

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO
8:21 am, Oct 28, 2024
JEFFREY P. COLWELL, CLERK

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF COLORADO

Civil Action No.: 1:24-cv-02785-DDD-MDB

Joshua Paul Wells, also known as Josh Wells, JP Wells, or JP;

Plaintiff,

v.

THE TOWN OF CASTLE ROCK, Castle Rock, Douglas County, Colorado
LAURIE BARTEE, Castle Rock Recreation Aquatics Specialist,
DAN WAHL, Castle Rock Recreation Facilities Supervisor,
LORI KAUPP, Castle Rock Recreation Aquatics Supervisor,
SHERYL COFFEY, Human Resources Manager,
Officer SEAN PRICE, Castle Rock Police Department Sworn Police Officer,
Officer **JUSTIN LANE**, Castle Rock Police Department Sworn Police Officer,
DAVID CORLISS, Castle Rock Town Manager,

Defendants.

AMENDED COMPLAINT AND JURY DEMAND

Plaintiff, JP, hereby submits this **Amended** Complaint and Jury Demand, and states as follows:

I. INTRODUCTION

1. Since 2015 the plaintiff, his wife, a lifelong member of the Defendant Town, and their six children, have worked to make the Town of Castle Rock their home and permanent residence, however, in late 2022 and early 2023 while making more good faith efforts to serve his town as an employee and professional rescuer, the Defendants discriminated against the plaintiff because of his age, sex, and race, then punished him without justification in retaliation for his efforts to address serious safety issues, and in retaliation for his efforts to address the harassment and discrimination that prevented him from doing his work as a headguard, lifeguard trainer, or indoor pool coordinator.
2. The Plaintiff is a loyal husband of 15 years and the faithful father of their six children ages 1 to 12 years old. The Plaintiff has more than a decade of experience as a professional rescuer, lifeguard, EMT, and trainer. The Plaintiff has worked with and served youth for more than two decades in positions of great trust as a loyal husband, parent and guardian of six children, youth counselor, youth pastor, scout leader, school bus driver, volunteer coach, head jr. lifeguard, and while serving for three years in youth corrections as a specialist, supervisor, field training officer (FTO), and trainer of trainers. At all times while working with children that were not his own, he would ensure that a trustworthy adult was present or that there was at least video surveillance as recommended and supported by all other organizations the Plaintiff has worked for but the Town of Castle Rock because of alleged budget reasons and different priorities.
3. Defendants Bartee, Wahl, Kaupp, Coffey, Price, Lane, and Corliss were employees, agents, officers, and/or officials of the government municipality, the Town of Castle Rock in Douglas County of the State of Colorado at all relevant times.

4. Defendants Bartee, Wahl, Kaupp, and Coffey, violated the plaintiff's rights to equal employment opportunities despite diverse age and sex; retaliated against and punished the plaintiff for his good faith and very reasonable efforts to address serious safety issues as well as the harassment and discrimination he faced as a barrier to his efforts to work and serve his town and the employer the Town of Castle Rock.
5. Defendant Bartee, by her own words, discriminated against the plaintiff based on his race.
6. Defendants Wahl, Kaupp, Coffey, Price, and Lane intentionally refused to notify the plaintiff concerning why he was being punished by the town.
7. Defendants Wahl, Kaupp, Coffey, Price, Lane, and Corliss refused to hear the plaintiff or give him any opportunity to defend himself against the false allegations, discrimination, or retaliation for his good faith efforts to serve his town.
8. Defendants Bartee, Wahl, Kaupp, Coffey, Price, Lane, and Corliss retaliated against the Plaintiff by forcing him, his wife, and their six children to move from their hometown and community for fear of further retaliation, exclusion, and punishment under color of law without notice of allegations and an opportunity to be heard by anyone let alone an unbiased party.
9. All of Defendant's retaliated against the plaintiff for his professional and good faith efforts to prevent injury, harm, or death as a professional rescuer and because of his claims of discrimination.
10. These intentional, reckless, wonton, and willful acts against the Plaintiff caused him, his wife, and his children significant emotional distress and financial harm as they were forced to flee their home for fear of punishment without justification due to the Plaintiff's age, sex,

race and his good faith efforts to address the serious safety issues within Aquatics and the discrimination and harassment he faced throughout his efforts to serve his community.

11. The Plaintiff brings this action for damages and other relief against Defendants Bartee, Wahl, Kaupp, Coffey, Price, Lane, Corliss, and their employer, Colorado municipality, the Town of Castle Rock, for violating his clearly established constitutional rights to equal protection and to be free from government punishment or infringement of his privileges or immunities without due process of law.

II. JURISDICTION AND VENUE

12. The plaintiff received and viewed the Notice of his right to sue on July 10, 2024, wherein the United States, Equal Employment Opportunity Commission, granted the plaintiff 90 days, though October 8, 2024, to file this lawsuit (See attached Notice of Right to Sue and proof of July 10, 2024, receipt of notice).
13. This action arises under the Constitution and laws of the United States and is brought pursuant to 42 U.S.C. § 1983, 29 U.S.C. §§ 621, U.S. Const. amend. XIV, § 2, and 42 U.S.C. §§ 2000e, et seq. Including also Section 704(a) of Title VII of the Civil Rights Act of 1964, Section 4(d) of the ADEA, Section 503(a) of the ADA and Section 207(f) of GINA.
14. Jurisdiction is conferred on this Court pursuant to 28 U.S.C. § 1331. Jurisdiction supporting Plaintiff's claim for attorney fees and costs is conferred by 42 U.S.C. § 1988.
15. Venue is proper in the District of Colorado pursuant to 28 U.S.C. § 1391. The Plaintiff is a resident of and domiciled in the State of Colorado. All of Defendants' conduct alleged

herein occurred within the State of Colorado. At all times relevant hereto, Defendants acted under color of state law and as agents, officers, officials, or employees of the Town of Castle Rock, as a municipality in Douglas County of the State of Colorado.

III. PARTIES

16. Plaintiff JP, brings this action and is a citizen of the United State and was at all times relevant hereto a resident of and domiciled in the State of Colorado. The Plaintiff is and was at all relevant times a white male over the age of forty.
17. Defendant the Town of Castle Rock, is a government municipality of Douglas County within the State of Colorado.
18. Defendant Laurie Bartee was an Aquatics Specialist and the most senior supervisor within Aquatics, hired the plaintiff, and acted as one of the plaintiff's supervisors, during the events underlying this case. At all relevant times, Defendant Bartee acted under color of state law for the government municipality in and under the law and authority of the State of Colorado, as an agent, employee, officer, or official of the Town of Castle Rock. At all relevant times, Defendant Bartee was a citizen of the United States and a resident of and domiciled in Colorado.
19. Defendant Dan Wahl was the Recreation Facilities Supervisor, acting as the director of these facilities and responsible for the Aquatics department during the events underlying

this case. At all relevant times, Defendant Wahl acted under color of state law for the government municipality in and under the law and authority of the State of Colorado, as an agent, employee, officer, or official of the Town of Castle Rock. At all relevant times, Defendant Wahl was a citizen of the United States and a resident of and domiciled in Colorado.

20. Defendant Lori Kaupp was the Aquatics Supervisor, acting as the manager of the Aquatics department during the events underlying this case. At all relevant times, Defendant Kaupp acted under color of state law for the government municipality in and under the law and authority of the State of Colorado, as an agent, employee, officer, or official of the Town of Castle Rock. At all relevant times, Defendant Kaupp was a citizen of the United States and a resident of and domiciled in Colorado.

21. Defendant Sheryl Coffey was the Human Resources (HR) Manager during the events underlying this case. At all relevant times, Defendant Coffey acted under color of state law for the government municipality in and under the law and authority of the State of Colorado, as an agent, employee, officer, or official of the Town of Castle Rock. At all relevant times, Defendant Coffey was a citizen of the United States and a resident of and domiciled in Colorado.

22. Defendant Officer Sean Price was a police officer during the events underlying this case. At all relevant times, Defendant Price acted under color of state law for the government municipality in and under the law and authority of the State of Colorado, as an agent, employee, officer, or official of the Town of Castle Rock. At all relevant times, Defendant Price was a citizen of the United States and a resident of and domiciled in Colorado.

23. Defendant Officer Justin Lane was a police officer during the events underlying this case.

At all relevant times, Defendant Lane acted under color of state law for the government municipality in and under the law and authority of the State of Colorado, as an agent, employee, officer, or official of the Town of Castle Rock. At all relevant times, Defendant Lane was a citizen of the United States and a resident of and domiciled in Colorado.

24. Defendant David Corliss was the Town Manager during the events underlying this case. At

all relevant times, Defendant Corliss acted under color of state law for the government municipality in and under the law and authority of the State of Colorado, as an agent, employee, officer, or official of the Town of Castle Rock. At all relevant times, Defendant Corliss was a citizen of the United States and a resident of and domiciled in Colorado.

B. DEFENDANT(S) INFORMATION - Pages 7-9 of 49

Defendant 1:

The Town of Castle Rock

C/O Lindsay Jordan and Mike Hyman

100 Wilcox Street

Castle Rock, CO 80104

(Name and complete mailing address)

303-660-1362 and 303-660-1370

E-mail Unknown

(Telephone number and e-mail address if known)

Defendant 2:

Laurie Bartee

Personal Mailing address unknown

(Name and complete mailing address)

970-390-1278

LBartee@crgov.com

(Telephone number and e-mail address if known)

Defendant 3:

Dan Wahl

Personal Mailing address unknown

(Name and complete mailing address)

303-907-1421

DWahl@crgov.com

(Telephone number and e-mail address if known)

Defendant 4:

Lori Kaupp

Personal Mailing address unknown

(Name and complete mailing address)

303-814-7457 or 720-813-0636

LKaupp@crgov.com

(Telephone number and e-mail address if known)

Defendant 5:

Sheryl Coffey

Personal Mailing address unknown

(Name and complete mailing address)

Personal Telephone Number Unknown

SCoffey@crgov.com

(Telephone number and e-mail address if known)

Defendant 6:

Officer Sean Price

Personal Mailing address unknown

(Name and complete mailing address)

Personal Telephone Number Unknown

SPrice@crgov.com

(Telephone number and e-mail address if known)

Defendant 7:

Officer Justin Lane

Personal Mailing address unknown

(Name and complete mailing address)

Personal Telephone Number Unknown

Personal e-mail address unknown

(Telephone number and e-mail address if known)

Defendant 8:

David Corliss

Personal Mailing address unknown

(Name and complete mailing address)

Personal Telephone Number Unknown

Personal e-mail address unknown

(Telephone number and e-mail address if known)

IV. FACTUAL ALLEGATIONS

2015-16 Approximate Dates

25. The Plaintiff first became interested in serving and working in the Defendant's Police Department in 2015, attended their citizens police academy in 2016, then applied as soon as the department provided cadets with paid State of Colorado Peace Officer Standards and Training (POST) certification.
26. The commander in charge of the academy at that time in 2016 discouraged the Plaintiff from applying by laughing out loud at the Plaintiff when the Plaintiff expressed interest in

pursuing a career with their department as a police officer just after the commander announced that their department would soon be providing paid POST certifications.

