

STATE APPEAL BOARD CLAIM FORM AND AFFIDAVIT

CLAIM NUMBER

(for Appeal Board use only)

Submit to:
STATE APPEAL BOARD
Department of Management
State Capitol, Room 12
Des Moines, Iowa 50319

This form is also available on the Internet at
<http://www.dom.state.ia.us/appeals/index.html>

DATE RECEIVED

(for Appeal Board use only)

Directions: A **TORT CLAIM MUST** submit 3 complete sets of documents, an original claim form with any attachments and two claim form copies with attachments for **EACH**, CLAIMANT and NOTARY public must sign. A **GENERAL CLAIM MUST** submit 2 complete sets of documents, an original and one copy with attachments for **EACH**. Please see specific directions on the back of this form that pertain to the type of claim you are filing.

1. NAME OF CLAIMANT (please print full name)

2. DATE OF BIRTH

CHRISTOPHER JAMES GODFREY

11/26/1972

3. ADDRESS OF CLAIMANT (Street, City, State, Zip Code)

4. TELEPHONE: Home

Business ()

Email Address CHRISTOPHER.GODFREY@IWD.IOWA

5. CLAIMANT'S SOCIAL SECURITY NUMBER

OR

FEDERAL TAX IDENTIFICATION NUMBER

6. IDENTIFY STATE AGENCY OR DEPARTMENT INVOLVED

STATE OF IOWA | OFFICE OF THE GOVERNOR

7. LOCATION OF ACCIDENT/INCIDENT

<For Tort Claims Only>

8. DATE/TIME OF ACCIDENT/INCIDENT

DES MOINES, POLK COUNTY, IOWA

JULY, 2011

9. SELECT TYPE OF CLAIM: place an X in the box (A SEPARATE claim must be filed by each claimant for each of the three types of claims defined below.)

(1) GENERAL AMOUNT OF CLAIM

FOR TORT CLAIMS, INDICATE ONE OF THE FOLLOWING:

(2) TORT CLAIM AGAINST THE STATE

PROPERTY DAMAGES \$ 0.00

(3) TORT CLAIM AGAINST STATE EMPLOYEE(S)

PERSONAL INJURY \$ 1,000,000.00

Give name and department of employee(s)

WRONGFUL DEATH \$

SEE ATTACHMENT A

10. BASIS OF CLAIM (Please provide all the information required on the reverse side of this form. Attach separate sheets if necessary.)

SEE ATTACHMENT A

11. NAME, ADDRESS, TELEPHONE # AND EMAIL ADDRESS OF ATTORNEY, IF ONE HAS BEEN RETAINED IN THIS CASE
ROXANNE CONLIN, 319 7TH STREET, SUITE 600, DES MOINES, IA 50309 | 515-283-1111 | LDG@ROXANNECONLINLAW.COM

12. ATTORNEY'S SOCIAL SECURITY NUMBER

OR

FEDERAL TAX IDENTIFICATION NUMBER

I, the claimant, being duly sworn upon oath depose and state that I have read the supplied information and the same is true and correct to the best of my belief.

