



OKANOGAN COUNTY

Board of Commissioners

Chris Branch
Commissioner District 1
Andy Hoyer
Commissioner District 2
Jim DeTro
Commissioner District 3
Laleña Johns
Clerk of the Board

September 19, 2022

DENIAL OF DEFENSE

Okanogan County and Isaiah Holloway have been served with a civil complaint, 2:22-cv-00195-TOR, in the United States District Court, Eastern District of Washington. Isaiah Holloway is a past employee of Okanogan County.

Isaiah Holloway has requested that the County defend him in this action pursuant to RCW 4.96.041(1).

Pursuant to RCW 4.96.041(2), Okanogan County is required to defend a past or present employee per their request, for acts or omissions that occurred during their tenure if the County makes a finding that the acts or omissions that form the basis of the action were, or in good faith purported to be, within the scope of the employee's official duties.

NOW THEREFORE,

OKANOGAN COUNTY BOARD OF COMMISSIONERS, makes the following findings: The alleged acts forming the basis of the action are alleged to have occurred during Isaiah Holloway's tenure.

The alleged acts forming the basis of the complaint are not within the scope of Isaiah Holloway's official duties for the County and/or acts purported to be in good faith.

Therefore, the County is not required under RCW 4.96.041 to defend Isaiah Holloway against this claim and has the right to deny his request.

FURTHERMORE, the Board of Commissioners hereby denies a defense to Isaiah Holloway. Furthermore, because Isaiah Holloway's acts or omissions were outside the scope of his employment and not in good faith, the Board of Commissioners does not authorize any indemnification of any costs and judgment entered against Isaiah Holloway and will not pay any award against him for punitive damages.

Sincerely,

**BOARD OF COUNTY COMMISSIONERS
OKANOGAN, WASHINGTON**



Andy Hoyer, Chairman



Chris Branch, Member

ABSENT

Jim DeTro, Member

Telephone
509.422.7100

123 Fifth Avenue N. * Room 150 * Okanogan * Washington * 98840
TTY/Voice use 800.833.6388

Fax
509.422.7106