

SPOKANE COUNTY CLERK INDEXING SHEET

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Please check one category that best describes this case for indexing purposes. Accurate case indexing not only saves time in docketing new cases, but helps in forecasting needed judicial resources. This classification in no way affects the legal action of the case.

CASE NO.

15204271-2

CIVIL

TORT

- *Medical Malpractice (MED)
- *Personal Injury (PIN)
- *Property Damages (PRP)
- *Wrongful Death (WDE)
- *Other Malpractice (MAL)
- *Tort Motor Vehicle (TMV)
- *Tort - Other (TTO)

CONTRACT / COMMERCIAL

- Collection (COL)
- Commercial Non-Contract (COL)
- *Commercial / Contract. (COM)

PROPERTY RIGHTS

- *Condemnation (CON)
- *Foreclosure (FOR)
- *Quiet Title (QTI)
- *Land Use Petition (LUP)
- Unlawful Detainer (LND)
- Property Fairness Act (PFA)

PROTECTION ORDER

- Domestic Violence Protection (DVP)
- Civil Harassment (HAR)
- Foreign Protection Order (FPO)
- Sexual Assault Protection (SXP)
- Vulnerable Adult Protection (VAP)

OTHER COMPLAINT / PETITION

- Change of Name (Non-Confidential) (CHN)
- *Injunction (INJ)
- Malicious Harassment (MHA)
- Petition for Civil Comm (Sexual Predator) (PCC)
- Seizure of Prop from Commission of a Crime (SPC)
- Seizure of Prop from a Crime (SPR)
- Property Damage - Gangs (PRG)
- Public Records Act (PRA)
- School District - Required Action Plan (SDR)
- Miscellaneous (MSC)
- Emancipation of Minor (EOM)
- *Minor Settlement (MST)
- *Structured Settlement (MSC)

WRITS

- Writ of Habeas Corpus (WHC)
- Writ of Mandamus (WRM)
- Writ of Restitution (WRR)
- Writ of Review (WRV)
- Miscellaneous Writs (WMW)

APPEAL / REVIEW

- *Administrative Law Review (ALR)
- *Lower Court Appeal-Civil (LCA)
- *Lower Court Appeal-Traffic (LCI)
- *Dept. of Licensing Revocation (DOL)

JUDGMENT

- Tax Warrants (TAX)
- Abstract of Judgment (ABJ)
- Transcript of Judgment (TRJ)
- Foreign Judgment (FJU)

DOMESTIC RELATIONS

DOMESTIC RELATIONS.

- **Annulment-Invalidity (INV)
- **Dissolution With Children (DIC)
- **Dissolution With No Children (DIN)
- **Dissolution Dom Partnership with Children (DPC)
- **Dissolution Dom Partnership No Children (DPN)
- **Invalidity - Domestic Partnership (INP)
- **Legal Separation (SEP)
- **Legal Separation - Domestic Partnership (SPD)
- **Parenting Plan/Child Support (PPS)
- * Child Custody (CUS)
- *Committed Intimate Relationship w/children (CIR)
- *Committed Intimate Relationship-No Children(CIR)
- Modification (MOD)
- Modification: Support Only (MDS)
- Out of State Custody (OSC)
- Foreign Judgment. (FJU)
- Mandatory Wage Assignment (MWA)
- Miscellaneous (MSC)
- Reciprocal, Respondent-In-County (RIC)
- Reciprocal, Respondent-Out-of-County (ROC)

PATERNITY / ADOPTION

PATERNITY

- Paternity (PAT)
- Paternity/URES/UIFSA (PUR)
- Modification (MOD)

ADOPTION

- Adoption (ADP)
- Confidential Intermediary (MSC)
- Relinquishment (REL)
- Termination of Parent/Child Relationship (TER)
- Initial Pre-Placement Report (PPR)

DV/AH - CHANGE OF NAME

- Confidential Name Change (CHN)

PROBATE / GUARDIANSHIP

- Absentee (ABS)
- Disclaimer (DSC)
- Estate (EST)
- Foreign Will (FNW)
- Non-Probate Notice to Creditors (NNC)
- Will Only (WLL)
- Miscellaneous (MSC)
- Trust (TRS)
- Trust/Estate Dispute Resolution (TRD)
- Sealed Will Repository (SWR)
- Guardianship (GDN)
- Minor Guardianship (MGD)
- Limited Guardianship (LGD)
- *Minor Settlement (MST)

ATTN CASHIERS: ONLY cases marked with
- * get a case assignment notice
- ** get BOTH case assignment notice and Court's Automatic
Temporary Order

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SPOKANE COUNTY CLERK

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STATE OF WASHINGTON
SPOKANE COUNTY SUPERIOR COURT

STATE OF WASHINGTON,
Plaintiff,

NO. 15204271-2
SUMMONS

v.