CLAIMANT'S SIGNATURE

Subscribed and sworn to before me this _____ day of _____, 200__

My commission expires _____

NOTARY PUBLIC

ATTACHMENT A

PARTIES

1. Claimant is, and at all times relevant to this Petition was, a resident of Des Moines, Polk County, Iowa.
2. TERRY BRANSTAD is, and at all times relevant to this Petition following his 2010 inauguration as Governor was, a resident of Des Moines, Polk County, Iowa. At all times relevant to this Petition, prior to his 2010 inauguration as Governor, TERRY BRANSTAD was a resident of Boone, Boone County, Iowa.
3. KIMBERLY REYNOLDS is, and at all times relevant to this Petition was, a resident of Osceola, Clarke County, Iowa, and Lieutenant Governor of Iowa.
4. JEFF BOEYINK is, and at all times relevant to this Petition was, a resident of Bondurant, Polk County, Iowa, and Chief of Staff to the Governor of the State of Iowa.
5. BRENNNA FINDLEY is, and at all times relevant to this Petition was, a resident of Dexter, Dallas County, Iowa, and Legal Counsel to the Governor of the State of Iowa.
6. TERESA WAHLERT is, and at all times relevant to this Petition was, a resident of Waukee, Dallas County, Iowa, and Director of Iowa Workforce Development.
7. TIMOTHY ALBRECHT is, and at all times relevant to this Petition was, a resident of West Des Moines, Polk County, Iowa, and Communications Director to the Governor of the State of Iowa.

FACTUAL BACKGROUND

8. On January 3, 2006, Claimant was appointed as Interim Workers' Compensation Commissioner for the State of Iowa by Governor Tom Vilsack. Claimant began work on or about January 9, 2006.

9. Claimant served as Interim Workers' Compensation Commissioner from the time of his appointment until he was confirmed by the Iowa Senate on April 11, 2007.

10. Claimant's initial appointment for a partial term expired in 2009.

11. In 2009, Claimant was appointed by Governor Chet Culver to serve a six-year term as Workers' Compensation Commissioner for the State of Iowa. Claimant's appointment was confirmed by the Iowa Senate on March 30, 2009.

12. Claimant's current appointment will not expire until April 30, 2015.

13. Claimant's position, Workers' Compensation Commissioner, is statutory, mandated by Iowa Code § 86.1 (2011).

14. The duties of the Workers' Compensation Commissioner are defined by statute. Iowa Code §86.8 (2011).

15. Iowa Code § 86.1 (2011) established a six year term of office for the Workers' Compensation Commissioner.

16. Article IV, § 2 of the Constitution of the State of Iowa established a four year term of office for the Governor.

17. Article III, § 3 of the Constitution of the State of Iowa established a two year term for members of the Iowa House of Representatives.

18. Article III, § 5 of the Constitution of the State of Iowa established a four year term for Iowa State Senators.

19. The Iowa legislature set a \$69,045 to \$103,571 salary range for Claimant's position for the fiscal year beginning July 1, 2005. (Iowa Acts 177 § 4(1)(e) (2005)).

20. Claimant's salary from January, 2006, until June 29, 2007, was \$85,000 per year.

21. The Iowa legislature raised the maximum salary for Claimant's position to \$105,640 for the fiscal year beginning July 1, 2006. (Iowa Acts 1185 § 13(1)(e) (2006)).

22. The Iowa legislature set a \$71,115 to \$108,805 salary range for Claimant's position for the fiscal year beginning July 1, 2007. (Iowa Acts 215 § 14(1)(e) (2007)).

23. Effective June 29, 2007, Claimant's annual salary was increased to \$108,804.80, representing the maximum possible salary for Claimant's position.

24. The Iowa legislature set a \$73,250 to \$112,070 salary range for Claimant's position for the fiscal year beginning July 1, 2008. (Iowa Acts 1191 § 14(1)(d) (2008)).

25. The Iowa legislature has not amended the salary range for Claimant's position since the 2008 Iowa Acts.

26. Effective June 27, 2008, Claimant's annual salary was increased to \$112,068.84, representing the maximum possible salary for Claimant's position. Claimant's salary remained at this level until July 11, 2011.

27. While employed by the State of Iowa, Claimant has never been the subject of a disciplinary action.

28. In a letter dated December 3, 2010, TERRY BRANSTAD demanded Claimant's resignation.

29. Claimant refused to resign, because he had a six-year term to which the Iowa Legislature intended to be non-partisan and insofar as possible insulated from politics.

30. Following Claimant's refusal to resign as demanded by TERRY BRANSTAD, Claimant was summoned to a meeting with BRANSTAD, REYNOLDS, and BOEYINK. This meeting took place on December 29, 2010, at a campaign office in Urbandale, Iowa.