2018 Approximate Dates

27. Despite the laughter and discouragement from that commander, the Plaintiff applied as soon as the paid training was offered. However, his application was summarily dismissed on the very next business day after it was submitted. The Plaintiff was disappointed but continued to look for opportunities to work in this position within their community.

2022 Approximate Dates

28. In 2022, during one of his family's regular visits to the Town facilities and surrounding parks, the Plaintiff saw help wanted ads and asked the lifeguards about possible part-time work. The Plaintiff then applied to help with the aquatics program and interviewed with the most senior supervisor, Aquatics Specialist, Defendant Laurie Bartee.
29. During the interview the Plaintiff discussed his previous experiences working in aquatics and expressed his interest in starting a Jr. Lifeguard program in Castle Rock to help improve and strengthen the current lifeguard program especially as his own children were approaching the age where they might also participate in a Jr. Lifeguard program.
30. The Plaintiff accepted these jobs with the Defendant Town, in part, to help him get a foot in the door as an opportunity for other work with the Town perhaps with the Town police department (PD) or even HR. At the very least this part-time work would provide his children with more swimming opportunities so that they might also have the experiences and life skills that he found so much joy in before the traumatizing experience he had trying to serve the Town of Castle Rock Aquatics program.

8/2022 Approximate Dates

31. The claimant was hired by Defendant Bartee part-time and started working initially only as a swim instructor on August 4, 2022. Defendant Bartee told the Plaintiff that other staff questioned her decision to hire him but that she decided to hire him anyway. Initially and through October Defendant Bartee would introduce the Plaintiff to others as her new SL. SL was Bartee's assistant and a headguard that would help Bartee with swim lessons when she was not out of state attending school. SL was never a certified LGI and like Defendant Bartee had no experience conducting lifeguard certifications. Their focus was on swimming lessons within the Learn to Swim (LTS) program.
32. When hired, the Plaintiff started teaching swim lessons again then quickly certified as a lifeguard with perfect test scores effective 9/11/2022 before he was promoted to a Lifeguard and Head Guard position.
33. While updating his certification as a lifeguard with the primary lifeguard instructor (LGI) at that time, the LGI was required to attempt to provide patron surveillance (PS) on a seven lane 10 feet deep pool while training and observing the Plaintiff and other trainees in the small alcove just off of the same large pool. The LGI was not given the staff, authority, or support needed to safely and correctly perform his job. No LGI should be required to perform PS while teaching a class. This was a major safety issue that the Plaintiff addressed as soon as possible.
34. The Plaintiff quickly found that Leadership had intimidated all staff so that they felt closing the pool or even an area of the pool was not allowed and that only a supervising specialists, supervising manager, or the director could make any closures. Despite the lack of available

specialists or any other leadership when serious safety risks presented themselves such as at this time.

35. The town had seen a significant increase in turnover in all positions since the COVID-19 pandemic and had continued to see that turnover throughout Defendant Barte's time employed there. After the COVID-19 pandemic stopped so severely impacting the turnover and not long before the Plaintiff started working there the Aquatics Supervisor and manager resigned and Carolyn McGlaughlin filled that position as the first of three managers the Plaintiff would have during his short employment. During these times of transition, since the COVID-19 pandemic, throughout Defendant Barte's employment, and before the Plaintiff started work as a lifeguard the other two Specialists resigned. Throughout the Plaintiff's employment, there were seven different Specialists that filled the three specialists positions. Specialist 1 of 7 was Defendant Barte. Specialist 2 of 6 resigned just days after the Plaintiff started. Specialist 3 of 6, Seth, helped hire Specialist 4 of 6, just before he resigned. Then Specialist 4 of 6 resigned in October or November 2022 just weeks after starting in part because the position as a supervisor and trainer for lifeguards was set up for failure. As a professional rescuer responsible for, liable for, and potentially even culpable for, meeting certain standards that is a risk very few are willing to take.

36. Unlike many other supervisors, specialists, headguards, and lifeguards, the Plaintiff continued to work there to address these very difficult challenges because he was a permanent member of the community, he was serving his community, he was serving his family, and he was doing it for far more than a paycheck.

37. Throughout 2022, the Defendant Town, continued to move towards the construction of a new Sports Development Center which would contain one of the largest competitive

swimming pools in the state. To gain public and financial support for the new competitive pool the leadership was putting significant pressure on all Aquatics staff to keep the four current town pools open regardless of available staff, the negative impacts on those staff members including many minor workers, or the compromised safety of community members most especially the children that are most at risk of death or harm because of the understaffing of public pools. The Defendant Town intentionally avoided taking accountability for the risks they were taking by refusing to allow for audits. As the Plaintiff attempted to mitigate these risks Defendant Bartee threatened and intimidated him.

9/2022 Approximate Dates

38. During the Plaintiff's short time after renewing his lifeguard certification and before updating his trainer and LGI certifications in September 2022, he was hazed by a headguard and LGI, DB, when DB made the Plaintiff clean the entire deck by himself. The Plaintiff followed the orders without complaint as DB and the other lifeguards sat at a table on their phones without appointing a lifeguard to perform PS or to be rescue ready as needed if anyone entered the still open pool area. DB was one of the LGIs though had refused to teach lifeguard certification classes. This is one of several instances when other lifeguards and headguards made unsafe, risky, and even reckless decisions to spite the Plaintiff which in the end was one of the reasons the plaintiff was forced to resign.
39. The Defendant Bartee initially spoke freely to the Plaintiff about other staff members including other specialists and the supervisor or manager 1 of 3 at that time Carolyn McLaughlin. The Defendant Bartee repeatedly blamed issues the department was having at that time on "management" because they had only private sector experience and not enough

public sector experience. Bartee also indicated repeatedly that even though the Defendant Bartee had much more public sector experience most other managers and supervisors there she was required to stay in her lane. Defendant Bartee also spoke disparagingly about other supervisors but mentioned that she relieved that the worst of them was likely quitting soon or would be fired. During these times the Defendant Bartee was referring to Aquatics Supervisor and Manager 1 of 3 McLaughlin and Aquatics Specialist and Supervisor 2 of 7 just before they both resigned.

40. The Defendant Bartee asked the Plaintiff to be the headguard during swim lessons and promised to pay him the private lesson hourly rate at during these times because there was a chance he might need to teach a private lesson. There had recently been incidents that led to parents hovering over their children rescuing their children during swim lessons before the inexperienced and undertrained instructors or lifeguards. The Defendant Bartee asked the Plaintiff to put lifeguards only over the swim lesson groups to avoid these circumstances. Defendant Bartee instructed the Plaintiff to leave gaps in lifeguard coverage which was against the already established coverage for the pool and which significantly increased the risk of injury, harm, or death to community members not currently enrolled in or paying for swim lessons. The Plaintiff continued to ensure that the entire pool area was provided coverage and referenced the pool's posted zones of surveillance that the lifeguards should have been familiar with and trained on. The Defendant threatened to discipline the claimant for insubordination in front of the other lifeguards and refused to listen to the Plaintiff try to explain why he could not leave other parts of the pool without coverage to focus only on those in swim lessons.

41. During this time in September to November, while working as a lifeguard a parent asked the Plaintiff if her child could ride on the water slide. The Plaintiff instructed the parent that the child's head had to reach the required mark on the measuring board next to the slide stairwell. The parent understood that her child and her child's friend were still well below the required height and instructed the children not to ride. Immediately after, another young female headguard, JC, instructed the parents of the same two young children that the kids could ride the slide even though they were not tall enough. The Plaintiff tried to ask JC if he misunderstood something concerning the expectations to ride the slide but JC refused to listen to or speak to the Plaintiff at all. Even before speaking to the Defendant Bartee about the situation, the Plaintiff then always gave JC as much space as possible and did not engage with her or speak with her more than absolutely necessary.

42. The Plaintiff asked Defendant Bartee if he had misunderstood the standard or if there are exceptions he was unaware of. Bartee confirmed that there was not. She instructed the Plaintiff to write up JC describing the incident and the Plaintiff did as instructed. Bartee also told the Plaintiff that JC was quitting soon, that she thought JC had some mental health issues, and that JC was not eligible for re-hire such that the Plaintiff would not have to deal with her for much longer. Bartee never told the Plaintiff before December 9, 2022, not to talk to JC at all.

43. The Defendants Bartee and Wahl were staffing minor child workers into positions without employee adult supervision or breaks for 4 or more hours at a time. While these minor lifeguards were performing patron surveillance of adult patrons for these unreasonable lengths of time lead to at least one incident of possible sexual harassment of a minor lifeguard. The Defendant Town trespassed or at least told the accused old white male patron

to stay away from the female lifeguard then promoted the minor female lifeguard to a headguard position.

44. This is one of the first issues the plaintiff addressed by training all staff that they needed to make safety a priority and ensure they were receiving the breaks and support required to avoid incidents or safety issues. This was to ensure the safety of everyone including their own. No lifeguards were allowed to be on PS for more than two hours at very most when the Plaintiff was present. At times in 2022, the plaintiff would close sections of the pool as needed regardless of the risks to his job. In the last five or more months of his employment the problems with any lifeguard being stuck on PS for more than two hours had been significantly minimized or eliminated.

45. Defendants claimed to put safety first but would then avoid accountability and shift responsibility, liability, and culpability down to the newest hired manager, supervisors, specialists, coordinators, headguards, and even the minor lifeguards without providing the training or resources needed to overcome the serious safety issues caused by the lack of vital safety standards or standard operating procedures.

