

R13 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

(Government Code Section 54956.9(d)(2)):

Significant Exposure to Litigation: One potential case

The significant exposure to litigation arises from former employee Eric Magrini.



CLERK OF THE BOARD OF SUPERVISORS
A DIVISION OF THE ADMINISTRATIVE OFFICE
DAVID J. RICKERT, CEO/CLERK OF THE BOARD
Stefany Blankenship, Chief Deputy Clerk of the Board

Date: 2/19/25

The attached was received today in the office of the Clerk of the Board by:

- ☒ Personal Service
- ☐ U.S. Mail

This is being distributed to:

- ☒ County Counsel
- ☒ Risk Management
- ☒ CEO

Should you have any questions, please contact the office of the Clerk of the Board at 225-5550.


Deputy Clerk of the Board



RECEIVED

FEB 19 2025

CLERK OF THE BOARD

**County of Shasta – State of California
CLAIM FORM**

Return this form to:
Shasta County - Clerk of the Board
1450 Court Street, Suite 308B
Redding, California 96001-1676

Claims pursuant to the Government Claims Act (Govt. Code §§810 et seq.) and Shasta County Code Chapter 2.90, or amendments to such claims, are placed in the Clerk's public access file, and forwarded to Shasta County Risk Management

1. CLAIMANT INFORMATION

- a. Name: (Last) Magrini (First) Eric (Middle Initial) R.
- b. Home Address:
(Street) c/o counsel: Therese Cannata, Cannata, O'Toole & Olson LLP, 100 Pine St., Suite 350
(City) San Francisco (State) CA (Zip Code) 94111
Mailing Address (if different than Home Address above):
(Street) _____ (City) _____ (State) _____ (Zip Code) _____
- c. Phone Number: c/o counsel: 415-409-8900
- d. Date of Birth: (Month) 07 (Day) 09 (Year) 1975

2. CLAIM DETAILS

- a. Date of Incident: August 23, 2024 via letter notification by County of the wrongful termination of Claimant
- b. Time of Incident: (Hour) n/a (Minutes) n/a AM / PM (circle one)
- c. Place / Location of Incident: Redding, California
- d. Date / Time you first had knowledge of the incident:
August 23, 2024
- e. Fully describe how loss / injury / damage occurred (attach additional pages as needed):
See Attachment 1, hereto

- f. Have you made a claim with anyone else? Yes / No
Details: No
- g. Has anyone made a claim on you? Yes / No
Details: no

3. GENERAL INFORMATION

- a. Name, address and telephone number of witnesses:
See Attachment 1

- b. Did Law Enforcement respond? Yes / No

Details: no (and n/a)

Report Number (attach a copy if available):

- c. Do you feel any other party contributed to causing claimed loss/injury/damage? Yes / No

Details: See Attachment 1, hereto

Name / Address / Phone:

- d. Have you ever been involved in a similar incident with similar circumstances? Yes / No

Details: no

- e. Explain why you feel Shasta County is responsible for claimed loss / injury / damage:

See Attachment 1, hereto

- f. Are you aware of any defect in your equipment and/or property that gave rise to this incident? Yes / No Details: n/a

4. INJURED PERSON(S) DETAILS

Was anyone injured? Yes / No

- i. Name of injured party(s) (additional pages as needed):

(Last) Yes, see attachment (First) (Middle Initial)

- ii. Address: (Street)

(City) (State) (Zip Code)

- iii. Phone Number:

- iv. Date of Birth:

- v. Injury Details:

- vi. Was the injured party seen by a physician? Yes / No

Physician's Name:

Physician's Address:

- vii. Amount claimed for Injury: \$ (attach billing documentation)

5. PROPERTY DAMAGE DETAILS

Was any property damaged? Yes / No

- i. Name of property owner(s) (additional pages as needed):

(Last) No (First) (Middle Initial)

- ii. Address: (Street)

(City) (State) (Zip Code)

- iii. Phone Number:

- iv. Damage Details:

- v. Have repairs been completed? Yes / No

- vi. Amount claimed for Property Damage: \$ (attach bills or two estimates)

6. AUTOMOBILE DAMAGE DETAILS

Were any vehicles damaged? Yes / No

- i. Name of vehicle owner(s) (additional pages as needed):
(Last) _____ No _____ (First) _____ (Middle Initial) _____
- ii. Address: (Street) _____
(City) _____ (State) _____ (Zip Code) _____
- iii. Phone Number: _____
- iv. Lienholder? Yes / No (Name) _____
- v. Damage Details: _____
- vi. Have vehicle repairs been completed? Yes / No
- vii. Amount claimed for Vehicle Damage: \$ _____ (attach bills or two estimates)


Please see the attached Instructions to Claimants

7. DECLARATION

Please Note: Presentation of a false claim with intent to defraud is a criminal offense (Penal Code section 72).

