

FILED

MAR 01 2017

Timothy W. Fitzgerald
SPOKANE COUNTY CLERK

SUPERIOR COURT, STATE OF WASHINGTON, COUNTY OF SPOKANE

Travis O. Pendell,

Plaintiffs,

vs.

Matthew Shea and the marital community
comprised of Jane or John Doe Shea, Scott
Maclay and the marital community
comprised of Jane or John Doe Maclay,
and Jon/Jane Does 1 – 5,

Defendants.

Case No.:

17200776-0

Summons

THE STATE OF WASHINGTON, COUNTY OF SPOKANE, TO:

**MATTHEW SHEA AND THE MARITAL COMMUNITY COMPRISED OF JANE OR
JOHN DOE SHEA, SCOTT MACLAY AND THE MARITAL COMMUNITY COMPRISED
OF JANE OR JOHN DOE MACLAY, AND JON/JANE DOES 1 -5.**

A lawsuit has been started against you in the above entitled Court by the Plaintiff.
Plaintiff's claims are stated in the written Complaint for Damages a copy of which is served
upon you.

Summons - 1

Michael Love Law, PLLC
905 W. Riverside, Ste. 404
Spokane, WA 99201 (509) 309.2787

1 In order to defend against this lawsuit, you must respond to the Complaint by
2 stating your defense in writing, and serve a copy upon the undersigned attorneys for the
3 Plaintiff within twenty (20) days after the service of this Summons, excluding the date of
4 service, and sixty (60) days if served outside of the state of Washington, or a default
5 judgment may be entered against you without notice. A default judgment is one where
6 Plaintiff is entitled to what he asks for because you have not responded. If you serve a
7 Notice of Appearance on the undersigned attorneys, you are entitled to notice before a
8 default judgment may be entered.
9

10 You may demand that the Plaintiff file this lawsuit with the court. If you do so, the
11 demand must be in writing and must be served upon the Plaintiff. Within fourteen (14)
12 days after you serve the demand, the Plaintiff must file this lawsuit with the Court, or the
13 service on you of this Summons and Complaint will be void.

14 If you wish to seek the advice of an attorney in this matter, you should do so
15 promptly so that your written response, if any, may be served on time.

16 DATED this 28th day of February, 2017.

17 MICHAEL LOVE LAW, PLLC

18 By: 
19 MICHAEL B. LOVE, WSBA #20529
20 905 West Riverside Avenue, Ste. 404
21 Spokane, WA 99201
22 Telephone: (509) 309-2787
23 Fax: (509) 309-2788
24 Email: mike@michaellovelaw.com
25

Summons - 2

Michael Love Law, PLLC
905 W. Riverside, Ste. 404
Spokane, WA 99201 (509) 309.2787

1 By: Thomas G. Jarrard
2 THOMAS G. JARRARD, WSBA #39774
3 The Law Office of Thomas G. Jarrard, PLLC
4 1020 N. Washington
5 Spokane, WA 99201
6 Telephone: 425.239.7290

7 Attorneys for Plaintiff

FILED

MAR 01 2017

Timothy W. Fitzgerald
SPOKANE COUNTY CLERK

SUPERIOR COURT, STATE OF WASHINGTON
COUNTY OF SPOKANE

Case No:

17200776-0

Travis O. Pendell,

Plaintiff,

vs.

COMPLAINT AND JURY DEMAND

Matthew Shea and the marital community
comprised of Jane or John Doe Shea,
Scott Maclay and the marital community
comprised of Jane or John Doe Maclay,
and Jon/Jane Does 1 - 5.

Defendants.

Plaintiff, Travis O. Pendell, by and through his attorneys of record, the Law
Office of Thomas G. Jarrard and Michael Love Law, PLLC hereby allege as follows:

PARTIES, JURISDICTION AND VENUE

1. Plaintiff, Travis O. Pendell resides in Spokane County, Washington
Spokane County, WA.

2. Defendant Matthew Shea, and the marital community comprised of Jane
or John Doe Shea, was at all times material hereto a resident of Washington State.

