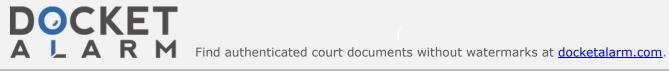
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7										
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11	IN UNITED STATES DISTRICT COURT EASTERN DISTRICT OF WASHINGTON									
12	 RUSSELL JONES,									
13	Plaintiff,									
14	Vs.	COMPLAINT FOR DAMAGES								
15	GRANT COUNTY HOSPITAL DIST.	AND JURY DEMAND								
16	NO. 1 d/b/a SAMARITAN HOSPITAL, a Washington									
17	Municipality, JULIE WEISENBURG, individually and as an agent of									
18	GRANT COUNTY HOSPITAL DIST. NO. 1 d/b/a SAMARITAN									
19	HOSPITAL, and JULIE WEISENBURG and JOHN DOE									
20	WEISENBURG, the marital community thereof.									
21	Defendants.									
22										
23	Plaintiff Russell Jones, by and through his attorneys, Ryan Best, Jacob Mark									
24	and Michael Merkelbach, of Best Law, PLLC, and for causes of action against the									
25	above-named Defendants, complains and	d alleges as follows:								
26	, , , , , , , , , , , , , , , , , , ,	<i>C</i>								
27										
28										
l	COMPLAINTEON DANGECEC									



I. PARTIES, JURISDICTION, AND VENUE

- 1.1 Russell Jones is a resident of Grant County, which is within the Eastern District of Washington.
- 1.2 Russell Jones (hereinafter "Mr. Jones") is an Advanced Registered Nurse Practitioner and worked for Defendant Grant County Public Hospital District No. 1 d/b/a Samaritan Healthcare ("Samaritan") from July 24, 2017 until Samaritan simultaneously terminated his employment and revoked his clinical privileges on April 5, 2019 ten days before Mr. Jones was to start his new position with Sound Physicians Emergency Medicine of Washington, PLLC using his clinical privileges at Samaritan Hospital.
- 1.3 Samaritan is a Washington Municipality conducting business within the Eastern District of Washington and previously employing Russell Jones.
- 1.4 Julie Weisenburg and John Doe Weisenburg are married residents of Grant County.
 - 1.5 Julie Weisenburg is an employee and agent of Defendant Samaritan.
- 1.6 Plaintiff brings this action against Julie Weisenburg as an employee/agent of Samaritan and in her individual capacity.
- 1.7 The Defendants' alleged unlawful acts and omissions were committed within the jurisdiction of the United States District Court for the Eastern District of Washington.



	1.8	The	Federal	Court	for	the	Eastern	District	of	Washington	has
jurisdiction over this matter pursuant to 28 U.S.C. § 1331.											

- 1.9 Venue is proper in the Federal Court for the Eastern District of Washington under 28 U.S.C. § 1391(b)(1) and 28 U.S.C. § 1391(b)(2) as the Defendant resides in the Eastern district of Washington and the acts and omissions took place within the Eastern District of Washington.
 - 1.10 Jurisdiction and Venue are thus proper.

II. FACTS

- 2.1 Mr. Jones started working at Samaritan as an ARNP on July 24, 2017.
- 2.2 On February 12, 2019, Sound Physicians Emergency Medicine of Washington, PLLC ("Sound Physicians") the soon-to-be new owner of Samaritan Hospital offered Mr. Jones a position as a Nurse Practitioner starting April 15, 2019.
- 2.3 A true and correct copy of Sound Physicians' February 12, 2019 job offer to Mr. Jones is attached to this Complaint as **Exhibit 1**.
 - 2.4 On March 18, 2019, Mr. Doe¹ came to the Samaritan Hospital



¹ The actual patient's name is known to all parties and is only withheld from this pleading to protect the privacy of the patient. The actual patient will be referred to as Mr. Doe and the patient's spouse will be referred to as Mrs. Doe.

emergency department seeking treatment (a second time) for rectal bleeding that

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had worsened since his first treatment at Samaritan Hospital.

- On March 7, 2019, Samaritan first treated Mr. Doe for rectal bleeding. 2.5
- 2.6 At 5:04 p.m. on March 18, 2019, Mr. Doe returned to the Samaritan Hospital Emergency Department because the bleeding had worsened.
 - Dr. Frank was the doctor assigned to Mr. Doe's treatment. 2.7
- 2.8 Samaritan, through Dr. Frank and Mr. Jones, performed several tests, including a mandatory digital rectal examination, to diagnose and treat Mr. Doe's rectal bleeding.
 - At 6:14 p.m., Mr. Jones ordered the following tests: 2.9
 - 2.9.1 CBC, PLT, & Auto Diff;
 - 2.9.2 Comprehensive Metabolic Panel;
 - 2.9.3 Partial Thromboplastin Time; and
 - 2.9.4 Prothrombin Time.
- 2.10 At 7:05 p.m. on March 18, 2019, Mr. Jones discussed the test results with Mr. and Mrs. Doe in the Doe's hospital room.
- 2.11 Between 7:13 p.m. and 7:14 p.m. on March 18, 2019, Samaritan discharged Mr. Doe, provided Mr. Doe with his discharge paperwork, and took vitals for Mr. Doe at discharge.
 - 2.12 Mr. Doe was in the emergency department for over two hours.



- 2.13 In the two hours that Mr. Doe was present, no Samaritan employee heard or saw anything suggesting that Mr. Jones assaulted, or in any way mistreated, Mr. Doe as verified by two separate investigations; one performed by Samaritan and one performed by the Nursing Care Quality Assurance Commission ("NCQAC").
- 2.14 At approximately 8:45 p.m. on May 18, 2019, Mrs. Doe sent a complaint, through Facebook Messenger, alleging that Mr. Jones sexually assaulted Mr. Doe.
- 2.15 After learning of the allegation against Mr. Jones, Defendants Weisenburg and Samaritan suspended Mr. Jones's employment, pending the result of Samaritan's investigation of the allegations.
- 2.16 Defendants Samaritan and Weisenburg chose to handle the March 18,2019 allegation "via employment versus on the medical side of things."
- 2.17 Despite allegedly finding the Mrs. Doe sexual assault allegations to be credible, Samaritan did not report Mr. Jones to the police, did not report Mr. Jones to the NCQAC for sexual misconduct, nor did Samaritan revoke Mr. Jones's clinical privileges in order to protect the public.
- 2.18 On April 4, 2019, Samaritan informed Mr. Jones that it planned on terminating his employment at Samaritan, and Samaritan invited Mr. Jones to defend his employment the next day at a hearing on April 5, 2019.



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