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10 Attorneys for Defendants

11  
12 **UNITED STATES DISTRICT COURT**

13 **DISTRICT OF ARIZONA**

14 JASON CRAVEN,

15 Plaintiff,

16 v.

17 CLAY SPRINGS-PINEDALE FIRE  
18 DISTRICT; CLAY SPRINGS-  
19 PINEDALE FIRE DISTRICT BOARD, in  
20 their official capacities; ROBERT  
21 GARVIN, in his individual and official  
22 capacity; BOB QUAKENBUSH, in his  
23 official capacity; MIKE NEILL, in his  
24 official capacity; JOE HOLYOAK, in his  
25 official capacity; DAVID FLORES, in his  
26 official capacity; SUE HILEMAN, in her  
27 official capacity; JOHN AND JANE DOE  
28 I; XYZ CORPORATION O; BLACK  
AND WHITE PARTNERSHIP I,

Defendants.

Case No.

**NOTICE OF REMOVAL**

21 Defendants Clay Springs-Pinedale Fire District (“the District”), Clay Springs-  
22 Pinedale Fire District Board (“the District Board”), Robert Garvin, Bob Quakenbush,  
23 Mike Neill, Joe Holyoak, David Flores, and Sue Hileman (collectively “Defendants”)  
24 submit this Notice of Removal pursuant to 28 U.S.C. § 1446(a) and provide the following  
25 grounds for removal.

26 1. This matter was commenced in the Arizona Superior Court, Navajo County,  
27 on December 9, 2019 with the filing of a Complaint and Demand for Jury Trial.  
28

1           2.     The Complaint, Demand for Jury Trial, Certificate of Compulsory  
2 Arbitration, Summons for each Defendant, and Acceptance of Service constitute all  
3 processes and proceedings filed and served on Defendants in this case, copies of which  
4 are attached hereto as **Exhibit A**.

5           3.     Defendant Clay Springs-Pinedale Fire District is a Fire District and  
6 governmental agency located in Arizona.

7           4.     Defendant Clay Springs-Pinedale Fire District Board is the governing board  
8 of directors of the Clay Springs-Pinedale Fire District.

9           5.     Defendants Bob Quakenbush, Mike Neill, Joe Holyoak, David Flores, and  
10 Sue Hileman are members of the Clay Springs-Pinedale Fire District Board.

11          6.     Defendant Robert Garvin is the Fire Chief of the Clay Springs-Pinedale Fire  
12 District.

13          7.     This action is one over which the United States District Courts have  
14 jurisdiction pursuant to 28 USC § 1331, by reason of issues and claims arising under  
15 federal law.

16          8.     Defendants have not pled, answered, or otherwise appeared in this action.

17          9.     Defendants have filed this Notice within 30 days after receipt and service of  
18 the initial pleading setting forth the claim for relief upon which the action is based, and  
19 within one year after the commencement of the action. Removal is therefore timely  
20 pursuant to 28 U.S.C. § 1446(b).

21          10.    The amount in controversy exceeds the requisite \$75,000. *See* **Exhibit A**.

22          11.    A copy of this Notice is being filed with the Clerk of the Arizona Superior  
23 Court, Navajo County.

24           WHEREFORE, Defendants respectfully request that this action be removed from  
25 the Arizona Superior Court, Navajo County, to the United States District Court for the  
26 District of Arizona, and that further proceedings in the Arizona Superior Court regarding  
27 the action be stayed pursuant to 28 U.S.C. § 1446.  
28

1 Dated on January 15, 2020.

2  
3 BARRETT & MATURA, P.C.

4  
5 By /s/ Jeffrey C. Matura  
6 Jeffrey C. Matura  
7 Melanie M. Weigand  
8 8925 East Pima Center Parkway  
9 Suite 215  
10 Scottsdale, Arizona 85258  
11 Attorneys for Defendants

12  
13 **CERTIFICATE OF SERVICE**

14 I hereby certify that on January 15, 2020, I electronically transmitted the foregoing  
15 document to the Clerk's Office using the CM/ECF system for filing and transmittal of  
16 Notice of Electronic filing to the following CM/ECF registrants, and causing a copy to be  
17 mailed to all non-ECF registrants:

18  
19 Michael Petitti  
20 Paige Pataky  
21 Aiken Schenk Ricciardi, P.C.  
22 2390 East Camelback Road, Suite 400  
23 Phoenix, Arizona 85016  
24 [mjp@aikenschenk.com](mailto:mjp@aikenschenk.com)  
25 [pcp@aikenschenk.com](mailto:pcp@aikenschenk.com)  
26 Attorneys for Plaintiff

27  
28 /s/ Susan Saville  
Susan Saville

UNITED STATES DISTRICT COURT  
DISTRICT OF ARIZONA

**Civil Cover Sheet**

This automated JS-44 conforms generally to the manual JS-44 approved by the Judicial Conference of the United States in September 1974. The data is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. The information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is authorized for use only in the District of Arizona.