3. Defendant Scott Maclay, and the marital community comprised of Jane
or John Doe Maclay, was at all times material hereto a resident of Washington State.

4. Defendants Jon/Jane Does 1 - 5 are believed to be residing in Washington State.

5. The acts or omissions alleged herein occurred in Spokane County, Washington, unless specified otherwise, all facts or omissions alleged herein were performed for the benefit of Defendants' marital community.

6. Jurisdiction and venue are proper in this court.

FACTS

7. Matthew Shea is an attorney licensed in the state of Washington.

8. **Matthew Shea is a Washington State Legislator.**

9. On August 20, 2016, Defendant Shea published a blog and audio recording on the internet entitled, "BOMBSHELLS!!! Sheriff's department complicit in crime?" Attached hereto as Exhibit A is a true and correct copy of Defendant's blog page available at <https://mattshea.podbean.com/page/4/>.

10. Therein, Defendant Shea stated “the news that I have to break today” and “a Bombshell in regards to the Sheriff’s Office once again ” [...] this particular report should raise some serious eyebrows.” (Audio recording at 5:45 – 6:20).

[Start 5:45] Today, I have a lot on the docket right now and very interesting um that the news that I have to break today, 2 stories actually, 1 of them is an absolute bombshell. It will forever change the way that we look at the Democrat party and local media and their associations with it. And the 2nd is a bombshell with regards to the sheriff's office once again. In this, in this particular report um should raise some serious eyebrows. [Stop 6:20]

11. Defendant Shea's public comments continue:

[Start 19:08] So here is the 1st bombshell bit of news. Unbelievably, we talked about this, Roy Murray was arrested for a triple homicide. That triple homicide occurred in North Spokane. Now that investigation has been going on for a

1 while. There were rumors that Roy Murray was somehow
2 connected to Ozzie Knezovich and the Sheriff's Department.
3 Well it was reported by a source that Deputy Travis Pendell,
4 when they ran the firearm that Roy Murray had, that that
5 firearm came back to the Deputy, Travis Pendell, who has a
6 federal firearms license and is now the subject of an
7 investigation because apparently when asked where the gun
8 was, he didn't know and he didn't know how it got where it
9 got. That is unbelievable folks, somebody that was, that is in
10 jail right now charged with a triple homicide, the gun traces
11 back to a sheriff deputy. And substantiating some of the
12 rumors anyway that there is a connection between Ozzie
13 Knezovich, the sheriff's department and Roy Murray. So we
14 are going to continue to follow this as the facts come out on
15 it, but my goodness, I mean, an investigation is the least that
16 needs to be done there. I me...an, there needs to be some
17 serious review of things uh yikes. [End 20:59]

18 12. Defendant Shea continues his broadcast by stating that, "it was reported
19 by a source ..." (Audio recording at 19:08 – 21:00).

20 13. Defendant Shea knew his conduct was negligent and or malicious and
21 would result in harm and/or that creates an unreasonable risk of harm or damage or
22 damage to Mr. Pendell.

23 14. Upon information and belief, Matthew Shea, Scott Maclay and Jon/Jane
24 Does Nos. 1 – 5 coordinated their efforts to spread provably false, provocative, and
25 defamatory information and to malign members of the Sheriff's Office for the sole
purpose of satisfying their own personal gratification and benefit, including but not
limited to Plaintiff Pendell.

15 15. At about the same time as Defendant Shea's blog Defendant Maclay,
16 (using the Facebook moniker of Rattlesnakes Motorcycle Club) published false and
17 defamatory statements on the internet about Mr. Pendell, *inter alia*, that Mr. Pendell is
18 "a party to Canfield's murder" and that Deputy Pendell played a "role in the murder

1 and cover-up of Lt. Terry Canfield." Maclay continues to use the internet to repeat his
2 outlandish and false claims about Mr. Pendell. Attached hereto as Exhibit B is a true
3 and correct copy of
4 [https://www.facebook.com/permalink.php?story_fbid=1026528397445121&id=493194](https://www.facebook.com/permalink.php?story_fbid=1026528397445121&id=493194787445154&substory_index=0)
5 [787445154&substory_index=0](https://www.facebook.com/permalink.php?story_fbid=1026528397445121&id=493194787445154&substory_index=0).