FLAG HILL LUMBER CO. INC. d/b/a
GREENACRES MOTORS, AND
MONTE L. MASINGALE in his
individual capacity and as a member of
the marital community of MONTE L.
MASINGALE and ROSANA
MANSINGALE,
Defendants.

TO THE DEFENDANTS:

FLAG HILL LUMBER CO. INC. d/b/a
GREENACRES MOTORS, AND MONTE L.
MASINAGLE in his individual capacity and as
a member of the marital community of
MONTE L. MASINGALE and ROSANA
MASINGALE

A lawsuit has been started against you in Spokane County Superior Court by the State of Washington, Plaintiff. The Plaintiff's claims are stated in the written Complaint, a copy of which is served upon you with this Summons.

In order to defend against this lawsuit, you must respond to the Complaint by stating your defense in writing, and by serving a copy upon the undersigned attorney for the Plaintiff within twenty (20) days after the service of this Summons; or if served outside the State of

1 Washington, within sixty (60) days after service of this Summons, excluding the day of
2 service, or a default judgment may be entered against you without notice. A default judgment
3 is one where the Plaintiff is entitled to what it asks for because you have not responded. If you
4 serve a notice of appearance on the undersigned person, you are entitled to notice before a
5 default judgment may be entered.

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

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

12 This Summons is issued pursuant to Rule 4 of the Superior Court Civil Rules of the
13 State of Washington.

14
15 DATED this 13 day of October, 2015.

16
17 ROBERT W. FERGUSON
Attorney General

18 

19 COLLEEN M. MELODY, WSBA #42275
20 Assistant Attorney General
21 Attorney for Plaintiff
22 State of Washington
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SPOKANE COUNTY CLERK

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STATE OF WASHINGTON
SPOKANE COUNTY SUPERIOR COURT

STATE OF WASHINGTON,

Plaintiff,

v.

FLAG HILL LUMBER CO. INC. d/b/a
GREENACRES MOTORS, AND
MONTE L. MASINGALE in his
individual capacity and as a member of
the marital community of MONTE L.
MASINGALE and ROSANA
MANSINGALE,

Defendants.

NO. **15204271-2**

COMPLAINT FOR INJUNCTIVE
AND OTHER RELIEF UNDER THE
WASHINGTON LAW AGAINST
DISCRIMINATION AND THE
CONSUMER PROTECTION ACT

The Plaintiff, State of Washington, by and through its attorneys Robert W. Ferguson, Attorney General, and Colleen M. Melody, Assistant Attorney General, brings this action against the Defendants named below. The State alleges the following on information and belief:

I. JURISDICTION AND VENUE

1.1 This action is brought by the State of Washington to enforce the Washington Law Against Discrimination, RCW 49.60, and the Unfair Business Practices—Consumer Protection Act, RCW 19.86;

1.2 The Attorney General is authorized to commence this action pursuant to RCW 43.10.030(1) and RCW 19.86.080.

1 1.3 The violations alleged in this Complaint were committed in whole or in part in
2 Spokane County, Washington, by the Defendants named herein.

3 1.4 Venue is proper in Spokane County pursuant to RCW 4.12.020 and
4 RCW 4.12.025.

5 II. DEFENDANTS

6 2.1 Defendant Flag Hill Lumber Co. Inc., d/b/a Greenacres Motors (“Greenacres
7 Motors”) is a Washington for-profit corporation engaged in the sale of goods and services,
8 including used automobiles and recreational vehicles (“RVs”).

9 2.2 Greenacres Motors is a licensed Motor Vehicle Dealer with dealer license
10 number 3755.

11 2.3 Greenacres Motors employs eight or more persons.

12 2.4 Greenacres Motors is an “employer” within the meaning of RCW
13 49.60.040(11).

14 2.5 Greenacres Motors is a “place of public resort, accommodation, assemblage, or
15 amusement” within the meaning of RCW 49.60.040(2).