**The completed cover sheet must be printed directly to PDF and filed as an attachment to the Complaint or Notice of Removal.**

**Plaintiff(s): Jason Craven**

**Defendant(s): Clay Springs-Pinedale Fire District ;  
Clay Springs-Pinedale Fire District  
Board ; Robert Garvin ; Bob  
Quakenbush ; Mike Neill ; Joe  
Holyoak ; David Flores ; Sue  
Hileman**

County of Residence: Navajo

County of Residence: Navajo

County Where Claim For Relief Arose: Navajo

Plaintiff's Atty(s):

**Michael J. Petitti Jr.  
Aiken Schenk Ricciardi PC  
2390 East Camelback Rd. Ste 400  
Phoenix, Arizona 85016  
602-248-8203**

Defendant's Atty(s):

**Jeffrey C. Matura Inc.  
Barrett & Matura, P.C.  
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Scottsdale, Arizona 85258  
602-792-5705**

**Paige C Pataky  
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SCOTTSDALE, Arizona 85258  
602-792-5705**

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**REMOVAL FROM NAVAJO COUNTY, CASE #S0900CV201900482**

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**II. Basis of Jurisdiction: 2. U.S. Government Defendant**

**III. Citizenship of Principal  
Parties (Diversity Cases Only)**

Plaintiff:- N/A  
Defendant:- N/A

**IV. Origin : 2. Removed From State Court**

V. Nature of Suit: **442 Employment**

VI. Cause of Action: **Violations of Arizona's Wage Statute, Employment Protection Act, Minimum Wage Act et al**

VII. Requested in Complaint

Class Action: **No**

Dollar Demand:

Jury Demand: **Yes**

VIII. This case is not related to another case.

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**Signature:** /s/ Jeffrey C. Matura

**Date:** 01/15/2020

**If any of this information is incorrect, please go back to the Civil Cover Sheet Input form using the *Back* button in your browser and change it. Once correct, save this form as a PDF and include it as an attachment to your case opening documents.**

1 Jeffrey C. Matura, State Bar No. 019893  
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10 Attorneys for Defendants

7 **ARIZONA SUPERIOR COURT**

8 **NAVAJO COUNTY**

9 JASON CRAVEN,

10 Plaintiff,

11 v.

12 CLAY SPRINGS-PINEDALE FIRE  
13 DISTRICT; CLAY SPRINGS-  
14 PINEDALE FIRE DISTRICT BOARD, in  
15 their official capacities; ROBERT  
16 GARVIN, in his individual and official  
17 capacity; BOB QUAKENBUSH, in his  
18 official capacity; MIKE NEILL, in his  
19 official capacity; JOE HOLYOAK, in his  
20 official capacity; DAVID FLORES, in his  
21 official capacity; SUE HILEMAN, in her  
22 official capacity; JOHN AND JANE DOE  
23 I; XYZ CORPORATION O; BLACK  
24 AND WHITE PARTNERSHIP I,

25 Defendants.

Case No. S0900CV201900482

**NOTICE OF FILING NOTICE OF  
REMOVAL**

21 NOTICE IS HEREBY GIVEN that Defendants Clay Springs-Pinedale Fire District  
22 (“the District”), Clay Springs-Pinedale Fire District Board (“the District Board”), Robert  
23 Garvin, Bob Quakenbush, Mike Neill, Joe Holyoak, David Flores, and Sue Hileman  
24 (collectively “Defendants”) filed a Notice of Removal with the United States District  
25 Court, District of Arizona. See Notice of Removal, attached hereto as **Exhibit A**.  
26 Accordingly, Defendants request that the Court stay all further proceedings pursuant to 28  
27 U.S.C. § 1446.  
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Dated on January 15, 2020.

