequences for any verdict or settlement;
- 21 6. For prejudgment interest as to all liquidated costs; and
- 22 7. For such other and further relief as the Court deems just
23 and equitable.

24 DATED this 7th day of November, 2002.

25 ALBERTSON LAW OFFICES

26 
27 DAN M. ALBERTSON, WSBA# 10962
Attorney for Plaintiff

28 AMENDED COMPLAINT - 4

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