6 16. Mr. Maclay has a long history of engaging in similar harmful, dishonest
7 and negligent conduct, including making outrageous and virtually unsupportable
8 claims directly targeted at the Sheriff's Office personnel, e.g. Maclay has been found
9 accountable for "[i]ncompetence, negligence, or malpractice that results in harm or
10 damage to another or that creates an unreasonable risk of harm or damage to
11 another", *Maclay v. Dep't of Licensing*, 2014 Wash. App. LEXIS 881 (Wash. Ct. App.
12 Apr. 15, 2014)(affirming fine and violations); see also *Laura Renz, v. Michael Scott*
13 *Maclay*, Cause No. 06-3-00533-1 (February 23, Hearing on release from custody and
14 fine for contempt of court, bench warrant issued October 22nd, 2010.); *Maclay v.*
15 *Idaho Real Estate Comm'n*, 154 Idaho 540, 300 P.3d 616; 2012 Ida. LEXIS 35 (Idaho
16 2012) (upholding revocation of real estate license and fine for engaging in a continued
17 or flagrant course of misrepresentation, failure to account for or remit any funds
18 coming in his possession belonging to a brokerage, engaging in dishonorable dealings
19 and recklessness or gross negligence ect.); *Maclay v. County of Spokane*, 2014 U.S.
20 Dist. LEXIS 176337 (E.D. Wash. Dec. 22, 2014) (upholding sanctions for unlawful and
21 unprofessional conduct as a licensed real estate agent).
22
23
24
25

17. As a direct and proximate result of the Defendants' unlawful misconduct directed at Mr. Pendell, Mr. Pendell suffered significant general and special damages in an amount to be proven at the time of trial.

CAUSES OF ACTION

FIRST CAUSE OF ACTION
(Invasion of Privacy/False Light Disclosure)

18. Plaintiff re-alleges and incorporates by reference Paragraphs 1 through 17 above as though fully set forth herein.

19. The Defendants, by their conduct as alleged herein, wrongfully interfered with and invaded Plaintiff's right to privacy of his private affairs and concerns in such a manner as to be highly offensive and objectionable to any reasonable person and did so by disclosing publicly matters which were private as to Plaintiffs' personal, employment, and work history.

20. In addition, the Defendants invaded Plaintiff's right to privacy by recklessly and/or intentionally disregarding the falsity of matters which they publicized in such an unreasonable and objectionable manner as to place Plaintiff in a false light, which was highly offensive and exposed Plaintiff to calumny and ridicule.

21. As a direct and proximate result of Defendants' misconduct, Plaintiff suffered damages, including emotional and mental distress, for which he is seeking to be compensated in an amount to be proven at the time of trial.

SECOND CAUSE OF ACTION
(Negligent Infliction of Emotional Distress)

22. Plaintiff re-alleges and incorporates by reference Paragraphs 1 through 21 above as though fully set forth herein.

1 23. The Defendants' unlawful conduct towards Plaintiff was careless,
2 unreasonable, and negligent and was a proximate cause of the infliction of severe
3 mental anguish and emotional distress suffered by the Plaintiff and damages his
4 reputation as a law enforcement officer, and a citizen of the community for which
5 Plaintiff is entitled to recover damages in an amount to be established at the time of
6 trial.

7
8 24. The Defendants had a duty not to negligently inflict emotional harm upon
9 Plaintiff. Defendants breached that duty and the breach was a proximate cause of the
10 damages.

11 25. Plaintiff's emotional distress is "within the scope of foreseeable harm"
12 and was "a reasonable reaction given the circumstances" and "manifest by objective
13 symptomatology." *Schmidt v. Coogan*, 181 Wash.2d 661 (2014).

14 **THIRD CAUSE OF ACTION**
15 **(Defamation)**

16 26. Plaintiff re-alleges and incorporates by reference Paragraphs 1 through
17 23 above as though fully set forth herein.

