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IN THE SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

DRAKE H. SISLEY and ANTOINETTE L. SISLEY, husband and wife,

Plaintiffs,

v.

SEATTLE PUBLIC SCHOOLS, a local government entity,

Defendant.

NO. 1-2-11493-7SEA

COMPLAINT FOR DEFAMATION AND LIBEL

Plaintiffs allege:

I.

Plaintiffs are husband and wife and residents of Seattle, King County, Washington and form a marital community under the laws of the State of Washington.

II.

Seattle Public Schools is a special district defined in RCW Ch. 4.96.010(2). By the terms of RCW 4.96.010(1), all local government entities, including the defendant in this proceeding are liable for damages arising out of "their tortious conduct, or the tortious conduct of their past or present officers, employees. . . to the same extent as if they were a private person or corporation."

III.

The statute quoted in the preceding paragraph requires that a claim for damages be filed with the special district within the time allowed by law, and further, that the filing of

1 such a claim shall be a condition precedent to the commencement of any action. On  
2 January 25, 2011, plaintiff filed with Seattle Public Schools a claim complying with  
3 Washington State law, presenting the same to the Seattle Public Schools General  
4 Counsel's office pursuant to RCW 4.96.020(4). This lawsuit is filed within the applicable  
5 period of limitations.

6 IV.

7 At all times herein defendant Seattle Public School has maintained and operated  
8 "Roosevelt High School," a secondary school with over 1,700 students and faculty and  
9 advisors who are employees of Seattle Public Schools. Roosevelt High School publishes  
10 a newspaper entitled *The Roosevelt News* which is distributed to all of the Roosevelt High  
11 School students and is seen by their parents, friends and others. Plaintiffs allege that *The*  
12 *Roosevelt News* publications are placed on the internet and accordingly seen by thousands  
13 of people in the Seattle, King County and State of Washington area.

14 V.

15 In its March, 2009 issue of *The Roosevelt News*, an article was published which was  
16 false, defamatory, slanderous and maliciously published which included the following  
17 defamatory false statements:

18 Drake Sisley and Hugh Sisley are infamous landlords.

19 Rundown houses owned by infamous landlords Drake and Hugh Sisley are  
20 'Sisley Slums.'

21 The Sisley Slums are rundown houses located in the block west of 15th and  
22 65th.

23 Claimant Drake Sisley has a bad reputation among local and city officials.

24 Drake Sisley has been accused of racist renting policies.

25 The Roosevelt area properties which are crack shacks and ghetto houses  
26 are properties owned by the Sisley brothers.

27 The above quoted statements in *The Roosevelt News* were false, intentionally  
28 published and malicious. In truth and in fact, Drake H. Sisley does not own, manage or  
have anything to do with the properties described in this article. Drake H. Sisley is not an

1 infamous landlord owning Sisley Slums nor has he presently, or anytime in his life owned  
2 crack shacks or ghetto houses and most importantly he has never been a racist landlord  
3 nor has he ever been accused of racism in his property dealings or in any other matter.

4 VI.

5 The maliciousness of this publication is emphasized because of a 2003 false  
6 publication in *The Roosevelt News* which was also defamatory and libelous and referring  
7 to plaintiff Drake Sisley's stated:

8 The Sisley Brothers are the kings of the local slum. Their monopoly on the  
9 run-down homes that surround Roosevelt is worth an estimated \$14 million  
which ranks them among the top three slum lords in the City.

10 When this was published, claimant Drake H. Sisley, who is not given to making  
11 claims against school districts, was nevertheless outraged and telephoned the faculty  
12 advisor to *The Roosevelt News*, telling him that the statements in the article were false and  
13 defamatory. Claimant assumed that this would not occur again. The 2009 publication is  
14 libelous *per se* and, in view of the 2003 history, was malicious. It has caused injury to  
15 Drake Sisley's character and he has suffered in his feelings, suffering mental anguish and  
16 stress to his continuing damage and loss as alleged herein. He has also suffered  
17 monetary loss because of damage to his business and property. Claimant has a medical  
18 condition (diabetes) of longstanding first diagnosed approximately 17 years ago. He has  
19 taken medication three times daily over the years. Stress exacerbates the effect of this  
20 disease. Because of the publication of falsehoods he has experienced extreme stress and  
21 emotional upset and it is believed this has exacerbated his medical condition.

22 VII.

23 Claimant alleges that the Seattle School District was responsible because the  
24 publication of these defamatory articles were caused by negligence on the part of the  
25 faculty advisors to *The Roosevelt News* and by the principal of Roosevelt High School, Mr.  
26 Brian Vance. The utter falsity of these statements could easily have been verified prior to  
27 the wrongful publication, but no effort at verification was made. This publication was  
28 malicious, the result of recklessness and gross negligence on the part of the faculty, the

1 faculty advisor and representatives of Seattle Public Schools and represents tortious  
2 conduct for which Seattle Public Schools is liable pursuant to RCW 4.96.010(1).

3 WHEREFORE, plaintiffs pray for judgment against the defendant in amounts to be  
4 established at trial, for plaintiff's costs and disbursements herein to be taxed and a  
5 reasonable attorney's fee to be fixed by the court and such other and further relief as to the  
6 court may seem just and equitable in the premises.

7 Dated this 28th day of March, 2011.

8  
9 /s/ Ray Siderius  
10 Ray Siderius WSBA 2944  
11 SIDERIUS LONERGAN & MARTIN LLP  
12 Attorneys for Plaintiffs  
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