46. This was one of the major causes of turnover in supervisors, specialists, headguards, and lifeguards. The Plaintiff stayed despite these challenges because it was a service for his local community, his family, and he did not want to see anyone else hurt for the sake of a new facility or the money and politics surrounding it.

10/2022 Approximate Dates

47. As the Plaintiff prepared to obtain his updated She told the Plaintiff that she received her LGI certification but never used it to certify lifeguards. Bartee also told the Plaintiff that

this is why the American Red Cross trainer of trainers the Town had used questioned why Bartee was getting her LGI certificate if she was not going to use it. Bartee told the Plaintiff that they did not get along. The plaintiff found the trainer to be kind and professional.

48. Initially, when hired as a lifeguard instructor and pool coordinator in October 2022, the Defendant Bartee was supporting the Plaintiff's access to a town e-mail address and scheduling tools such as Fusion and Subitup. This later changed so that the Plaintiff was never allowed access the tools he needed to perform his job as a Coordinator.

49. After being hired as a lifeguard instructor (LGI) and pool coordinator, the plaintiff started trying to coordinate with other Lifeguard Instructors. The Defendant Bartee spoke poorly about all the male LGIs at that time except for the female LGIs that were away at school. She said that DB was refusing to teach lifeguard classes and that JS thought he knew everything. She said that the best LGIs were away at school but they worked with what they had.

50. About this time in October 2022, the plaintiff was using his time between duties to instruct lifeguards concerning scanning and coverage while on patron surveillance and how to activate the emergency action plan (EAP). The majority of the lifeguards were trained only on the general requirement to activate the EAP but did not know specifically how to do that or what their roles might be if there was an emergency. The majority of lifeguards did not know how to actually call 911 if there was an emergency. They were afraid to use their own cell phone because phones were not allowed while they were on PS. The plaintiff was training them on how to ensure 911 is called during an emergency with the radio, with the office telephones, or with their own phone if needed. The Defendant Bartee publicly addressed the plaintiff saying that these lifeguards are well trained, and the plaintiff did not

need to tell how to dial 911. Bartee told the Plaintiff that if there was an emergency it is his job to call 911, not theirs. Bartee said this even though everyone should know how to call 911 in case others are unavailable or involved in the rescue efforts.

51. Defendant Bartee then explained to the plaintiff alone in the office that she was the work mom for these lifeguards and if he kept trying to “change things” he would end up like other supervisors, specialists, or others that came and went during her employment. and that by doing these things against her wishes the plaintiff was isolating himself.

52. After these multiple attempts by the Defendant Bartee to convince the Plaintiff to do something against his training and that would increase the risks to patrons’ safety the Plaintiff ask McLaughlin if there was a handbook or written standards somewhere that he might rely on to avoid conflicts over safety issues with others. McLaughlin said no there was not. McLaughlin asked the plaintiff if he wanted to create them and the Plaintiff agreed to do so. He asked her for access to the Aquatics Shared Drives so that he might use the materials there to avoid having to re-invent the wheel, and to hopefully establish standards that the more experienced lifeguards there were already familiar with from previous managers and supervisors. When Defendant Bartee found out that JP had been given access to some of the Aquatics Drives, she said that access is only for permanent employees.

53. Defendant Bartee repeatedly told a story about how sister missionaries from the Plaintiff’s religion, predominantly lead by old white men, came to her home looking for formerly active members of the same religion which included Bartee and/or her mother. Bartee would portray the missionaries as rude and emphasized how she dismissed the missionaries from her property. Bartee would tell this story each time she met a person from the same

religion as the Plaintiff to highlight that she was familiar with the religion but did not care for it.

54. For no recognizable reason and without prompting from the Plaintiff, the Defendant Bartee told the plaintiff that she would never want to go up against the Town of Castle Rock's lawyers in court. Implying that the Town's legal team was excellent.

11/2022 Approximate Dates

55. During this period, towards the end of November 2022, the Plaintiff learned from the Town's advertisements that they had hired their oldest cadet ever at 46 years old, just a couple years older than the Plaintiff, and that the cadet was just about to finish his paid POST training. With this news and because he did not agree with the safety compromises and risks the Town was taking in their Aquatics department to gain the public support and financial support needed to build the new facility, the claimant applied for a part-time position with to Town Police department as a Community Service Officer just months after starting in aquatics.

56. Defendant Wahl sent an e-mail on November 22, 2022, announcing a mandatory all staff meeting on November 27, and the resignation of the Manager Carolyn McLaughlin effective December 5, 2022.

57. Around that same time in November and early December, the plaintiff expressed interest in applying for one of the two open specialist positions and after McLaughlin gave her notice of resignation in applying for the supervisor position. After expressing this interest to Defendant Wahl and McLaughlin and while working one morning when only McLaughlin and Bartee were present, Defendant Bartee started loudly lecturing the Plaintiff. about her

experience and repeatedly told the plaintiff that he should trust her and do what she says regardless of what the standards of the facility or American Red Cross might say. The plaintiff repeatedly responded that he did trust her and patiently waited for an opportunity to explain why he could not violate the standards he has committed to follow. At one point, McLaughlin entered Bartee's office and asked if she might help. The plaintiff let her know that he was fine, then after McLaughlin left the office he continued to wait for an opportunity to reassure the Defendant that he also is experienced and will always do his best to make sure everyone is physically and emotionally safe. The opportunity for the Plaintiff to speak did not come before the Defendant gesture to the Directors' offices out of her office window and said, "We don't need any more old white men in leadership here."

58. The plaintiff decided to resign after Manager 1 of 3 decided to resign because of the animosity and bias the only remaining supervisor, Defendant Bartee, displayed toward the Plaintiff's sex, age, and race, as well as the lack of standards and unsafe conditions.

59. The Plaintiff went to the mandatory meeting on that Sunday, November 27, 2022, led by Defendant Wahl. In the meeting, Wahl said he would close all the pools and start over completely, implying that he would fire everyone, then apply a program like Ellis Lifeguarding which conducted mandatory audits. This caused the Plaintiff to feel more confident that the safety issues he had been trying to address would be addressed when audits were again allowed by leadership. Immediately after the meeting the Plaintiff told Wahl he did not feel comfortable staying with only Defendant Bartee remaining as his supervisor then expressed some concerns about what Bartee had said and done to make him feel uncomfortable and unsafe. Wahl convinced the Plaintiff to stay and said he could just report to him instead of Bartee going forward if he did not resign. From that time forward

the plaintiff worked as often as possible at the other indoor pool away from Bartee, JC, and as many of her “work children,” as possible.

60. The Plaintiff did this even though his rate of pay would be decreased. Defendant Bartee used the “private lesson pay rate” at a dollar or more per hour, to incentivize and convince others to work with and for her as needed.
61. The Plaintiff applied for the Supervisor and Specialist positions November 29, 2022, and December 28, 2022, and placed on the interview eligible list but was not interviewed or considered for either position until he applied again in February 2023 after Manager 2of3, Aquatics Supervisor, Jason Stoltz resigned.

12/2022 Approximate Dates

62. After December 5, 2022, the Defendant Bartee was once again the only remaining supervisor with more than a year of experience in Aquatics but without actual experience training lifeguards for a certification.
63. At this time of transition in December 2022, between manager 1of3 McLaughlin and 2of3, Jason Stoltz, the rumors increased concerning attempts to get JP in trouble or to get him to quit. Headguard and LGI, DB spoke of the Plaintiff by saying to another lifeguard minor female lifeguard, LD, that the Plaintiff is like a roommate that no one likes but they cannot get rid of.
64. On or about Friday, December 9, 2022, the Defendant Bartee asked the Plaintiff to teach swimming lessons where he was stationed in the lane right next to JC. The plaintiff arrived to teach lessons and there were several lifeguards on break while only one lifeguard was on patron surveillance (PS). JP was the highest ranked lifeguard, headguard, and coordinator

present at the time so he reminded the lifeguards that there needed to be at least two lifeguards on PS while swimming lessons were being taught. The lifeguards then started rotating two or more lifeguards into PS as the Plaintiff went to teach lessons. Headguard and swim instructor JC arrived and then instructed the lifeguards to go back to only one lifeguard on PS though swimming lessons were still being taught. Defendant Bartee was out sick at that time. Between lessons JP texted Defendant Wahl if he might call or poke his head into the pool if he was there.

65. Several of JP's swim lessons did not show up for lessons so JP spent extra time with those that did show up and between lessons asked the other instructors why there was only one lifeguard on patron surveillance (PS). They did not know. During one of JP's lessons that evening and since the six-week session began in October 2022, one of his students needed a dock to work on his breath control as a beginning swimmer. Until that day, JP would use the dock in the teaching station in the next lane where Defendant Bartee had assigned JC because JC's student at that time was swimming laps, and the dock would only get in her student's way. When the Plaintiff asked for the dock as usual JC refused. The plaintiff walked his beginning student to a step where they might practice without the dock.

66. The Defendant Bartee texted, called, and left a voicemail for the Plaintiff while he was teaching a lesson. After the lesson, the Plaintiff noticed the text, call, and voicemail and immediately called Bartee back without checking the messages. Bartee answered threatened to discipline the plaintiff because he talked to or engaged with JC after Bartee allegedly ask him not to. The Defendant never asked the plaintiff not to speak with or engage with JC at all. However, from that point forward he did all he could to avoid them both in the future.

67. The plaintiff attempted to contact Defendant Wahl to express his concerns about these incidents, but Wahl was unavailable and busy with finding and hiring the new Supervisor. Weeks later, after the new Aquatics Supervisor and manager started, Wahl then told JP that he should take it up with the new manager. The new manager had no background and was too busy to address the Plaintiffs concerns at that time so the Plaintiff dropped them until two of JC's friends and Defendant Bartee's work children falsely accused the Plaintiff of
68. Jason Stoltz started as the new Supervisor just after the middle of the Month in December 2022.
69. JP explained to the new aquatics Sholtz about JP's desire to teach the babysitting class and his need for a second trustworthy adult to be present while teaching the class. JP wanted to teach the class especially as his own children took the class. Mr. Sholtz replied that was not at all in the budget or a concern he could address at that time.
70. As seen by most other staff and likely even community members the impropriety of a young women spending all day alone with several 11 to 12 year old girls was acceptable while the impropriety and risks associated with these circumstances for a young man, and more so for an old man, were not acceptable. The only trainer that was willing and able to regularly teach this important class was a young woman, trainer KK because of the lack of support or budget the Town was willing to provide for the class to have a second trusted adult attend.
71. At the end of December 2022, some of the more experienced headguards and LGIs were returning to work temporarily while on college winter breaks. On of these included LS, Defendant Bartee's work child and assistant. The Plaintiff was eager to coordinate with them to establish safety standards that were most familiar to all the lifeguards that were

more experienced working at the four Town pools while ensuring they also aligned with CDC's Model Aquatic Health Code (MAHC) and the Town's chosen training system with American Redcross (ARC). At the direction of Defendants Bartee and Wahl, I was not allowed to coordinate with or speak with these individuals concerning the topics I needed to outside of the shifts I was likely going to be in rotations to guard the pools. LS came during one of these shifts on December 24, 2022. At the suggestion or direction of Defendants Bartee or Wahl, LS false claimed to be a new Aquatics Specialist, and one of my supervisors. LS read to me word for word from some of the documents Wahl was trying to implement as standard operating procedures with little or no hands-on training. When reviewing the chain of command LS instructed me that I was not a coordinator as listed in the chain of command but when I asked where I fell in the chain of command as the Indoor Pool Coordinator she did not know.