BARRETT & MATURA, P.C.

By /s/ Jeffrey C. Matura  
Jeffrey C. Matura  
Melanie M. Weigand  
8925 East Pima Center Parkway  
Suite 215  
Scottsdale, Arizona 85258  
Attorneys for Defendants

ORIGINAL of the foregoing  
filed on the January 15, 2020 with:

Clerk of the Court  
Navajo County, Arizona

COPY of the foregoing mailed and e-mailed to:

Michael Petitti  
Paige Pataky  
Aiken Schenk Ricciardi, P.C.  
2390 East Camelback Road, Suite 400  
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[mjp@aikenschenk.com](mailto:mjp@aikenschenk.com)  
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Attorneys for Plaintiff

/s/ Susan Saville  
Susan Saville

# EXHIBIT A



1 **AIKEN SCHENK RICCIARDI P.C.**  
2 **Michael J. Petitti, Jr. – 011667**  
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11 Attorneys for Plaintiff

12 **SUPERIOR COURT OF THE STATE OF ARIZONA**  
13 **COUNTY OF NAVAJO**

14 JASON CRAVEN,

15 Plaintiff,

16 v.

17 CLAY SPRINGS-PINEDALE FIRE  
18 DISTRICT; CLAY SPRINGS-PINEDALE  
19 FIRE DISTRICT BOARD, in their official  
20 capacities; ROBERT GARVIN, in his  
21 individual and official capacity; BOB  
22 QUACKENBUSH, in his official capacity;  
23 MIKE NEILL, in his official capacity; JOE  
24 HOLYOAK, in his official capacity; DAVID  
25 FLORES, in his official capacity; SUE  
26 HILEMAN, in her official capacity; JOHN  
27 AND JANE DOE I; XYZ CORPORATION I;  
28 BLACK AND WHITE PARTNERSHIP I,

Defendants.

No.

**COMPLAINT**

Plaintiff Jason Craven (“Plaintiff”) for his cause of action against Defendants alleges:

**GENERAL ALLEGATIONS**  
**(Parties and Jurisdiction)**

1. Plaintiff is a resident of Navajo County, State of Arizona and was a resident of Navajo County during all relevant times.

2. Defendant Clay Springs-Pinedale Fire District Defendant (“Defendant District”) is a Fire District as set forth in *A.R.S. §§ 48-802, et seq.* at all times material herein. Defendant District was a “person” within the meaning of *42 U.S.C. § 1983* and was

1 an “employer” within the meaning of *A.R.S. § 23-362*.

2 3. Defendant Clay Springs-Pinedale Fire District Board (“Defendant Board”) is a  
3 Fire District Board and an agent of Defendant District. At all material times herein  
4 Defendant Board was a “person” within the meaning of *42 U.S.C. § 1983* and was an  
5 “employer” within the meaning of *A.R.S. §23-362*.

6 4. Defendants Bob Quackenbush, Mike Neill, Joe Holyoak, David Flores and  
7 Sue Hileman are members of Defendant Board. At all times relevant herein, they were  
8 members of Defendant Board and were acting for and on behalf of Defendant District and  
9 such actions were in the course and scope of their authority.

10 5. At all times material herein, Defendant Robert Garvin served as an agent of  
11 Defendant District in the position of Fire Chief. Defendant Garvin is sued in both his  
12 official and individual capacity and is personally liable for violations of law and relief  
13 claimed herein. Defendant Garvin is a “person” within the meaning of *42 U.S.C. § 1983*.

14 6. Plaintiff has sued Defendants XYZ Corporation I, Black and White  
15 Partnership I and Does I under fictitious names. Plaintiff is informed and therefore believes  
16 that said Defendants are in some way responsible for the acts complained of herein. When  
17 their true identities have been ascertained, Plaintiff will seek leave of the Court to amend the  
18 Complaint.

19 7. Defendants have committed actions and caused events to occur in the County  
20 of Navajo, State of Arizona, which are the foundation of this action and out of which this  
21 action arises. Accordingly, jurisdiction and venue are proper in this Court.

22 **(Assignment of Tier)**

23 8. Pursuant to *Rule 26.2* of the *Arizona Rules of Civil Procedure*, this case  
24 should be assigned to Tier 2.