16 2.6 Rosana Masingale is the President, Treasurer, and Chairperson of Greenacres
17 Motors. Le Ann Masingale is the Secretary of Greenacres Motors.

18 2.7 Defendant Monte Masingale is an employee of Greenacres Motors. Prior to
19 June 2014, Monte Masingale was an owner and officer of Greenacres Motors.

20 2.8 Defendant Monte Masingale and Rosana Masingale are members of a marital
21 community doing business as Greenacres Motors.

22 2.9 Defendants Greenacres Motors and Monte Masingale are collectively referred
23 to as “the Defendants.”

24 III. NATURE OF TRADE AND COMMERCE

25 3.1 The goods sold to the general public by the Defendants include used automobiles,
26 classic cars, and RVs.

1 4.5.2 Making unwelcome sexual comments to female employees and
2 prospective employees;

3 4.5.3 Kissing, hugging, groping, grabbing, and otherwise touching female
4 employees and prospective employees without their consent; and

5 4.5.4 Requiring and attempting to require sexual consideration from female
6 employees and prospective employees for job benefits such as continued
7 employment or compensation.

8 4.6 Monte Masingale engages in the above conduct at Greenacres Motors dealerships
9 and in enclosed places, such as inside the office, an RV, or an automobile.

10 4.7 Monte Masingale's conduct was intentional, willful, deliberate, and/or taken in
11 reckless disregard for the rights of others.

12 4.8 Monte Masingale's conduct created a working environment that was objectively
13 and subjectively intolerable. Multiple employees resigned as a result of Monte Masingale's
14 conduct.

15 4.9 Greenacres Motors authorized, knew, or should have known about
16 Monte Masingale's conduct, which was open and obvious.

17 4.10 Greenacres Motors failed to take prompt and corrective action to end
18 Monte Masingale's harassing conduct.

19 **V. CAUSES OF ACTION**

20 5.1 Plaintiff realleges paragraphs 1.1 through 4.10 and incorporates them herein as if
21 set forth in full.

22 **Washington Law Against Discrimination**

23 5.2 By the actions described above, the Defendants have:

24 5.2.1 Discriminated against applicants, employees, prospective employees,
25 and/or independent contractors on the basis of sex, in violation of RCW
26 49.60.030(1).

1 5.2.2 Discriminated against female employees and prospective employees in the
2 terms and conditions of employment because of sex, in violation of RCW
3 49.60.180(3);

4 5.2.3 Discharged female employees because of sex, in violation of
5 RCW 49.60.180(2);

6 5.2.4 Refused to hire male employees or prospective employees because of sex,
7 in violation of RCW 49.60.180(1);

8 5.2.5 Aided, abetted, encouraged, or incited the commission of unfair
9 employment practices, in violation of RCW 49.60.220.

10 **Consumer Protection Act**

11 5.3 By the actions described above, the Defendants have:

12 5.3.1 Engaged in unfair or deceptive acts or practices in the conduct of trade or
13 commerce, in violation of RCW 19.86.020.

14 **VI. PRAYER FOR RELIEF**

15 WHEREFORE, Plaintiff, State of Washington, prays that the Court:

16 6.1 Adjudge and decree that the Defendants have engaged in the conduct
17 complained of herein.

18 6.2 Adjudge and decree that the Defendants' conduct violates the Washington Law
19 Against Discrimination, RCW 49.60.

20 6.3 Adjudge and decree that the Defendants' conduct constitutes an unfair or
21 deceptive act or practice in trade or commerce in violation of the Consumer Protection Act,
22 RCW 19.86.

23 6.4 Issue a permanent injunction enjoining and restraining the Defendants, and their
24 representatives, successors, assigns, officers, agents, servants, employees, and all other persons
25 acting or claiming to act for, on behalf of, or in active concert or participation with the
26 Defendants, from continuing or engaging in the unlawful conduct complained of herein.

1 6.5 Assess penalties, pursuant to RCW 19.86.140, of two-thousand dollars (\$2,000)
2 per violation against the Defendants for each and every violation of RCW 19.86.020 caused by
3 the conduct complained of herein.

4 6.6 Enter such orders or judgments as may be necessary to restore victims' interests
5 in moneys or property that were lost due to the Defendants' unlawful conduct pursuant to
6 RCW 19.86.080(2) and RCW 49.60.030(2).

7 6.7 Make such orders pursuant to RCW 19.86.080 and RCW 49.60.030(2) to
8 provide that Plaintiff, State of Washington, recover from the Defendants the costs of this
9 action, including reasonable attorney's fees.