2023 Approximate Dates

1/2023 Approximate Dates

72. The claimant was instructed by Managers McLaughlin and Stoltz to establish standards, standard operating procedures, which included updating trainings and the welcome letter sent to all those that enroll in the lifeguard training course. Stoltz provided examples of standards from other facilities where he had worked but those would require more of the changes Bartee and her work children complained about as well as significant scheduling changes to ensure the pools had the staff scheduled to meet those standards.
73. The Plaintiff was never provided with the tools he needed to coordinate or collaborate with others to make the necessary adjustments. One of the first steps that needed to occur was an

inventory of all the equipment because much of it was missing or broken such as Automated External Defibrillators (AEDs), AED trainers, first aid kits, and rescue tubes. When asking to coordinate with the other LGIs to start this inventory Stoltz said the budget was tight and he could only allow for one hour on that project. One hour was far from enough time to start such a project let alone complete it before the two outdoor pools were scheduled to be open.

74. The plaintiff added the necessary links to the new welcome letter and included a recommendation for lifeguards to wear appropriate swim attire for skills sessions to avoid embarrassment. Years before when helping lead lifeguard certification courses, the plaintiff had seen lifeguard candidates not wear appropriate swim attire which resulted in embarrassing situations and dropouts. The plaintiff was already aware of the lifeguard shortages that were present and did not want to see anyone dropout of classes if he could prevent it. In the letter JP wrote, “It is recommended that you wear board shorts over a supportive one-piece, speedo, or jammers during water skills sessions.”

75. Before sending the final draft of the letter to Stolz the Plaintiff asked two lifeguards who appeared to be male to review the letter for mistakes. The Plaintiff was attempting to explain the why behind all of the updates he was making to help lifeguards understand that he was not just trying to make their jobs more difficult. When those reading the letter got to the portion that mentioned the recommended swimwear JP explained why those were recommended and gave examples of when in long past classes, he had seen candidates become embarrassed and dropped out of the classes. JP explained had seen a female lifeguard was embarrassed while roleplaying the victim role on a backboard coming out of the water because another lifeguard pointed out the sever razor burn she had in her groin

area. Another example he gave was when a male lifeguard was in the same situation being pulled from the water on a backboard, he had removed the liner from his shorts and was not wearing a speedo or jammers so that when he was pulled from the water on a backboard his privates, junk, or package was visible through the fabric.

76. The plaintiff did not ask the lifeguards about their own private parts and only concluded generally that the recommended swim wear was to help us all keep our private parts private and avoid embarrassing situations that may lead to dropouts and fewer lifeguards. The plaintiff then sent the letter to the manager and that manager Stoltz approved it.
77. Stoltz, the current Senior HR Representative, Cindy Ubben, and the Defendant Wahl, called the plaintiff in for a meeting to be held on Friday, January 13, 2023, concerning what was said or discussed with the lifeguard staff the week or two prior when working on the welcome e-mail. The plaintiff requested that the parents of the lifeguards be informed of the meeting and invited because it seemed that the lifeguards may be making a very serious accusation, and the plaintiff would want to know if it were his children making such allegations. The Plaintiff understood that even though he did not say or do anything inappropriate or unprofessional, the values of all individuals can be very different so that the plaintiff wanted to apologize to anyone he may have offended including the minor lifeguards and their parents. The Town chose to exclude the parents from the meeting.
78. Before the meeting, the Plaintiff also expressed that he had his own concerns that he had trying to speak to Defendant Wahl about for some time before this incident. The two minor lifeguards in question were friends with JC and also considered Defendant Bartee's work children. Involving the minors' real parents and guardians might have also established

whether the minors were offended or if they were acting on the suggestions of JC or Bartee to get the Plaintiff to quit or get JP to resign.

79. In the end, six months after the meeting on January 13, 2023, the false allegations raised by these, and other employees of the Defendant Town caused the claimant's constructive discharge and his punishment. Despite being the only old man serving outside of the full-time leadership in Aquatics, because the Plaintiff was just another old white man in the community the Town decided he did not deserve the opportunity to be heard.

80. On the day of the meeting, January 13, 2023, Stolz announced a mandatory meeting for all staff concerning Sexual Harassment. This significantly increased the claimant's anxiety about the meeting because of questions that are asked of him on nearly all employment applications within his career.

81. During the meeting with Defendant Wahl, Senior HR Rep Cindy Uppen, and the Aquatics Manager Stoltz, the claimant admitted to speaking to the lifeguard staff about private parts and that he used terms such as crotch, groin, junk, or privates instead of generally more crude or crass terms other trainers or supervisors there would likely have used under the same circumstances such as ass, shit, dick or boner. The plaintiff then gave the context for which this discussion occurred over the updated welcome letter for potential new lifeguards and their parents. Stoltz participated in the meeting, so he was able to remember when I sent him the letter he approved and how it correlated with the time of the incident. The plaintiff confirmed that he spoke only generally about private parts and the need to keep private parts private to avoid excluding some with embarrassing situations.

82. During the meeting the Plaintiff JP also expressed his concerns with the treatment he was receiving from Bartee, JC, and DB, among other minor lifeguards and Bartee's work

children. The Plaintiff notified those present of what Bartee said after he expressed interest in applying for leadership positions. Specifically, gesturing out her office windows to the directors' offices including Defendant Wahl's office, that "we don't need any more old white men in leadership here."

83. During the meeting on that Friday, January 13, 2024, the Plaintiff expressed his concerns that he was trapped between the bullying and discrimination from Bartee and her work children and his need to address the serious safety issues present. The plaintiff expressed the needs for external audits to be conducted so that he was not the only one aware of and trying to immediately address the many safety issues that were present. Addressing the safety issues was urgent because Town leadership pressured Aquatics Leadership and Aquatics leadership pressured all the other staff to keep all minimally function pools open regardless of the safety issues caused by short staffing issues. Wahl told the Plaintiff that he was receiving criticism against the new competitive pool because he could not even keep the current pools open and functional.

84. Before the meeting the Plaintiff had thought that both Stoltz and Wahl were in agreement that external audits were necessary. Wahl because of what he said during the 11/27/2022 meeting and Stoltz because of his extensive experience with lifeguard certification and training before he started in mid-December 2022. However, before the meeting when the Plaintiff told Wahl that they could do audits with ARC even without switching to another program like Ellis, he said, "why would I do an audit if I know we are going to fail." The plaintiff and Stoltz understood that external audits allow for necessary improvements to safety standards and that they allow professional rescuers to show the budget decision makers why the rescuers need the budget and support they need. However, when the

Plaintiff asked Stoltz before the meeting about audits he acknowledged their importance but due to the pressure he received for Wahl and other leaders he told the Plaintiff that they needed to wait for the audits because the reputation of the town is also important.

85. During the meeting Stoltz thanked the Plaintiff for his enthusiasm for audits but said, “we have inherited an elephant.” Arguing against the urgency the plaintiff felt concerning the serious safety issues that were present. Another analogy that was used by Stoltz and the specialist 6of7 that he hired in January 2023, Blaise Grant, was that the required changes were a marathon not a sprint. The plaintiff felt far more urgency concerning these changes but he did not argue or escalate any arguments on that point or any point throughout his employment for fear of retaliation.

86. During the meeting the Plaintiff also admitted that the conversation may have been rated as high as PG-13 but was more like just PG and that he did not violate any town policies, procedures, values or otherwise. To the contrary, the plaintiffs efforts to keep all lifeguards (ages 15+) and even jr. lifeguards (ages 11-15) both physically and emotionally safe. Ubben advised the Plaintiff that now days he should probably avoid even PG conversations and keep his conversations at a G level even though the lifeguards at that time were all at least 15 years old. Wahl and Stoltz advised the Plaintiff that recommending certain swim wear was outside of his job description as the Indoor Pool Coordinator and that he should not speak about that at all moving forward.

87. During the meeting the claimant was required to sign a confidentiality agreement to aid with the alleged investigation that was going to take place concerning the claims of the youth involved and the Plaintiff’s own claims of discrimination and concerns about the safety issues the bullying led too. At that time, the plaintiff told himself that he would stay

for the investigation to clear his name then resign under as good as terms as possible or hopefully transfer to a different position outside of Aquatics or into a leadership position where he might be given the support and tools he needed to more directly address the safety issues including the rampant bullying, gossip, and in his own case, discrimination.

88. At no time did the Plaintiff harass or sexually harass anyone. At no time did the Plaintiff conduct himself in a very inappropriate and unprofessional manner with other staff members that went against policies, Town values or employment laws as suggested by the Defendant Coffey in an e-mail from July 2023, well after Defendants punished the plaintiff and his family. At no time did the Plaintiff make multiple inappropriate comments to younger and even underage lifeguards also employed by the Town of Castle Rock as the Defendant falsely alleged to Defendants Price and Lane. At no time did the Plaintiff escalate arguments with Coffey or any other employees such that any reasonable, unbiased, and nondiscriminatory person would feel so uncomfortable enough around the Plaintiff to request police presence for a meeting. These false allegations from the Defendants were the result of the bias and discrimination the plaintiff faced throughout his employment as the only old man trying to serve in aquatics outside of full-time leadership. As an old man the plaintiff was slightly larger than most others that he worked with but did nothing to justify the punishment inflicted by the Defendants.