25 **(Nature of Action)**

26 9. This is an action brought by Plaintiff to vindicate violations of Arizona’s  
27 Wage Statute, Arizona’s Employment Protection Act, Arizona’s Minimum Wage Act, and  
28 to remedy Defendant Garvin’s intentional and improper interference with Plaintiff’s

1 employment relationship with Defendant District and his false and defamatory comments  
2 made about Plaintiff and to vindicate violations of 42 U.S.C. § 1983 and the Fair Labor  
3 Standards Act (FLSA).

4 **(Jury Demand)**

5 10. Pursuant to Rule 38 of the *Arizona Rules of Civil Procedure*, Plaintiff  
6 demands a jury trial.

7 **FACTS COMMON TO ALL CLAIMS FOR RELIEF**

8 11. Plaintiff was a volunteer firefighter for Defendant District for approximately  
9 14 years. He was a paid employee of Defendant District, including as Wildland  
10 Coordinator, from approximately 2013 until his discharge on March 25, 2019.

11 12. Plaintiff's employment with Defendant District was without incident until he  
12 raised legitimate good faith concerns about Defendant Garvin's gross mismanagement of  
13 District funds, inconsistent employment practices and failure to pay employees for work  
14 performed. Plaintiff raised concerns with Defendant Garvin and Defendant Board Member  
15 Neill about misuse of Wildland funds, coercing Wildland employees to work without pay  
16 and failing to pay employees for mandatory job training, as well as Defendant Garvin's  
17 financial mismanagement of Defendant District funds relating to the hiring of his own  
18 brother.

19 13. Soon after Plaintiff raised his good faith concerns, Defendants Garvin and  
20 District retaliated against him and treated him differently than other employees, such as not  
21 providing him with information necessary to do his job and excluding him from meetings.  
22 In fact, Defendant Garvin admitted to Plaintiff that he intentionally did not provide him with  
23 notice of a meeting for the sizing of work boots that Defendant District's Fire Auxiliary was  
24 gifting employees but provided the information to all of the other District employees.

25 14. Defendant Garvin also made disparaging and false statements about Plaintiff  
26 to other District employees, Board Members and third parties, including Plaintiff's business  
27 partner. Defendant Garvin even accused Plaintiff of being an alcoholic in front of  
28 approximately 17 coworkers. Defendant Garvin also falsely blamed Plaintiff for

1 Defendant's Wildland program allegedly failing and claimed that Plaintiff's personal  
2 business was similarly failing.

3 15. By Defendant Garvin's utterances of said words and language, he intended to  
4 and did refer to Plaintiff as an alcoholic, dishonest, devious and incompetent in his work.

5 16. Defendant Garvin also restricted Defendant District employees' statutory right  
6 to communicate with District Board Members about the terms and conditions of their  
7 employment. In fact, he told Plaintiff and others that they were prohibited from speaking  
8 with District Board Members. Plaintiff opposed this directive and Defendant Garvin  
9 retaliated against him as a result.

10 17. When Defendant Garvin was not successful in forcing Plaintiff to quit or able  
11 to find an alleged fireable offense, he switched tactics. Without notice to Plaintiff and along  
12 with some last-minute changes to the Board's normal posting of meetings, Defendant  
13 Garvin raised and ultimately convinced the Board to "dissolve" the Wildland Division based  
14 on unsubstantiated and false information.

15 18. For example, Defendant Garvin provided Defendant Board with fabricated  
16 and misleading financial statements to support his allegation that Wildland was not making  
17 money and was "in the red." The false and misleading information included duplicate  
18 charges, charges for costs relating to the Department and not specific to Wildland and failed  
19 to include Wildland reimbursements received by Defendant District. Defendant Chief also  
20 admitted to Plaintiff that he took funds from other budgeted items to accelerate the payoff  
21 on the Wildland fire engine and thus, making it appear as though Wildland was not  
22 profitable.

23 19. Defendant Chief admitted to employees of the District that his decision to  
24 dissolve the Wildland Division was simply a ruse to get rid of Plaintiff.

25 20. On March 25, 2019, Defendant Garvin sent Plaintiff a letter informing him  
26 that he had been terminated.

27 21. Defendant District has routinely violated Arizona's open meeting laws,  
28 including restricting the subject matter on which the public can comment, failing to provide

1 detailed agendas and failing to take detailed minutes during meetings.