Every person who, with intent to defraud, presents for allowance or payment any false or fraudulent claim against Shasta County is guilty of a felony. (See California Penal Code §72).

I declare under penalty of perjury that the amount of this claim covers only injuries and/or damages caused by the incident described above and that the forgoing is true and correct.


Signature of Claimant

2/19/25
Date

INSTRUCTIONS TO CLAIMANTS

In order that your claim for damages may receive prompt and proper consideration, you must provide the information required on the three pages of the County of Shasta claim form. All material facts should be stated on this form and attachments as it will be the basis of further action upon your claim. Be sure to carefully read the instructions set forth below. Following completion of the form, mail or deliver it in person to:

Shasta County - Clerk of the Board, 1450 Court Street, Suite 308B Redding, CA 96001.

For regulations regarding the proper and timely filing of your claim, see Sections 910 and 911.2 of the California Government Code (printed below). In most cases, you cannot file a lawsuit against the County or its employees unless you have previously filed a claim in a timely manner.

Claims for damage to, loss of, or destruction of property or for personal injury must be signed by the owner of such damaged, lost, or destroyed property or by the injured party or a duly authorized agent or legal representative. Claims signed by agents or legal representatives must be accompanied by evidence establishing authority to act as agent of injured party and/or owner of damaged property.

The amount claimed should be substantiated by competent evidence as follows:

- (a) In support of a claim for personal injury or death, the claimant should submit a written report by the attending physician showing the nature and extent of injury, the nature and extent of treatment, the degree of permanent disability (if any), the prognosis, and the period of hospitalization or incapacitation. Itemized bills for medical, hospital, or burial expenses actually incurred should be attached.
- (b) In support of claims for damage to property which has been or can be economically repaired, the claimant should submit at least two itemized, signed statements or estimates by reliable, disinterested concerns. If payment has been made, the itemized, signed receipts evidencing payment should be submitted.
- (c) In support of claims for damage to property which is not economically repairable, or if the property is lost or destroyed, the claimant should submit statements as to the original cost of the property, date of purchase, and value of the property, both before and after the accident. Such statements should be by disinterested, competent persons, preferably reputable dealers or officials familiar with the type of property damaged or by two or more competitive bidders; the statements should be certified as being just and correct.

The following is taken from Title 1, *Government Code: Presentation and Consideration of Claims*

§910.

A claim shall be presented by the claimant or by a person acting on his or her behalf and shall show all of the following:

- (a) The name and post office address of the claimant.
- (b) The post office address to which the person presenting the claim desires notices to be sent.
- (c) The date, place and other circumstances of the occurrence or transaction which gave rise to the claim asserted.
- (d) A general description of the indebtedness, obligation, injury, damage or loss incurred so far as it may be known at the time of presentation of the claim.
- (e) The name or names of the public employee or employees causing the injury, damage, or loss, if known.
- (f) The amount claimed if it total less than ten thousand dollars (\$10,000) as of the date of presentation of the claim, including the estimated amount of any prospective injury, damage, or loss, insofar as it may be known at the time of the presentation of the claim, together with the basis of computation of the amount claimed. If the amount claimed exceeds ten thousand dollars (\$10,000), no dollar amounts shall be included in the claim. However, it shall indicate whether the claim would be a limited civil case.

§911.2.

A claim relating to a cause of action for death or for injury to person or to personal property or growing crops shall be presented as provided in Article 2 (commencing with Section 915) of this chapter not later than six months after the accrual of the cause of action. A claim relating to any other cause of action shall be presented as provided in Article 2 (commencing with Section 915) of this chapter not later than one year after the accrual of the cause of action.

Attachment 1
to Eric Magrini's Notice of Government Claim
(Government Code section 910, et seq.)

Claimant Eric Magrini proudly served with the Shasta County Sheriff's Department for fifteen (15) years (having spent the previous nine (9) years as a police officer in Red Bluff), and had an exemplary record during all those years, serving his last 18 months as the Sheriff (by appointment).

During his tenure as the Shasta County Sheriff, Mr. Magrini was responsible for enforcing local, state, and federal laws. During the COVID-19 Pandemic, Mr. Magrini was responsible for enforcing laws relating to the certain health and safety orders issued by local and state officials. Mr. Magrini, candidly, did not personally agree with all of these orders. However, as the Sheriff of Shasta County, he was obligated to enforce those orders, and he was told by representatives of the California Governor's office that these orders must be enforced as written, leaving Mr. Magrini little, if any discretion, in the manner of enforcement. Nonetheless, Mr. Magrini and his deputies, acting under his direction, did their best to work with members of the community, including businesses, to weather a challenging time for all concerned. His actions to enforce these orders did not win any popularity with either the right-leaning or left-leaning citizens of the County, but those who knew him also understood that both his obligations as the chief law enforcement officer in the County, and the oath he took to uphold the rule of law, had to trump his personal views about health-related orders. The County got through it and through the debate about necessity and how best to manage a pandemic in the future. For some, however, civil discourse on such matters was not sufficient.