10 6.8 Award such other relief as the Court may deem just and proper.

11
12
13 DATED this 13 day of October, 2015.

14
15 ROBERT W. FERGUSON
 Attorney General



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17 
18 COLLEEN M. MELODY, WSBA #42275
 Assistant Attorney General
19 Attorney for Plaintiff
 State of Washington

EXHIBIT 1

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reply below Posted: [2015-07-22 7:50am](#)

No Experience Needed (Spokane)

Will train secretary in the Spokane Valley.

For Automotive and RV Dealership.

Basic computer skills helpful.

Please no texts or E-mails.


Please call 509-998-3326

Thank You.

- Principals only. Recruiters, please don't contact this job poster.
- do NOT contact us with unsolicited services or offers

compensation: TBD



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Posted: 2015-07-22 7:50am

Help Wanted (Spokane Valley)

Need a secretary.

Part time to start.

Later full time.

This a real opportunity for the right person.

When responding to this ad

Please No texts or E-mail.

Please call 509-998-3326

Thank you.

- Principals only. Recruiters, please don't contact this job poster.
- do NOT contact us with unsolicited services or offers

compensation: T B D

part-time

preferred contact method:

email

reply by email:

pwdxv-

5135072264@job.craigslist.org



[CL](#) spokane > jobs > admin/office

reply below Posted: [about 7 hours ago](#)

No Experience Needed (Spokane)

Will train secretary in the Spokane Valley.

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Basic computer skills helpful.

Please no texts or E-mails.

Please call 509-998-3326

Ask for Gary

Thank You.

- Principals only. Recruiters, please don't contact this job poster.
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compensation: TBD



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Help Wanted

Posted: Monday, August 3, 2015 3:22 PM

[Reply](#)

Need a secretary.

Part time to start.

Later full time.

This a real opportunity for the right person.

Car and/or apartment available.

When responding to this ad

Please No texts or E-mail.

Please call 509-998-3326

Thank you.


- Location: Spokane, Spokane / North Idaho

- Post ID: 21680170 spokane

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Posted: [about 3 hours ago](#)

Help Wanted (Spokane Valley)

Need a secretary.

Part time to start.

Later full time.

This a real opportunity for the right person.

When responding to this ad

Please No texts or E-mail.

Please call Gary @ 509-998-3326

Thank you.

- Principals only. Recruiters, please don't contact this job poster.
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compensation: T B D

part-time




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SPOKANE COUNTY CLERK

(Copy Receipt)

Clerk's Date Stamp

 SUPERIOR COURT OF WASHINGTON COUNTY OF SPOKANE	JUDGE JAMES M. TRIPLET 99
	CASE NO. 2015-02-04271-2 CASE ASSIGNMENT NOTICE AND ORDER (NTAS) CASE STATUS CONFERENCE DATE: JANUARY 22, 2016 AT 8:30 AM
STATE OF WASHINGTON Plaintiff(s)/Petitioner(s), vs. FLAG HILL LUMBER CO. INC ETAL Defendant(s)/Respondent(s).	

ORDER

YOU ARE HEREBY NOTIFIED that this case is preassigned for all further proceedings to the judge noted above. You are required to attend a Case Status Conference before your assigned judge on the date also noted above. The Joint Case Status Report must be completed and brought to the Status Conference. A Case Schedule Order, with the trial date, will be issued at the Status Conference.

Under the individual calendar system, the court will operate on a four-day trial week. Trials will commence on Monday, Tuesday, Wednesday or Thursday. Motion Calendars are held on Friday. All motions, other than ex parte motions, must be scheduled with the assigned judge. Counsel must contact the assigned court to schedule motions and working copies of all motion pleadings must be provided to the assigned court at the time of filing with the Clerk of Court. Pursuant to LCR 40 (b) (10), motions must be confirmed no later than 12:00 noon two days before the hearing by notifying the judicial assistant for the assigned judge.

Please contact the assigned court to schedule matters regarding this case. You may contact the assigned court by phone, court department e-mail or through the Spokane County Superior Court web page at <http://www.spokanecounty.org/superiorcourt>

DATED: 10/14/2015



SALVATORE F. COZZA
PRESIDING JUDGE

NOTICE: The plaintiff shall serve a copy of the Case Assignment Notice on the defendant(s).