2/2023 Approximate Dates

89. At the start of February 2023 the manager Stoltz 2of3, resigned. The plaintiff again applied for and was notified as eligible for an interview for this Aquatics Supervisor position. This time the Plaintiff was considered and interviewed for the position. However, when

Defendant Bartee was present on the panel during the interview the plaintiff became uneasy about the prospects of her undermining him like she did McLaughlin and other specialist. The plaintiff asked what resources were available to address the safety issues present in the Aquatics Departments. Defendant Wahl started to answer the question but then another panel member, Wahls supervisor, Mike Kilman, stopped Wahl and answered the question himself. Kilman seemed offended by the question and responded that he had never before seen a budget like that then available to the Aquatics program. With that answer, the Plaintiff was prepared to present what he would do improve the Aquatics Department which started with external audits under ARC or some other that required and provided regular audits such as those used by similar departments throughout the area. The Plaintiff decided at that time though that he was not going to receive the support from staff such as Defendant Bartee that he needed to be successful because of the bias and retaliation he had already faced. Instead of proceeding with his presentation and additional questions for the panel the plaintiff went quiet and allowed the interview to conclude.

90. The plaintiff was excited about the prospects of changes that may come with a new manager and hopeful that perhaps he might be able to stay for some time longer to help improve his community's aquatics program. Defendant Lori Kaupp started at the end of February 2023. The Defendant was unable to communicate with Kaupp when she started because he did not receive the same e-mail notifications that were sent out when changes to specialists and supervisors occurred previously.

3/2023 Approximate Dates

91. After manager 3of3, Defendant Lori Kaupp, started in March 2023, while speaking with her and the new specialist 6of7, Blaise Grant, JP again expressed his desire to teach the babysitting class as well as his need to have another trustworthy adult present while teaching the class. Kaupp's response was the question, "is that a problem around here?" The Plaintiff was about to respond, yes, but did not want to violated the confidentiality agreement, or gag order, he signed at the January 6, 2023, meeting. When Kaupp saw the JP's hesitation she asked if this was about the "shorts" issue. The Plaintiff thought it might be but said nothing because he did not know.
92. There was one of the seven specialists through the Plaintiffs employment that repeatedly said at work if someone does not agree with him or follow the expectations he set then that person "can kiss his little white ass." At later times this specialist rephrased this statement with slightly different words such as "can kiss my little white hiney." The plaintiff has never, and will never use the word "ass" at work unless he is required for work to read it from a text or quoting someone else.
93. On the plaintiff's last day of work, he heard the defendant Kaupp say to a lifeguard, I do not give a "shit," so long as EMS was called. She was referring to a lifeguard that had used his own cell phone to call EMS during an emergency instead of using the radio to tell the front desk staff to call 911. While the plaintiff agrees with this sentiment he has used the word "shit" when speaking to a coworker. Nor has the plaintiff ever used any other unprofessional or derogatory language while working throughout all of his working life. Calling EMS and ensuring that all lifeguards know how to call EMS as soon as possible,

when there is an emergency is essential. Regardless of how that call is completed this is the same thing that the plaintiff was criticized for by the Defendant Bartee just months earlier.

94. Another responsibility the Plaintiff had been given by McLaughlin and Stoltz was to care for and coordinate the care and maintenance of the trampolines in one of the facilities. The plaintiff attempted to address the trampolines but was unable to receive the help from the lifeguard staff he needed to efficiently or effectively maintain the trampolines. The plaintiff tried to ask other lifeguards to come in earlier or stay late to help the Plaintiff but was unable to convince anyone to help outside of their regular shifts and was never given the access or authority needed to schedule shifts or coordinate the care as needed. The Plaintiff hoped that with the new manager he might be allowed to coordinate and collaborate with other staff so that he might not be the only person attending to the trampolines which should have been receiving daily, weekly, and other regular attention. One day in April or May 2023, a headguard NB yelled at the Plaintiff that he had to do the Plaintiff's job. The lifeguard was working on something else so the Plaintiff tried to avoid the conflict and proceeded towards the trampolines. The lifeguard then followed the Plaintiff out towards the trampolines and stepped up within two or three feet of the Plaintiff to again confront the Plaintiff about him having to do that Plaintiff's job. The Plaintiff asked what he was referring to and NB explained that he had to clean underneath the trampolines. The Plaintiff thanked him and asked if he found the (PPE) masks and gloves to clean without breathing the fine dust. He replied that he didn't need those. He then berated the plaintiff because he had to do the Plaintiff's job. The Plaintiff thanked him and explained that he was grateful because he had been trying to get others to help him for months but was told the staff were too few. This helped calm the lifeguard down and the lifeguard explained more

calmly that it was actually himself NB and SL that cleaned the trampoline, one sweeping and one holding the trash bag. I thanked him for his efforts because it was far less efficient to clean with only one person as I had been forced to do until that time. The lifeguard said he was in a meeting with other leadership about the trampolines and they discussed JP's work. This was a surprise to the Plaintiff and the Plaintiff wondered why he was excluded from that meeting. The plaintiff then answered NB's questions about the trampolines and where the newer springs are located before continuing on with his work to replace worn springs. Not long after this incident the Plaintiff was excluded from all work on the trampolines without a meeting or any attempts to collaborate.

95. This same lifeguard got in the Plaintiff's face with conflicts on he had with the Plaintiff on three other occasions at the other facility. Once when NB falsely accused the plaintiff of giving another younger female lifeguard LF an ultimatum. Another time when NB refused to close a slide that was broken and being misused by patrons. And another when NB accused the Plaintiff of breaking the hot tub.

96. The animosity the Plaintiff received from the younger staff members increased again throughout the transition from Manager Stoltz to Manager Kaupp.

4/2023 Approximate Dates

97. Around this time in April and May 2023, another female LGI KK that felt slighted by the Plaintiff's role in submitting certifications to ARC was promoted to an outdoor pool coordinator position. She made sure the Plaintiff understood that those this Outdoor Pool Coordinator Position was temporary and seasonal the position was above and paid more than the indoor pool coordinator position the Plaintiff held.

98. Also around this time in April and May 2023, Specialist Grant, as the only supervisor or manager functioning as an LGI was overwhelmed and asked for the Plaintiff's help with new hire onboarding paper work because of the Plaintiffs experience with paperwork and the reduction to the Plaintiffs hours that had occurred since Defendant Kaupp started as the Aquatics Supervisor. Blaise trained the Plaintiff to help but then Defendant Wahl refused to provide the Plaintiff with the access needed to do the work. Males Specialist Grant resigned shortly after he was not permitted to share some of his immense work load with the Plaintiff.

99. Not long after Defendant Kaupp started she told the Plaintiff in passing that they were going to move away from ARC and to a program called Starguard that required regular audits. The Plaintiff expressed in interest in transferring as an LGI to the new program as early as possible so that he might act on the urgency he felt towards addressing the safety issues through the programs. Kaupp told the plaintiff that they were going to rely on Starguard staff to do the lifeguard trainings and that she expected a lot of turnover before the transition was complete. The plaintiff later found that despite being the most active LGI at the time Kaupp started he was one of only a few, if not the only LGI, that was not invited to transfer initially as an LGI to the new Starguard Program. KK made sure the Plaintiff knew that she had been invited though she was unable to attend because she was still at college when the Starguard LGI training was to be held.

100. On May 13, 2023, the Plaintiff had to put his keyboard, monitor, and computer back together because during the weeks when the Plaintiff was not working the lifeguards would separate all the components and use the computer to charge their devices. The plaintiff was the only one to regularly use that computer and keyboard. The plaintiff noticed that

morning that the keys had been jumbled but paid it no mind because he did not need to see the keys to enter chemical and other reports. A lifeguard, LF, that had always been antagonistic toward the plaintiff, another one of Bartee's work children, falsely accused the Plaintiff of always doing his personal work on the work computer. LF made the same or similar false accusation twice early in the shift. The Plaintiff preferred to use the computer for his reports because of the keyboard and he did not want to tie up the tablet devices and prevent others from clocking in and out as needed. The Plaintiff did not do personal work on the work computer aside reviewing his other family and work schedules to determine when he might fill in for the lifeguard shortages. After the second accusation the Plaintiff noticed someone had reaggregate the letters to spell the words, "Dick" and "Boner." The plaintiff did not make a big deal about it but took pictures and texted Kaupp with a request to speak with her and HR. Unlike the penis shapes that someone put tacks into on the bulletin board this incident seemed more directly targeted at the Plaintiff. After texting and speaking to Defendant Kaupp about the incident the Plaintiff waited until there were two lifeguards in the office with him including LF. He asked the other lifeguard that was not LF if she knew who did this to the keyboard? She answered I don't know who did that? I then asked LF if she knew who did that to the keyboard? She responded with a smirk and avoided the question by answering only that she did not do that to the keyboard. Two or more of the lifeguards had directed this sexual harassment at the Plaintiff.

101. The plaintiff tried to follow up with Defendant Wahl about the accusations made in January 2023, the investigation that the plaintiff was lead to believe would occur, and the incidents that had occurred since that time and up until May 2023. Defendant Wahl said the HR person there before was no longer there but that I could probably speak to the current

manager Kaupp about it. The Plaintiff did not want to violate the confidentiality agreement or what appeared at that time only to be a gag order and continued to request a meeting with Defendants Wahl, Kaupp, and HR. The plaintiff decided that he would resign but he still wanted to clear his name and attempt to leave on good terms so he attempted to do so by requesting this meeting.

102. The plaintiff wanted to know why there had been no conclusion to the investigation that supposedly started in January 2023. JP wanted to know why he was denied the tools, authority, and access he needed to coordinate anything. He wanted to know why he was excluded for any further work on the trampoline and any meetings or conversations that may have happened regarding the trampolines. He wanted to know why he was singled out and excluded from an invite to participate in the initial training of LGIs in the new program Starguard. Most of all, he wanted to know why staff were still harassing him and specifically with words like “dick,” and “boner.”