When Mr. Magrini moved over to the administrative side of the County's workforce in June 2021 to become the Assistant County Executive Officer (Asst. CEO), certain members of the County Board of Supervisors made it clear that they intended to punish Mr. Magrini for enforcing the COVID-19 health orders and related laws during the pandemic. They accused him of being a traitor to the Republican Party, and all those who objected to the imposition of the COVID-19 health orders.

It was during this time that the County admitted that it could not control the misconduct of certain members of the Board of Supervisors against Mr. Magrini and of other County employees who reported to Mr. Magrini. The well documented behaviors of these Board of Supervisor members included, *inter alia*: (i) stalking employee family members; (ii) subjecting employees to irrational demands and screaming at them for doing their job (*i.e.*, following well-established County protocols and procedures, and daring to exercise their professional judgment consistent with their job title and responsibilities); and (iii) insisting that Mr. Magrini and other County employees violate the law as these Board members commanded, or risk losing their jobs. Mr. Magrini personally insisted that he would not violate the law at the command of a group of politicians whose obvious objective was press coverage for their political theatre. Mr. Magrini also would not stand silent to illegalities that he was witnessing, including discrimination, against persons who reported to him. Mr. Magrini also reported and insisted on investigations of these events – some of which were directed towards Mr. Magrini and his family (*i.e.*, the stalking

of his wife at her place of employment and his granddaughter at her school). Each report of retaliation by Mr. Magrini lead to escalating harassment and hostility by the County (including the miscreant Board members and County officials apparently acting at their direction). Supervisor Crye, in particular, made it clear that he knew where Mr. Magrini worshipped with his family, where his wife worked, and where his granddaughter went to school. They placed Mr. Magrini's name on a "hit list" of County employees targeted for retaliation. They pressured the Acting CEOs (which had become a revolving door in the County) to fire Mr. Magrini. They attempted to eliminate Mr. Magrini's position as the Assistant CEO. They engaged in regular smear campaigns against Mr. Magrini. Mr. Crye, in particular, knew that he was suffering from life threatening health conditions while he screamed at Mr. Magrini and tailed him from room to room, making no place in the County offices a safe place to work. Supervisor Jones issued a statement to the local media telling them not to speak with Mr. Magrini. Supervisor Jones also issued a statement to the local media that during a "closed session" of the Board of Supervisors, the Board members discussed their desire to hire someone else to replace Mr. Magrini.

When Mr. Magrini complained, orally and in writing, to County Officials, including the Acting CEO's and County Counsel, Mr. Magrini was told that there was nothing that the County could do to protect a public employee from an elected official. Mr. Crye accepted this as a generous invitation to remove the guardrails, creating a toxic and terrifying work environment, whereby employees were punished through personal attacks, physical threats and threats to one's family members, simply for carrying out the law and performing one's duties as a public employee. For his courage and willingness to serve the best interests of the County at his peril, Mr. Magrini has been subjected to relentless personal attacks and retaliation.

Mr. Magrini eventually realized, after consulting with his physicians, that he had to step away from his work duties or risk a life-threatening outcome due to high blood pressure and what was later determined to be heart-related conditions. Mr. Magrini took medical leave in March 2023. He was willing to return to work provided the County could assure Mr. Magrini (and by extension, his treating physicians) that the County would design, implement and enforce strict cease and desist rules for Mr. Crye, including that Mr. Crye would have no access to him, and the County would provide remote office space for Mr. Magrini (*i.e.*, in another County building or working at home, which was still very common at the County in 2023). Mr. Magrini also needed assurance of a strict and enforced policy as to any Board member, including Mr. Crye, who stalked or otherwise harassed Mr. Magrini at work and nonwork locations. The stress of trying to cope with the County's unrelenting retaliation thereafter has taken an even greater toll on Mr. Magrini's health. On August 23, 2024, after a sham meeting with County officials, the County wrongfully and unlawfully terminated Mr. Magrini's employment. Violations of statute include, *inter alia*: Labor Code section 1102.5(b) and 1102.5(c), Government Code section 12940, *et seq.*,

Since that time, Mr. Magrini has searched without success for comparable public employment, whether in law enforcement or serving in administrative roles for local cities or counties. He has been told, over and over, that he is "untouchable" due to the very public smear campaign waged against him by the County.

By reason of this wrongful and unlawful termination, Mr. Magrini has suffered damages including past and future earnings, retirement benefits, promotion opportunity, loss of future employment opportunities, wage and hour violations (wrongful taking of accrued leave balances), emotional distress, and attorneys' fees and costs incurred and that will be incurred in prosecuting this claim, all in a sum greater than \$35,000.

Witnesses include:

[REDACTED]