2 22. In discharging Plaintiff, Defendants willfully, knowingly and intentionally  
3 discriminated against him because of his good faith concerns that Defendants were violating  
4 State and Federal law and his opposition to the same. Defendants' stated reasons for its  
5 actions were false and pretextual.

6 23. Plaintiff is damaged by the wrongful acts of Defendants and their agents  
7 herein alleged, which damage includes, without limitation, the following:

8 A. Lost salary and employment benefits due Plaintiff at the time of his  
9 discharge and since his discharge until he should obtain employment at  
10 a similar rate of compensation;

11 B. Injury to Plaintiff's long-term employment, reputation and income  
12 potential flowing from the wrongful conduct by Defendants and  
13 Defendant Garvin's false and defamatory statements; and

14 C. Injury from humiliation, trauma, extreme stress and physical and  
15 mental pain and anguish.

16 24. The willful and wanton misconduct on the part of Defendants is such that it  
17 justifies an award of punitive damages.

18 25. Plaintiff is also entitled to liquidated damages because of Defendants' willful  
19 violations of the Arizona Minimum Wage Act and FLSA.

20 26. All allegations of this Complaint are incorporated into each claim for relief.

21 **FIRST CLAIM FOR RELIEF**  
22 **(Statutory Wrongful Discharge and Violation of Public Policy)**

23 27. Plaintiff was wrongfully discharged in violation of the public policy of the  
24 State of Arizona.

25 28. Plaintiff raised in good faith Defendants' failure to pay employees, coercing  
26 employees to work without pay, financial mismanagement and that Defendants' conduct  
27 violated or would violate State statute and regulations. Plaintiff also refused to commit acts  
28

1 or omissions that violate State statutes and regulations.

2 29. The conduct outlined above by Defendants and its employees violates Arizona  
3 law, including, but not limited to, *A.R.S. §§ 23-350, et seq.; A.R.S. § 23-363; A.R.S. § 23-*  
4 *364; and A.R.S. § 23-1411.*

5 30. Defendants' willful and wanton misconduct is so great that it justifies an  
6 award of punitive damages.

7 31. Plaintiff is damaged by Defendants' willful violation of public policy as  
8 hereinabove alleged or as proven at trial.

9 **SECOND CLAIM FOR RELIEF**  
10 **(Violation of 42 U.S.C. § 1983)**

11 32. The actions described above deprived the Plaintiff of rights, privileges and  
12 immunities provided by the United States Constitution, including, but not limited to  
13 depriving Plaintiff of his free speech and liberty rights.

14 33. In doing the acts alleged above, Defendants acted under the color of State law,  
15 i.e., the unlawful acts were done while Defendants were purporting or pretending to act in  
16 the performance of official duties and constitutes an abuse or misuse of power or authority,  
17 or alternatively were acting under the color of authority of their office and beyond the scope  
18 of their duties but with knowledge and consent. Defendants' actions were unprivileged and  
19 not subject to any immunity.

20 34. Defendants knew or should have known the above-alleged conduct violated  
21 Plaintiff's clearly established constitutional, civil and statutory rights.

22 35. Defendants individually, separately, and/or jointly, are fully liable to Plaintiff  
23 based on their authority and actual decisions and omissions. In addition, such unlawful  
24 actions, decisions and omissions were based on the policy-making and final decision-  
25 making authority of the Defendants, and were based on the policy, custom and practice of  
26 Defendants.

27 36. The grounds and reasons offered by Defendants for Plaintiff's discharge were  
28 false and pretextual.

1 37. Plaintiff is damaged by Defendants' actions as hereinabove alleged or as  
2 proven at trial.

3 **THIRD CLAIM FOR RELIEF**  
4 **(FLSA)**

5 38. Plaintiff was an employee of Defendants and entitled to the statutorily  
6 mandated minimum hourly wages, *29 U.S.C. § 206*.

7 39. Defendants have willfully failed to pay wages due Plaintiff in violation of the  
8 federal minimum wage law, *29 U.S.C. § 206*.

9 40. Defendants knew Plaintiff was not paid the required minimum wage and had  
10 no reason to believe their failure to pay minimum wage was not a violation of the FLSA.

11 41. Plaintiff is entitled to recover all unpaid wages, liquidated damages and  
12 attorneys' fees and costs pursuant to *29 U.S.C. § 216(b)*.