18 27. Plaintiff was also defamed under both theories of *libel* and *slander*.
19 Plaintiff will be able to establish a *prima facie* case for purposes of avoiding summary
20 judgment and prevailing at trial by establishing four essential elements" falsity, an
21 unprivileged communication, fault and damages. *Mark v. Seattle Times*, 96 Wash.2d
22 473 (1981)

23 28. The Defendants negligently and/or willfully and maliciously made
24 defamatory statements about Plaintiff. Such statements were false, without privilege,
25 and were published both orally and in writing by Defendants.

1 29. As a direct and proximate result of Defendants' libelous and slanderous
2 statements made about Plaintiff, Plaintiff has suffered personal injury, including injury
3 and damage to his reputation for which he is seeking compensation in an amount to
4 be proven at trial.

5 **FOURTH CAUSE OF ACTION**
6 **(Outrage)**

7 27. Plaintiff re-alleges and incorporate by references Paragraphs 1 through
8 26 above as though fully set forth herein.

9 28. Defendants' conduct against the Plaintiff was so outrageous in character
10 as to be absolutely intolerable in a civilized society and went beyond all possible
11 bounds of decency. Defendants owed a duty of care to Plaintiff which they breached,
12 such breach constituting the tort of outrage and which directly and proximately caused
13 the Plaintiff severe mental anguish, humiliation, embarrassment, and emotional
14 distress for which he is entitled to recover damages. *Grimsby v. Samson*, 85 Wn.2d
15 52 (1975)
16

17 29. As a direct and proximate result of the defendants' intentional conduct,
18 Mr. Pendell suffered substantial physical, mental and emotional injuries. As a result
19 thereof, Plaintiff has suffered and will continue to suffer pain and suffering, both
20 mental and physical; emotional distress; and impairment of the ability to enjoy life, all
21 to his general damages in an amount to be proven at the time of trial.

22 WHEREFORE Plaintiff prays as follows:

- 23 a) A trial by jury;
24 b) For judgement against the Defendants, jointly and severally, for special
25 and general damages, in amounts to be proved at the time of trial;

- 1 c) For attorney fees and costs;
- 2 d) For prejudgment interests as provided by law;
- 3 e) For compensatory damages to include, but not limited to, damages for
- 4 emotional distress and mental anguish in amount to be proven at trial; and
- 5 f) For such additional relief, including injunctive or equitable relief, as this
- 6 Court may deem just and proper.

7 DATED at Spokane, Washington, this 28th day of FEB 2017.

8 THE LAW OFFICE OF THOMAS JARRARD

9 By: 

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15 By: 

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20 Telephone: (509) 212-1668

21 Attorneys for Plaintiff

22

23

24

25

EXHIBIT A

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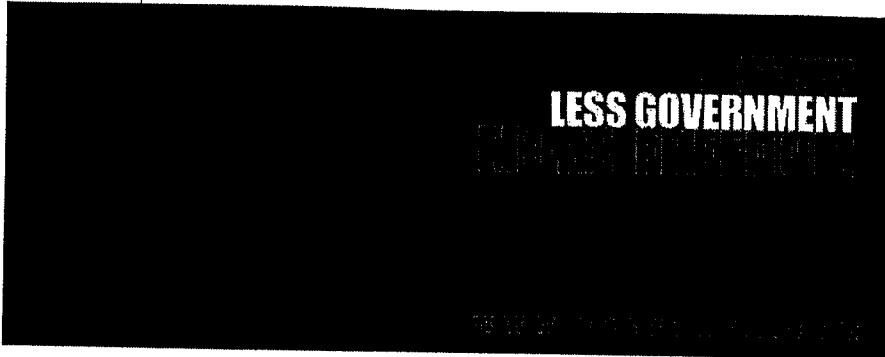
REP. MATT SHEA - PATRIOT RADIO

A broadcast for Patriots in the Defense of Freedom...