31. During the December, 2010, meeting, BRANSTAD, REYNOLDS, and BOEYINK again demanded Claimant's resignation.

32. Claimant informed BRANSTAD, REYNOLDS, and BOEYINK, at the December, 2010, meeting, of the many positive improvements he had instituted at the Workers' Compensation Division. Claimant further agreed to be supportive of the goals espoused by BRANSTAD insofar as doing so would conform to his duties and responsibilities.

33. BRANSTAD and REYNOLDS were inaugurated on January 14, 2011.

34. Claimant continued his work as Workers' Compensation Commissioner and received no complaints regarding his performance.

35. In July, 2011, Claimant was summoned to a meeting with FINDLEY, Legal Counsel to the Governor, and BOEYINK, Chief of Staff to the Governor—political appointees of BRANSTAD. The meeting was held on July 11, 2011, at the Iowa State Capitol, at approximately 1:30 PM.

36. During the July, 2011, meeting, FINDLEY and BOEYINK demanded that Claimant resign his position. BOEYINK specifically referenced the December, 2010, meeting during the July, 2011, meeting.

37. Claimant again asserted that his position was non-partisan and further explained the quasi-judicial nature of the position. Claimant refused to resign.

38. FINDLEY and BOEYINK proceeded to intimidate and harass Claimant into resigning by telling him that his pay would be decreased to the bottom of his pay grade if he refused to resign. Claimant again refused on the basis that his position was not political and/or partisan.

39. FINDLEY and BOEYINK endeavored to intimidate and harass Claimant into resigning by telling him that his pay was being immediately reduced to \$73,250, the minimum

amount authorized by the Iowa legislature for the position of Workers' Compensation Commissioner.

40. FINDLEY and BOEYINK made no mention of Claimant's performance of his duties during the July, 2011, meeting.

41. On July 11, 2011, upon returning to his office, Claimant confirmed with human resources that his salary had in fact been reduced to \$73,250.

42. Claimant has continued to perform his duties as Workers' Compensation Commissioner since the date that his salary was reduced.

43. Claimant's duties and responsibilities have not been reduced in any way since his original appointment as Workers' Compensation Commissioner.

44. The State of Iowa provides no appeal or grievance process for appointed state officers, such as Claimant.

BASIS OF CLAIM

DENIAL OF RIGHT TO PROCEDURAL AND SUBSTANTIVE DUE PROCESS – IOWA

STATE CONSTITUTION ARTICLE I, § 9

45. The Constitution of the State of Iowa guarantees that no person shall be deprived of life, liberty, or property, without due process of law.

46. Claimant had a protected property interest in his position of employment, and all benefits and emoluments of employment attached thereto, including his salary, with the State of Iowa as Workers' Compensation Commissioner.

47. The laws of the State of Iowa established an other-than at-will employment relationship between Claimant and the State of Iowa.

48. The above named EMPLOYEES (hereinafter "EMPLOYEES"), while acting under color of law, deprived Claimant of his constitutionally protected property interest without due process of law by demanding Claimant's resignation for strictly partisan political purposes and drastically reducing Claimant's salary without giving Claimant advance notice of the reasons for the deprivation.

49. EMPLOYEES, while acting under color of law, deprived Claimant of his constitutionally protected property interest without due process of law by demanding Claimant's resignation for strictly partisan political purposes and drastically reducing Claimant's salary without giving Claimant an opportunity to be heard.

50. As a direct and proximate result of EMPLOYEES' acts aforesaid, Claimant has in the past and will in the future suffer mental and emotional harm and anguish, anxiety, fear, depression, loss of enjoyment of life, degradation, disgrace, uncertainty, apprehensiveness, grief, restlessness, dismay, tension, and unease, pain and suffering, and has in the past and will in the future suffer loss of wages, loss of earning capacity, benefits, and other emoluments of employment.