13 **FOURTH CLAIM FOR RELIEF**  
14 **(FLSA Retaliation)**

15 42. Defendants' conduct, as outlined above, violates the FLSA's anti-retaliation  
16 provision.

17 43. Plaintiff is damaged by Defendants' violations of the FLSA as alleged herein  
18 or in an amount to be determined at trial.

19 **FIFTH CLAIM FOR RELIEF**  
20 **(Violation of A.R.S. §§ 23-350, et seq., Arizona Wage Act)**

21 44. Plaintiff did not receive salary and other non-discretionary monies earned and  
22 due him pursuant to the parties' employment relationship. Despite repeated demands,  
23 Defendants have refused and continue to refuse payment.

24 45. Plaintiff is entitled to treble damages pursuant to *A.R.S. § 23-355(A)* because  
25 Defendants failed to pay wages and other monies due when earned.

26 46. Plaintiff is damaged by Defendants' violations of the Arizona Wage Act as  
27 herein alleged or in an amount to be determined at trial.

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**SIXTH CLAIM FOR RELIEF**  
**(Arizona Minimum Wage Act)**

47. Defendants have willfully failed to pay Plaintiff wages at the rate of the Arizona minimum wage in violation of the Arizona Minimum Wage Act, *A.R.S. § 23-363(A)*.

48. Defendants have retaliated against Plaintiff in violation of *A.R.S. § 23-364(B)* after he raised good faith concerns that employees were not being paid for work performed.

49. Plaintiff is entitled to recover the balance of wages owed, including interest thereon and an additional amount equal to twice the underpaid wages pursuant to *A.R.S. § 23-364(G)*.

**SEVENTH CLAIM FOR RELIEF**  
**(Intentional Interference with Employment Relationship against Defendant Garvin)**

50. Defendant Garvin knew that Plaintiff was employed by Defendant District and that he had an employment relationship with it. Defendant Garvin intentionally and improperly interfered, by unlawful and improper means and methods, with the employment relationship between Plaintiff and Defendant District and caused Plaintiff to be terminated.

51. But for the improper actions of Defendant Garvin, Plaintiff would not have been terminated.

52. The willful and wanton misconduct on the part of Defendant Garvin demonstrates a callous disregard of Plaintiff's right. The willful and wanton misconduct on the part of Defendant Garvin is such that it justifies an award of damages.

53. Plaintiff is damaged by the actions of Defendant Garvin as hereinabove alleged or as proven at trial.

**EIGHTH CLAIM FOR RELIEF**  
**(Defamation)**

54. Defendant Garvin's statements to employees and third parties regarding Plaintiff were and are false and defamatory in nature. Such statements were published of and concerning Plaintiff.





**TENTH CLAIM FOR RELIEF  
(Violation of A.R.S. § 23-1411)**

64. Defendants' conduct, as outlined above, violates Plaintiff's statutory right to exercise his public safety employee rights, including presenting proposals and testimony to the Governing Body of a Fire District and its representatives.

65. Defendants' retaliated against and ultimately fired Plaintiff for exercising his statutory rights.

66. Plaintiff is damaged by Defendants' violations of his statutory rights as hereinabove alleged or as proven at trial.

WHEREFORE, Plaintiff requests Judgment in his favor and against Defendants as follows:

A. For all injunctive and declaratory relief necessary, including a declaration that Defendants' conduct violated the FLSA, A.R.S. § 23-1501, Arizona's Wage Act and Arizona Minimum Wage Act and enjoining Defendants from conduct violating Plaintiff's rights;

B. For actual, consequential and incidental damages as alleged herein or as determined at trial;

C. For punitive and liquidated damages;

D. For special damages alleged or as determined at trial;

E. For his attorneys' fees and costs incurred in this action pursuant to the FLSA and any other applicable statute, rule or regulation;

F. For interest on each element of damage, cost or attorneys' fees at the highest legal rate from the date of such damage, cost or attorneys' fees was incurred until paid; and

G. For such other and further relief as the Court deems just and proper.

1 DATED this 9th day of December, 2019.

2 AIKEN SCHENK RICCIARDI P.C.

3  
4 By Michael J. Petitti, Jr.  
5 Michael J. Petitti, Jr.  
6 Paige C. Pataky  
7 2390 East Camelback Road, Suite 400  
8 Phoenix, Arizona 85016  
9 *Attorneys for Plaintiff*

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