6/2023 Approximate Dates

103. The Plaintiff was finally able to get a meeting with HR, including HR Manager Sheryl Coffee, on at the start of June 2023, however, Defendant’s Wahl and Kaupp refused to participate or were intentionally excluded from the meeting. The Plaintiff was understandably frustrated but the lack of support and the unwillingness of these to hear him out. The plaintiff told the Defendant Coffey that he was frustrated and told her he was looking for work elsewhere including Parker, a neighboring town, and even asked Coffey if there were any part-time positions available in HR. She looked at the other HR are person and said not at the moment but that might be possible in the future. The Plaintiff asked

permission to record the meeting and with permission recording a portion of the meeting. The Plaintiff asked Coffey if she had any question for him based on the allegations and meeting he had in January or any of the events that had occurred since then. She had no questions. The Plaintiff vented to the Defendant concerning many of his concerns but left out many important details because he had already decided that he had to resign because of the hostile work environment and the reduced work and hours available to him.

104. The plaintiff did not even mention the incident with the words “dick,” and “boner” on his keyboard. The plaintiff also wanted to know if he really had been accused of sexual harassment back in January 2023 as he suspected so that he could answer the question on all future applications with his full-time employer, the State of Colorado, concerning whether he had even been accused of harassment or sexual harassment truthfully and accurately and continue easily passing all further polygraph examinations he may need to take as he continues with his career. The plaintiff was shocked at the end of the meeting or what the claimant had treated up to that point as his exit interview to hear that Defendant Coffey wanted to do her own investigation. Unfortunately, the Plaintiff trusted the HR manager and leaped at what he thought would be another opportunity to get the answers he wanted and clear his name before leaving his positions on good terms.

105. Defendant Coffey placed the plaintiff on “paid” administrative leave though the Plaintiff was only scheduled for one final shift that same evening before he was no longer scheduled for work so he would not actually receive any pay for the leave he was placed on.

106. Weeks later Defendant Wahl called the plaintiff on Thursday, June 22, 2023, while the Plaintiff was at his regular full-time job and asked the Plaintiff if he could come to a meeting the next day at 1:00 PM. The Plaintiff asked Wahl what the meeting was about and

Wahl said, “I think it is about your investigation.” The plaintiff agreed to go to the meeting prematurely because he was supposed to watch his children at that time while his wife worked. The plaintiff sent an e-mail, then texted, and called Defendant Wahl to confirm the meeting time and agenda but never received a response to confirm the meeting time or agenda. The Plaintiff submitted his resignation or requested more leave so they might find a better time to meet. He resigned because it had become clear that he would not be given the support or opportunities he needed to succeed in the Town’s Aquatics Department.

107. The plaintiff had received no notice of any wrong doing or disciplinary action while employed by the Town aside from the concerns that were expressed to him in January which he addressed openly and honestly at that time. After the proposed meeting time Defendant Police Officers Price and Lane arrived at the Plaintiffs house to issue him a no trespass order from the Town’s public parks and pools that the Plaintiff and his family relied on for their physical and mental health. Like many residents of the Town the Plaintiff did not have a pool or yard to exercise or play in at all.

108. The Defendants applied police force to intimidate and threaten the Plaintiff by banning him from public services and parks without providing justification or an opportunity to appeal or address allegations.

109. The Defendants did this under color of law, likely under the Town’s code 9.04.060 - Trespass on business property (Ord. 5.17 §5, 1968). However, these actions of the Town and their police seemed to be so regular that a law or code was not cited to the Plaintiff or mentioned in the police report regardless of whether the business was a private business or public parks and services paid for by the taxes of the community including the Plaintiff and his family.

110. As the officers issued the No Trespass order the plaintiff was astonished at the excessive response to his very reasonable efforts to work and serve his town in Aquatics. The Plaintiff was terrified by the abuse of power that was displayed by the Defendants. Both astonished and terrified the Plaintiff repeatedly plead with the officers to know why they were doing this. **The plaintiff was terrified that a patron of the pools had been seriously injured or killed because he was never allowed to do his job as a professional lifeguard, trainer, or pool coordinator. Officer Lane stared at the Plaintiff as though the Plaintiff were one of the perpetrators from that summer's hit in Castle Rock, "Sounds of Freedom." When the plaintiff continued trying to understand why he was being punished he asked if there was a protection order against him. Officer Lane responded, "not right now." Implying that there may be later based on his knowledge of what he knew but refused to share with the Plaintiff.** Officer Price, having more recently sworn to uphold the US Constitution, was more apologetic for the injustice and said to the Plaintiff, **"Thank you for being cool with us," and "sorry man."** The plaintiff shook his head trying to escape what he thought at the time had to be a nightmare while wondering how he would explain to his wife and children why he could not go with them to their favorite public parks or pools. **The plaintiff and his wife were unable to sleep or eat or function for many days and nights wondering why they were being so punished.**

111. The plaintiff repeatedly plead for himself and his family to know why they were so punished. The Defendants Coffey and Officer Price initially refused to answer the plaintiff's question. After several sleepless nights that preceded many other sleepless nights and meals left without eating, the Defendant Coffey responded that she concluded that the Plaintiff

conducted himself in a very inappropriate and unprofessional manner with other staff members that went against policies, Town values or employment laws. At no time did the Plaintiff conduct himself in a very inappropriate and unprofessional manner with other staff members that went against policies, Town values or employment laws.

112. Without admitting guilt, the Plaintiff apologized for any mistakes he may have made and asked to appeal the Decision to ban him from these essential public parks and services. The Defendant Responded ... "The Town of Castle Rock does not have an appeal process." To this e-mail response the Defendant included one of the Towns Renown Attorneys.

113. The Plaintiff plead to his own town council members for an opportunity to be heard but was ignored.

114. The Plaintiff's wife requested a meeting with the Defendant Town Manager, David Corliss. At first the Manager obliged and agreed to set the meeting but then when he was aware of the topic concerning the Plaintiff's experiences trying to serve in Aquatics, Corliss responded that he knew of the circumstances and refused to hear the Plaintiff or his wife.

115. Sheryl Coffey and Dan Wahl intentionally tried to intimidate and threaten the plaintiff by knowingly escalating the circumstances concerning the plaintiffs constructive discharge by using the Town's police force without due process, denying the plaintiff the opportunity to defend himself, and by denying the plaintiff's request for an appeal while referring to and involving the town's renown attorneys. The Defendants acted like criminals by shutting up and lawyering up instead of the agents, officers, and officials of the Town

that should be required to respect the rights of every individual and uphold the US Constitution.

116. Despite having attorney's, police, and at least one judge on their payroll, HR Manager, Defendants Sheryl Coffey and Dan Wahl punished the plaintiff and his family without giving him notice of allegations or an opportunity to be heard or defend himself.

117. The Defendant's compelled the plaintiff, his wife, and their six children to move away from the town they hoped to call their permanent home.

118. With the Defendant's abuse of authority and lack of equity or due process granted, to the plaintiff and his family could not know if or when they might receive equal and equitable treatment from a town with officials unwilling to listen to the pleas of a father for equity and justice. There was no guarantee from the Town that even after one Trespass order concludes they would not simply issue another without equity, notice of an accusation, or an opportunity to be heard.

119. The plaintiff attempted to address his safety concerns, concerns of discrimination, false allegations, and retaliation at the lowest levels possible to require the least expense or damage but was intentionally refused with each attempt.

120. The plaintiff received only side glances from all those that were aware that he had been banished from these Town facilities, public parks and pools.

121. The Plaintiff attempted to find work in aquatics out of his hometown of Castle Rock because of the damage to his reputation and to allow him to teach and provide swimming experiences to his children but he was unable to overcome the anxiety and fear that the mistreatment from the Town of Castle Rock. There is a general prejudice against old men

working with young people in Aquatics and despite his attempts to point that out to the Defendant's they retained and acted on that prejudice.

9/2023 Approximate Dates

122. The Plaintiff applied for the fourth time to the Town Police Department and received an invitation to take the written exam in September 2023. However, the Defendant Coffey removed the Plaintiff under the pretense that he did not include *all* of his work history on his resume or initial application. Not all the applicants invited to the written test were required to include all of their work history on the initial application and such a requirement makes the barrier for older applicants with more work experience than younger applicants have not been alive for as many years as the older applicants such as the Plaintiff have been working. The Plaintiff was hopeful that he might receive an opportunity to take a polygraph to address all the allegations the Defendant Coffey made against him. Officers, officials, and other employees working outside of Aquatics would have been allowed to address allegations made against them and likely with a polygraph examination. The Plaintiff was denied all these same opportunities.

V. CLAIMS FOR RELIEF

D. STATEMENT OF CLAIMS - Page 43 of 49

FIRST CLAIM FOR RELIEF

Discrimination

42 U.S.C. § 1983 – Fourteenth Amendment Violation – Discrimination based on age, sex, and race. Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 2000e, et seq. Age Discrimination in Employment Act, as amended, 29 U.S.C. §§ 621, et seq.

123. Plaintiff hereby incorporates all other paragraphs of this Complaint as if fully set forth herein.

124. Defendants Bartee, Wahl, Kaupp, and Coffey, violated the plaintiff's rights to equal employment opportunities despite diverse age and sex; retaliated against and punished the plaintiff for his good faith and very reasonable efforts to address serious safety issues as well as the harassment and discrimination he faced as a barrier to his efforts to work and serve his town and the employer the Town of Castle Rock.

125. Defendant Bartee, by her own words, discriminated against the plaintiff based on his race.

126. Defendant Bartee threatened the Plaintiff with disciplinary action and withdrew her support for him because he was an old white man and according to her, the employer did not need anymore old white men in leadership there.

127. Defendants Wahl, Coffey, and Kaupp, refused to hear the Plaintiff's concerns, act on those concerns including harassment and discrimination because of his sex and age,

128. Defendants Wahl, Coffey, Kaupp, and Bartee refused to provide the support the Plaintiff needed to do his job safely despite his position as the only old man working among so many much younger people and teenagers. Their inaction and refusals to provide the support and opportunities needed forced the Plaintiff to resign then led to the unjust punishment of both him and his family.

SECOND CLAIM FOR RELIEF

Retaliation

42 U.S.C. § 1983 – Fourteenth Amendment Violation – Retaliation for claims of discrimination, harassment, and whistle blowing Colorado SB22-097

129. Plaintiff hereby incorporates all other paragraphs of this Complaint as if fully set forth herein.

130. There was absolutely no justification for the treatment the Plaintiff received during and after his professional and sincere efforts to serve his town aquatics program with his very relevant considerable and untarnished experience and reputation.