51. EMPLOYEES' actions perpetrated against Claimant were willful and wanton and done with malice or in reckless disregard for the rights of Claimant, entitling him to punitive damages.

WHEREFORE, Claimant demands judgment against EMPLOYEES in an amount that will fully and fairly compensate for Claimant's injuries and damages, for punitive damages against the individuals in an amount sufficient to punish them and deter them and others from the same or similar wrongful conduct, court costs, attorneys' fees, interest as allowed by law, and for such other appropriate relief as the Board finds may be just and equitable.

DENIAL OF RIGHT TO PROCEDURAL AND SUBSTANTIVE DUE PROCESS – IOWA

STATE CONSTITUTION ARTICLE I, § 9

52. The Constitution of the State of Iowa guarantees that no person shall be deprived of life, liberty, or property, without due process of law.

53. EMPLOYEES deprived Claimant of a protected liberty interest by stigmatizing Claimant by publicly falsely claiming that their illegal and unreasonable demands for his resignation and ultimate reduction in his pay were due to Claimant's poor work performance.

54. Claimant was never provided with advance notice of the EMPLOYEES' planned actions, nor was Claimant provided with an opportunity to be heard.

55. EMPLOYEES' actions damaged Claimant's standing and association in the community and/or impaired or foreclosed his freedom to take advantage of other employment opportunities.

56. As a direct and proximate result of EMPLOYEES' acts aforesaid, Claimant has in the past and will in the future suffer mental and emotional harm and anguish, anxiety, fear, depression, loss of enjoyment of life, degradation, disgrace, uncertainty, apprehensiveness, grief, restlessness, dismay, tension, and unease, pain and suffering, and has in the past and will in the future suffer loss of wages, loss of earning capacity, benefits, and other emoluments of employment.

57. EMPLOYEES' actions perpetrated against Claimant were willful and wanton and done with malice or in reckless disregard of the rights of Claimant, entitling him to punitive damages.

WHEREFORE, Claimant demands judgment against EMPLOYEES in an amount that will fully and fairly compensate for Claimant's injuries and damages, for punitive damages against the individuals in an amount sufficient to punish them and deter them and others from the same or

similar wrongful conduct, court costs, attorneys' fees, interest as allowed by law, and for such other appropriate relief as the Board finds may be just and equitable.

EQUAL PROTECTION VIOLATION – IOWA STATE CONSTITUTION ARTICLE I, § 6

58. The Iowa Constitution guarantees all persons equal protection of the laws.

59. EMPLOYEES, while acting under color of law, deprived Claimant of equal protection of the laws by establishing, maintaining, and/or enforcing policies that treat homosexual appointive state officers differently than heterosexual appointive state officers, by slandering them and illegally reducing their salaries.

60. Alternatively, if the acts complained of were not committed by the individual EMPLOYEES pursuant to an official policy, practice or custom of the State, they were committed by the above-named EMPLOYEES, acting under color of law, with the purpose and intent to discriminate against homosexual individuals, including Claimant.

61. The deprivation of Claimant's Equal Protection guarantee, found in the Iowa Constitution, was the direct result of the policy, practice, or custom of the State.

62. Unequal treatment based on sexual orientation is subject to strict scrutiny under the Iowa Constitution.

63. The course of conduct taken by or attributable to EMPLOYEES is not tailored to further any substantial or compelling interest. Accordingly, their conduct violates the Equal Protection guarantee found in the Iowa Constitution.

64. As a direct and proximate result of EMPLOYEES' acts aforesaid, Claimant has in the past and will in the future suffer mental and emotional harm and anguish, anxiety, fear, depression, loss of enjoyment of life, degradation, disgrace, uncertainty, apprehensiveness, grief,

restlessness, dismay, tension, and unease, pain and suffering, and has in the past and will in the future suffer loss of wages, loss of earning capacity, benefits, and other emoluments of employment.