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PATRIOT RADIO 08/23/2016 - RANDAL NEAL

August 25th, 2016

Randy Neal is the Western Regional Coordinator for [Christians United for Israel](#). Local gathering on September 15th in Spokane, WA with guest speaker Irving Roth, a Holocaust survivor. As Churchill said, "Those who fail to learn from history are doomed to repeat it".

00:00

00:00

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PATRIOT RADIO 08/16/2016 Representative Matt Shea

August 20th, 2016

BOMBSHELLS!!! Sheriff's department complicit in crime? Reporter Shawn Vestal aiding and abetting Communist Party and Muslim Brotherhood? Tune in to hear Representative Shea break it down.

00:00

00:00

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PATRIOT RADIO 08/01/2016 with CLINT DIDIER

August 12th, 2016

A candidate for the people and families of Washington's 4th Congressional District, Clint Didier is an Eastern Washington farmer and business owner. For more information about Clint Didier, please visit:
www.clint4congress.org
www.washingtonpatriotspac.org

You can also hear Clint on American Christian Network from 8:30-9:00am Tuesday mornings.

00:00

00:00

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PATRIOT RADIO 08/09/2016 with MARK BAIRD - The 51st State

August 12th, 2016

Matt Shea talks with Mark Baird who is the head of *Movement for the State of Jefferson*, a county in Northern California. Hear why Mark Baird and his group are seeking an Article IV Section III state split. A move that would separate Northern California from Southern California creating the 51st State. Visit the [State of Jefferson](#) website to learn more.

00:00

00:00

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PATRIOT RADIO 08/04/2016 TALKS TURKEY W/ BILL JASPER

August 7th, 2016

Matt Shea talks with Bill Jasper, who is the "senior editor of TNA (*The New American*)". Bill earned a bachelor's degree in child psychology and education from the University of Idaho. He has a well-earned reputation as one of America's top investigative reporters and has attended several international conferences hosted by the United Nations. He is most known for his work on the Oklahoma City bombing and its aftermath. Bill has also authored two books, *Global Tyranny ... Step by Step* and *The United Nations Exposed*. Quote from the staff page of *The New American*.

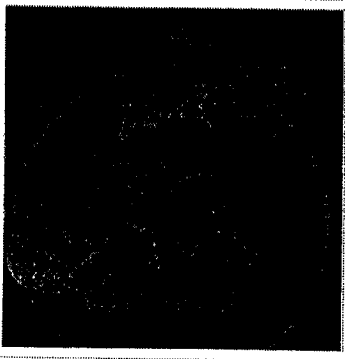
Staged coup or actual coup in Turkey? Conflicting facts and statements lead to a discussion about a coup in Turkey and the power players who may have been involved?

00:00

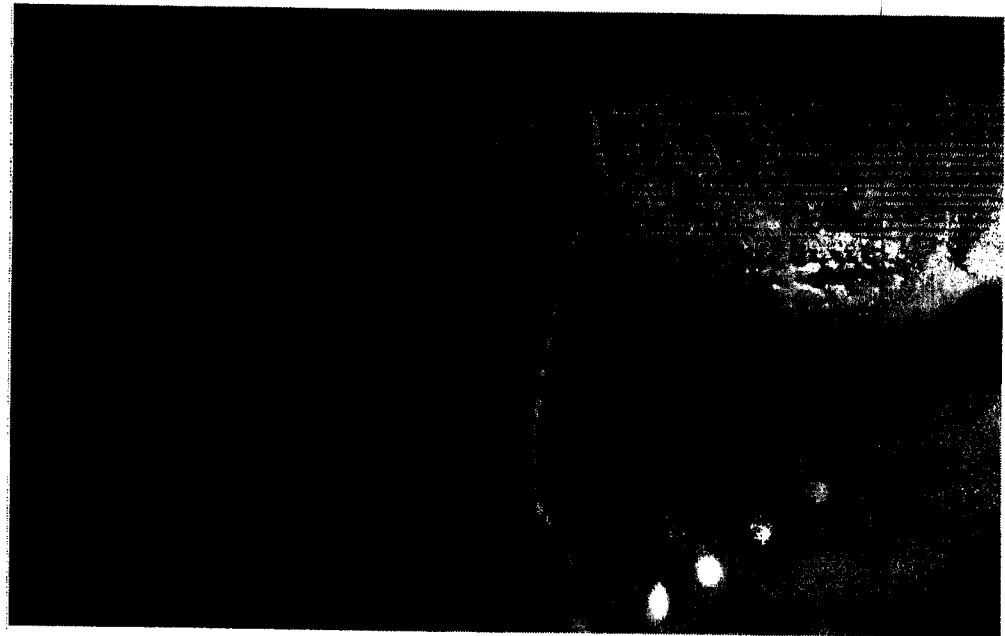
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EXHIBIT B