131. The only likely reasons the Plaintiff received this treatment from the Defendants was because of the bias prejudice and retaliation the Town and its employees officials and officers perpetrated towards the Plaintiff due to his good faith efforts to reduce the serious safety risks the town was ignoring to maintain their reputation and receive the support and funding needed to build the largest or one of the largest competitive pools in the state as

well as the Plaintiffs status as the only old (41 years old) man working part time and outside of the full-time leadership.

THIRD CLAIM FOR RELIEF

Due Process Violation

42 U.S.C. § 1983 – Fourteenth Amendment Violation – Due Process Rights - U.S. Const. amend. XIV, § 2. - 42 U.S.C. § 1983 – Municipal Liability (Monell Claim)

132. Plaintiff hereby incorporates all other paragraphs of this Complaint as if fully set forth herein.

133. The Defendants, the Town of Castle Rock, and all individual defendants (employees, agents, officials, and officers) acted within the scope of their employment and under color of state law. In doing so, the Plaintiff invokes Monell liability, which holds municipalities accountable for unconstitutional actions when there is a policy or custom behind the violation.

134. The Town of Castle Rock's policies, practices, or customs directly resulted in the violations of the Plaintiff's constitutional rights, including banning the Plaintiff, and constructively his wife and children, from public services and parks under the Defendant Town's municipal code and regular practices.

135. Despite the fact that an apology and willingness to hear someone out is not an admission of guilt, the Defendant, the Town of Castle Rock, has a practice of shutting up and lawyering up when safety issues or anything potentially harmful to their reputation

arises. This puts an unjust and unnecessary burden on the citizens they are called to serve to maintain the rights and government privileges they are entitled to. The Defendant also acts under color of law to punish and ban individuals from public parks, facilities, and services without giving them notice of an allegation or an opportunity to be heard. The Plaintiff is likely one of many that has been so violated by the Defendant.

FOURTH CLAIM FOR RELIEF

Intentional Infliction of Emotional Distress (IIED)

42 U.S.C. § 1983 – Fourteenth Amendment Violation – Intentional and Negligent Infliction of Emotional Distress (IIED)

136. Plaintiff hereby incorporates all other paragraphs of this Complaint as if fully set forth herein.

137. To overcome the emotional distress and harm the Defendants' actions caused, the Plaintiff tried to convince himself and his family that Defendant Bartee and others may have had traumatic experiences with a person like himself, an old white man, such that they were afraid of him and offended by him even though he did nothing wrong.

138. The Defendant pursued work out of town as a result of the limited opportunities available to him in the town and to avoid the reminders of the Defendants' treatment of him every weekend when he would otherwise attend his children's scouting activities at the parks he was banned from or take his children swimming, dancing, or bike riding at the public parks he was banned from.

139. The Defendant found employment doing another activity that he loves, aside from swimming, and might share with his wife and children though the activities are far away

and only seasonal. The Defendant found and pursued work as a snow ski and snowboard instructor and potential as an EMT with ski patrol.

140. In November 2023, the claimant sat in the waiting room to see his doctor and get some adjustments on his knee brace to assist with his return to regular snow sports.

141. Under circumstances where most would provide others distance and privacy, or pretend they did not see a person at the doctor's office, especially concerning adverse parties, the Defendant Bartee, went out of her way to open the door and enter the waiting room where the Plaintiff sat waiting to see his doctor.

142. The Plaintiff was shocked and horrified that the Defendant would approach him. Especially after the allegations that were made against him. The Defendant intentionally caused the claimant fear and distress by entering the waiting room and asking him why he was there. The plaintiff responded that he was just preparing for ski season. The Defendant then asked the Defendant how he was doing in a patronizing tone. The plaintiff could not respond verbally and just shrugged. The Defendant caused further harm to the plaintiff by mockingly stating, "just taking it one day at a time huh?"

143. PRAYER FOR RELIEF

E. REQUEST FOR RELIEF - Page 48 of 49

WHEREFORE, the Plaintiff respectfully requests that this Court enter judgement in his favor and against Defendants, and award him all relief as allowed by law and equity, including but not limited to the following:

- a. Declaratory and injunctive relief, as appropriate;
- b. Compensatory damages, including but not limited to, those for past and future pecuniary and non-pecuniary losses, physical harm, emotional pain, suffering, humiliation, inconvenience, mental anguish, loss of enjoyment of life, medical bills;
- c. Actual economic damages as established at trial;

- d. Punitive damages for all claims as allowed by law in an amount to be determined at trial;
- e. Pre-judgment and post-judgment interest at the highest lawful rates;
- f. Attorney fees and costs associated with this action as allowed by law; and
- g. Such further relief this Court deems proper, or as required by justice.

144. REQUEST FOR TRIAL BY JURY

The Plaintiff requests a trial to a jury on all issues so triable.

Respectfully submitted this 8th day of October 2024.

Plaintiff Pro Se – Joshua Paul Wells

s/ _____

Joshua Paul Wells

17010 Foxcross Dr.

Monument, CO 80132

(720) 588-8556

JPmorganWELLSfargo@gmail.com



100 N Perry Street
 Castle Rock, CO 80104
 (303) 663-6100
OFFENSE/INCIDENT REPORT

COPY

Case Number: **2023-00023720**

Connected Case Number(s)
 2023- 2023-
 2023- 2023-

EVENT	DATE REPORTED 6/23/2023	TIME 11:48	INCIDENT TYPE TRESPASS	CASE DISPOSITION C - NCA
	OCCURRED FROM 06/16/2023	TIME 06:00	LOCATION OF OCCURRENCE TOWN HALL	EXCEPTIONAL CLEARANCE
	OCCURRED TO 06/23/2023	TIME 14:00	100 N WILCOX ST	

OFFENSES	NO.	ATCO	COUNT	CRS
	1	C	4	9.04.060 Business property trespass
	2			
	3			
	4			
	5			
	6			
	7			

SUBJECTS	INVOLVEMENT SUBJECT		NAME WELLS, JOSHUA PAUL				DOB 03/27/1982	AGE 41
	RACE WH	SEX M	HEIGHT 6'0"-	WEIGHT 220	HAIR BLN	EYES HAZ	DRIVERS LICENSE NO./STATE	
	RESIDENCE ADDRESS 1415 RINKER WAY CASTLE ROCK, CO 801093134						PRIMARY PH (720)588-8556	
	EMAIL ADDRESS						OTHER PH	
	EMPLOYER/SCHOOL TYPE			EMPLOYER/SCHOOL NAME			OCCUPATION UNEMPLOYED	
	EMPLOYER/SCHOOL ADDRESS						EMPLOYER/SCHOOL PH	
	ADDITIONAL SUBJECT INFORMATION							
	INVOLVEMENT RP		NAME COFFEY, SHERYL LYNN				DOB	AGE
	RACE	SEX	HEIGHT	WEIGHT	HAIR	EYES	DRIVERS LICENSE NO./STATE	
	RESIDENCE ADDRESS						PRIMARY PH	
EMAIL ADDRESS						OTHER PH		
EMPLOYER/SCHOOL TYPE			EMPLOYER/SCHOOL NAME			OCCUPATION		
EMPLOYER/SCHOOL ADDRESS						EMPLOYER/SCHOOL PH		
ADDITIONAL SUBJECT INFORMATION								
INVOLVEMENT		NAME				DOB	AGE	
RACE	SEX	HEIGHT	WEIGHT	HAIR	EYES	DRIVERS LICENSE NO./STATE		
RESIDENCE ADDRESS						PRIMARY PH		
EMAIL ADDRESS						OTHER PH		
EMPLOYER/SCHOOL TYPE			EMPLOYER/SCHOOL NAME			OCCUPATION		
EMPLOYER/SCHOOL ADDRESS						EMPLOYER/SCHOOL PH		
ADDITIONAL SUBJECT INFORMATION								

REPORTING OFFICER 2226/PRICE, SEAN	DATE SUBMITTED 06/23/2023	REVIEWING SUPERVISOR PETERSEN, TY COLTEN
-----------------------------------------------------	--------------------------------------------	-----------------------------------------------------------

COPY



**100 N Perry Street
 Castle Rock, CO 80104
 (303) 663-6100
 CASE NARRATIVE**

Case Number:
2023-00023720

Primary Offense / Incident Type
TRESPASS

SOURCE OF ACTIVITY / BACKGROUND

On June 23, 2023, I was dispatched to the City of Castle Rock Town Hall at 100 Wilcox St, Castle Rock, Colorado 80104, in Douglas County for a request of a trespass. The trespass was requested by Town of Castle Rock employees, for a Town employee that has recently resigned.

OFFICER OBSERVATION / INVESTIGATION

The RP and witness for this trespass notice is SHERYL COFFEY The Subject and recipient of this trespass notice is JOSHUA PAUL WELLS (DOB 03/27/1982).

SHERYL is the Human Resources Manager for the Town of Castle Rock. SHERYL reached out to the Castle Rock Police Department in regards to an on-going issue with an employee by the name of JOSHUA. According to SHERYL, JOSHUA worked in the Castle Rock Aquatics department. JOSHUA has made multiple inappropriate comments to younger and even under age lifeguards also employed by the Town of Castle Rock. Due to this, an internal investigation was opened on JOSHUA. SHERYL along with other members of Town Hall planned a meeting with JOSHUA today 6/23/2023 at 1300 hours at the Town Hall to terminate his employment status. Given JOSHUAS history of escalated arguments with SHERYL and other employees in the past, they felt uncomfortable enough around JOSHUA and requested a Police presence for this meeting.

Along with the planned termination of JOSHUAS employment, SHERYL had JOSHUA trespassed from the following locations for 2 years:

- Burgess Pool and Centennial Park (22 S Gilbert St Castle Rock, CO 80104)
- Miller Activity Complex and surrounding Park (1375 W Plum Creek Pkwy, Castle Rock, CO 80109)
- Butterfield Park Pool and surrounding park (3952 Butterfield Dr. Castle Rock, CO 80109)
- Castle Rock Recreation Center (2301 Woodlands Blvd Castle Rock, CO 80104)

While waiting at town hall with SHERYL for JOSHUA to arrive, JOSHUA sent an email to SHERYL and other employees stating "Given the lack of communication, I'd like to go ahead and submit my resignation..."

After realizing that JOSHUA was not going to show up to this meeting, I told SHERYL that I would call JOSHUA to find his current location, and serve his trespass notices to him.

