

**NOTICE OF CLAIM**

Cal. Gov. Code § 910

**TO:** Secretary of the Board of Directors  
Eastern Plumas Rural Fire Protection District  
181 Delleker Drive  
Portola, CA 96122

**1. The name and post office address of the claimant.**

John Fatheree  
251 Espinal Drive  
Portola, CA 96122

**2. The post office address to which the person presenting the claim desires notices to be sent.**

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**3. The date, place and other circumstances of the occurrence or transaction which gave rise to the claim asserted.**

At the time of the circumstances of the occurrence or transaction which gave rise to the claim asserted, Claimant was the Assistant Fire Chief for the Eastern Plumas Rural Fire Protection District.

On or about September 24, 2020, Claimant, in his capacity as Assistant Fire Chief, initiated disciplinary action against a District volunteer who is married to the Fire Chief. Immediately following the imposition of the discipline, the Fire Chief and its Board of Directors started a course and pattern of retaliation against Claimant. By way of example, and without limitation, the District and its Board committed the following acts constituting a pattern of retaliation:

- On or about September 27, 2020, Director Sankey told Beckworth Fire Chief Brett Russell that he was going to terminate Claimant's employment with the District. After making this statement, Director Sankey personally represented the volunteer at a Skelly hearing and defended the volunteer against the disciplinary action initiated by the Claimant.
- In or about October 2020, Chairperson Graham informed Claimant that he was "under investigation" but refused to provide any details.

- On or about November 2, 2020, the Chairperson of the Board announced at a Board meeting that a decision had been made in the Board's closed session to eliminate the Claimant's Assistant Fire Chief position effective at the end of November 2020.
- On or about November 16, 2020, the Fire Chief informed Claimant that he "had problems with him" and "so did the Board."
- In or about December 20, 2020, the Board removed Claimant's access to the District administrative offices. In or about January 2021, the Fire Chief removed project files that Claimant was using to complete his duties from Claimant's desk, preventing Claimant from completing his assigned duties.

**4. A general description of the indebtedness, obligation, injury, damage, or loss incurred so far as it may be known at the time of presentation of the claim.**

The investigation into the exact nature and extent of the claimant's injuries, damages and losses are ongoing and are not fully known. As a result of the District's actions, Claimant was constructively discharged and resigned from the District on or about February 2, 2021.

Based on information and belief, the claimant's injuries, damages, and losses incurred arise from District's retaliation and violation of Claimant's state and federal constitutional rights and include intentional and negligent interference with a prospective economic advantage, breach of contract, general and special damages, and emotional distress. The claimant's damages may also include attorney's fees and court costs.

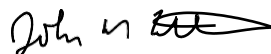
**5. The name or names of the public employee or employees causing the injury, damage, or loss, if known.:**

- (1) Jeanne Graham, Chairperson
- (2) Kevin Sankey, Director
- (3) Bob Frank
- (4) Other Eastern Plumas Rural Fire Protection District employees that are unknown to Claimant at this time.

**6. The amount claimed if it totals less than ten thousand dollars (\$10,000) as of the date of presentation of the claim, including the estimated amount of any prospective injury, damage, or loss, insofar as it may be known at the time of the presentation of the claim, together with the basis of computation of the amount claimed. If the amount claimed exceeds ten thousand dollars (\$10,000), no dollar amount shall be included in the claim. However, it shall indicate whether the claim would be a limited civil case.**

Because the claim exceeds \$10,000, the claimant is not stating an amount claimed pursuant to Cal. Gov. Code § 910. The claim would not be a limited civil case.

Dated: May 19, 2021




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JOHN FATHEREE, Claimant