Rattlesnakes Motorcycle Club

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Rattlesnakes Motorcycle Club

September 22, 2016 ·

Sheriff Knezovich is blatantly lying to the Spokane Fire Department. So, where are the missing guns Sheriff? What did Deputy Pendell do with them?

Sheriff Knezoich Blatant Lie #4 - The Sheriff has NO CREDIBILITY in his past investigations, and is being aided by the Spokesman Review in lying to the community and now the Spokane Fire Department about Deputy Travis Pendell's role in the murder and cover-up of Lt. Terry Canfield... and here is why:

In the Pastor Creach Investigation, the Sheriff claimed that all the evidence supported Deputy Hirzel's decision in shooting a life-long, 75 year old Valley Pastor on his own property... and even claimed that his Citizen's Advisory Board had completely investigated and concluded that he conducted a thorough investigation. Really? So, where is the formal report? And, why was Deputy Hirzel "fired" for driving his patrol vehicle back and fourth to his residence in Hayden, Idaho - when a number of deputies continue in doing so today? Pastor Creach is documented to have been on his knees, in surrender, and was shot through his upper shoulder with the bullet exiting through his lower buttock - execution style.

In the Ryan Holyk Investigation, the Sheriff claimed that Deputy Bodman did not strike Ryan Holyk... and even though he stated that he did. The Sheriff sat on the investigation through his re-election and even built a video that articulated his statements at taxpayer expense. Today, the blood on the

Thomas Home 16

efforts of his Citizen's Advisory Board in previously, and completely exonerating him.

In the Deputy Pendell matter, that is not being investigated and that was first broke on our website, the Sheriff has completely ignored the fact that the guns provided to Pendell by alleged murderer Roy Murry... are missing? And, while stating that the caliber used in the Canfield murder was NOT the caliber used in the murders... the Sheriff lacks any "credibility" in making this assertion without producing ALL the weapons delivered by Murry to Deputy Pendell - demonstrating yet another "cover-up" that clearly implicates Pendell to the Canfield murders...














Another credibility issue for the Sheriff is that neither he, nor the Spokesman Review has responded to the concerns as provided to sources close to the Rattlesnakes MC - was Pendell, in effect, "fired" from the Cheney Police Department for lying on the stand and providing a false witness against a citizen? Was Pendell "fired" as the SCSD Training Officer for tossing a charged and loaded, fully automatic assault rifle, down-range, in a fit of anger? Why won't he answer these questions and admit the Pendell is clearly a potential party to Canfield's murder? Is it true that Deputy Pendell is a Brady Cop - and has never spent a single day on patrol? And, then why is he in contact with students as a Resource Officer at Medical Lake High School? And, why won't the Spokesman Review accept and report that we posted the story first, while attacking Matt Shea???

Based on the Sheriff's record, he has NO CREDIBILITY and should be questioned more... so, where are the missing guns Sheriff? What did Deputy Pendell do with them?

Stay informed, and question more, at DumpOzzie.com



Share

-  Peter Romer-Friedman
-  Matt Albrecht
-  Joe Hanick
-  Tim Note
-  Brodie Williams
-  Nathan Hemphill
-  Jillian Roderick
-  Jennifer Allison-Oord
-  Kerri Mitchell
-  Jonathan Lee
-  Michael Allen
-  Brad Bartnes
-  Richard Bomer

MORE CONTACTS (4)