I left town hall and immediately called JOSHUA. I introduced myself to JOSHUA and told him that I had paperwork in regards to his resignation and needed to meet with him in a timely manner to sign. JOSHUA agreed and told me that he was home. I promptly drove to JOSHUA's residence at 1415 Rinker Way Castle Rock, CO 80109. JOSHUA met me outside of his residence where I explained to him that he has been trespassed from the above locations for 2 years. JOSHUA signed the trespass forms and was explained in detail that he cannot visit the above locations for 2 years or he would be arrested.

I then delivered a copy of the trespass notices back to SHERYL as well as a copy sent to CRPD records.

REPORTING OFFICER
2226/PRICE, SEAN

DATE SUBMITTED
06/23/2023

REVIEWING SUPERVISOR
PETERSEN, TY COLTEN



100 N Perry Street
Castle Rock, CO 80104
(303) 663-6100

COPY

Case Number:
2023-00023720

CASE NARRATIVE CONTINUATION

ADDITIONAL INFORMATION

BWC Uploaded

Signed trespass forms

CASE STATUS

Closed- Criminal Trespass

REPORTING OFFICER
2226/PRICE, SEAN

DATE SUBMITTED
06/23/2023

REVIEWING SUPERVISOR
PETERSEN, TY COLTEN

COPY

CR 23-023720



Castle Rock Police Department Trespass Notice

Property Known As: <u>Miller Activity Camp Area</u> ^{Surrounding} Address: <u>1375 U. Plum Creek Pkwy CO</u>	
To: <u>Joshua Paul Wells</u>	DOB:
Full Address: <u>1415 Rinker Way Castle Rock CO 80109</u>	Apt
Phone Number:	OLN/ID#: OLN/ID State: <u>CO</u>
Parents Name if Under 18:	Parents Phone Number :

YOU ARE HEREBY GIVEN OFFICIAL NOTICE THAT THE OWNER OF THIS PROPERTY, BY AND THROUGH THE LAWFUL AUTHORITY OF THE OWNER'S AGENT, IS ORDERING YOU TO BE IMMEDIATELY REMOVED FROM THE OWNER'S PROPERTY AND BARRED FROM RETURNING TO THIS PROPERTY FOR ANY REASON. THIS TRESPASS NOTICE COVERS THE ENTIRE PROPERTY INCLUDING BUT NOT LIMITED TO ALL INTERIOR AND EXTERIOR COMMON AREAS AND PARKING LOTS. YOU ARE SUBJECT TO ARREST AND PROSECUTION FOR TRESPASS SHOULD YOU RETURN TO THIS PROPERTY AT ANY TIME, FOR ANY REASON.

THIS TRESPASS NOTICE IS IN EFFECT 1 YEAR / 2 YEARS / PERMANENTLY / OTHER _____ FROM THE DATE BELOW. IT MAY BE TERMINATED ONLY BY THE PROPERTY OWNER OR MANAGER. THE FOLLOWING PERSON(S) REPRESENT THE ABOVE PROPERTY AND HAVE AUTHORIZED THE CASTLE ROCK POLICE DEPARTMENT TO SERVE THIS TRESPASS NOTICE. THESE PERSON(S) ARE ALSO AUTHORIZED TO MODIFY, AMEND OR RESCIND THIS TRESPASS NOTICE IN WRITING WITH A COPY FORWARDED TO THE CASTLE ROCK POLICE DEPARTMENT, ATTENTION INVESTIGATIONS.

[Signature] 6-23-23 *Dan Leahy*
 Signature of Property Representative Date Printed Name

REASON FOR TRESPASS: Shoplifting/Theft Loitering Disturbing the Peace

Other: Resigned

I acknowledge receipt of this Trespass Notice and I understand that if I violate the terms of this Notice I can be arrested and charged with crimes.

[Signature] 6-23-23 *JP Wells*
 Signature of Person Served Date Printed Name

I personally served a copy of this Trespass Notice and I read aloud the above section in capital and bolded letters to the person described herein.

For persons under eighteen years old: By checking this box, I certify that I personally contacted the mother, father or legal guardian (circle one) and advised that this Trespass Notice had been issued to the person described herein.

[Signature] 2226 6-23-23 *S. Price*
 Officer's Signature & Badge # Date Printed Name

A current photograph of the subject and/or a photocopy of their ID should be attached to this form.

COPY

CR 23-023720



Castle Rock Police Department Trespass Notice

Property Known As: <u>Butterfield Park Surrounding Area</u>		Address: <u>3952 Butterfield Dr Castle Rock Co 80109</u>	
To: <u>Joshua Paul Wells</u>		DOB: <u>3-27-82</u>	
Full Address: <u>1415 Rinker Way Castle Rock CO 80109</u>		Apt	
Phone Number:	OLN/ID#:	OLN/ID State: <u>CO</u>	
Parents Name if Under 18:		Parents Phone Number :	

YOU ARE HEREBY GIVEN OFFICIAL NOTICE THAT THE OWNER OF THIS PROPERTY, BY AND THROUGH THE LAWFUL AUTHORITY OF THE OWNER'S AGENT, IS ORDERING YOU TO BE IMMEDIATELY REMOVED FROM THE OWNER'S PROPERTY AND BARRED FROM RETURNING TO THIS PROPERTY FOR ANY REASON. THIS TRESPASS NOTICE COVERS THE ENTIRE PROPERTY INCLUDING BUT NOT LIMITED TO ALL INTERIOR AND EXTERIOR COMMON AREAS AND PARKING LOTS. YOU ARE SUBJECT TO ARREST AND PROSECUTION FOR TRESPASS SHOULD YOU RETURN TO THIS PROPERTY AT ANY TIME, FOR ANY REASON.

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[Signature] 6/23/23 Don Wash
 Signature of Property Representative Date Printed Name

REASON FOR TRESPASS: Shoplifting/Theft Loitering Disturbing the Peace

Other: Resigned

I acknowledge receipt of this Trespass Notice and I understand that if I violate the terms of this Notice I can be arrested and charged with crimes.

[Signature] 6/23/23 JP Wells
 Signature of Person Served Date Printed Name

I personally served a copy of this Trespass Notice and I read aloud the above section in capital and bolded letters to the person described herein.

For persons under eighteen years old: By checking this box, I certify that I personally contacted the mother, father or legal guardian (circle one) and advised that this Trespass Notice had been issued to the person described herein.

[Signature] 2226 6-23-23 S. Price
 Officer's Signature & Badge # Date Printed Name

A current photograph of the subject and/or a photocopy of their ID should be attached to this form.

COPY

CR 23-023720



Castle Rock Police Department Trespass Notice

Property Known As: <u>Castle Rock Recreation Ctr</u>	Address: <u>2301 Woodlands Blvd</u> <u>Castle Rock CO 80104</u>
To: <u>Joshua Paul walls</u>	DOB: <u>3-27-82</u>
Full Address: <u>1415 Rinker Way Castle Rock CO 80109</u>	Apt
Phone Number:	OLN/ID#: <u>CO</u>
Parents Name if Under 18:	Parents Phone Number :

YOU ARE HEREBY GIVEN OFFICIAL NOTICE THAT THE OWNER OF THIS PROPERTY, BY AND THROUGH THE LAWFUL AUTHORITY OF THE OWNER'S AGENT, IS ORDERING YOU TO BE IMMEDIATELY REMOVED FROM THE OWNER'S PROPERTY AND BARRED FROM RETURNING TO THIS PROPERTY FOR ANY REASON. THIS TRESPASS NOTICE COVERS THE ENTIRE PROPERTY INCLUDING BUT NOT LIMITED TO ALL INTERIOR AND EXTERIOR COMMON AREAS AND PARKING LOTS. YOU ARE SUBJECT TO ARREST AND PROSECUTION FOR TRESPASS SHOULD YOU RETURN TO THIS PROPERTY AT ANY TIME, FOR ANY REASON.

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Don Caldwell 6/23/23 Don Caldwell
Signature of Property Representative Date Printed Name

REASON FOR TRESPASS: Shoplifting/Theft Loitering Disturbing the Peace
 Other: _____

I acknowledge receipt of this Trespass Notice and I understand that if I violate the terms of this Notice I can be arrested and charged with crimes.

[Signature] 6/23/23 [Signature]
Signature of Person Served Date Printed Name

I personally served a copy of this Trespass Notice and I read aloud the above section in capital and bolded letters to the person described herein.

For persons under eighteen years old: By checking this box, I certify that I personally contacted the mother, father or legal guardian (circle one) and advised that this Trespass Notice had been issued to the person described herein.

[Signature] 2226 6-23-23 S. Price
Officer's Signature & Badge # Date Printed Name

A current photograph of the subject and/or a photocopy of their ID should be attached to this form.

COPY

CR 23-023 720



Castle Rock Police Department Trespass Notice

Property Known As: <u>Burgess Pool & Cantanonical Park</u>	Address: <u>22 S. Gilbert St Castle Rock CO 80109</u>	
To: <u>Joshua Paul Wells</u>	DOB: <u>3-27-82</u>	
Full Address: <u>1415 Rinker Way Castle Rock CO 80109</u>	Apt	
Phone Number:	OLN/ID#:	OLN/ID State: <u>CO</u>
Parents Name if Under 18:	Parents Phone Number :	

YOU ARE HEREBY GIVEN OFFICIAL NOTICE THAT THE OWNER OF THIS PROPERTY, BY AND THROUGH THE LAWFUL AUTHORITY OF THE OWNER'S AGENT, IS ORDERING YOU TO BE IMMEDIATELY REMOVED FROM THE OWNER'S PROPERTY AND BARRED FROM RETURNING TO THIS PROPERTY FOR ANY REASON. THIS TRESPASS NOTICE COVERS THE ENTIRE PROPERTY INCLUDING BUT NOT LIMITED TO ALL INTERIOR AND EXTERIOR COMMON AREAS AND PARKING LOTS. YOU ARE SUBJECT TO ARREST AND PROSECUTION FOR TRESPASS SHOULD YOU RETURN TO THIS PROPERTY AT ANY TIME, FOR ANY REASON.

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[Signature] 6/23/23 Dan Way
 Signature of Property Representative Date Printed Name

REASON FOR TRESPASS: Shoplifting/Theft Loitering Disturbing the Peace
 Other: Resigned

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[Signature] 6/23/23 JP Wells
 Signature of Person Served Date Printed Name

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[Signature] 2226 6-23-23 S. Price
 Officer's Signature & Badge # Date Printed Name

A current photograph of the subject and/or a photocopy of their ID should be attached to this form.