65. EMPLOYEES' actions perpetrated against Claimant were willful and wanton and done with malice or in reckless disregard of the rights of Claimant, entitling him to punitive damages.

WHEREFORE, Claimant demands judgment against EMPLOYEES in an amount that will fully and fairly compensate for Claimant's injuries and damages, for punitive damages against the individuals in an amount sufficient to punish them and deter them and others from the same or similar wrongful conduct, court costs, attorneys' fees, interest as allowed by law, and for such other appropriate relief as the Board finds may be just and equitable.

INTERFERENCE WITH CONTRACTUAL RELATIONS

66. A contract existed between Claimant and State of Iowa, whereby Claimant was to provide services as Workers' Compensation Commissioner and State of Iowa was to remit payment of an annual salary of \$112,068.84, the reasonable value of Claimant's services. The term of the contract was six years, as established by state statute.

67. Between June 28, 2008, and July 11, 2011, Claimant was paid at an annual rate of \$112,068.84, for his services.

68. EMPLOYEES had knowledge of the contractual relations of Claimant.

69. EMPLOYEES, having knowledge of the contract, willfully and purposely interfered with such contract.

70. Such interferences were intentional and were performed by certain acts and conduct including, but not limited to demanding Claimant's resignation for political purposes, instituting a

hostile work environment at Iowa Workforce Development, arbitrarily reducing Claimant's salary, and publicly making false statements regarding Claimant's work performance.

71. As a direct and proximate result of EMPLOYEES' acts aforesaid, Claimant has in the past and will in the future suffer mental and emotional harm and anguish, anxiety, fear, depression, loss of enjoyment of life, degradation, disgrace, uncertainty, apprehensiveness, grief, restlessness, dismay, tension, and unease, pain and suffering, and has in the past and will in the future suffer loss of wages, loss of earning capacity, benefits, and other emoluments of employment.

72. EMPLOYEES' actions perpetrated against Claimant were willful and wanton, and done with malice or in reckless disregard of the rights of Claimant, entitling him to punitive damages.

WHEREFORE, Claimant demands judgment against EMPLOYEES in an amount that will fully and fairly compensate for Claimant's injuries and damages, court costs, attorneys' fees, interest as allowed by law, and for such other appropriate relief as the Court finds may be just and equitable.

INTERFERENCE WITH PROSPECTIVE ADVANTAGE

73. A contract existed between Claimant and State of Iowa, whereby Claimant was to provide services as Workers' Compensation Commissioner and State of Iowa was to remit payment of an annual salary of \$112,068.84, the reasonable value of Claimant's services. The term of the contract was six years, as established by state statute.

74. Between June 28, 2008, and July 11, 2011, Claimant was paid at an annual rate of \$112,068.84, for his services.

75. EMPLOYEES had knowledge of the contractual relations of Claimant.

76. EMPLOYEES, having knowledge of the contract, willfully and purposely interfered with such contract.

77. Such interferences were intentional and were performed by certain acts and conduct including, but not limited to demanding Claimant's resignation for political purposes, instituting a hostile work environment at Iowa Workforce Development, arbitrarily reducing Claimant's salary, and publicly making false statements regarding Claimant's work performance.

78. As a direct and proximate result of EMPLOYEES' acts aforesaid, Claimant has in the past and will in the future suffer mental and emotional harm and anguish, anxiety, fear, depression, loss of enjoyment of life, degradation, disgrace, uncertainty, apprehensiveness, grief, restlessness, dismay, tension, and unease, pain and suffering, and has in the past and will in the future suffer loss of wages, loss of earning capacity, benefits, and other emoluments of employment.

79. EMPLOYEES' actions perpetrated against Claimant were willful and wanton, and done with malice or in reckless disregard of the rights of Claimant, entitling him to punitive damages.

WHEREFORE, Claimant demands judgment against EMPLOYEES in an amount that will fully and fairly compensate for Claimant's injuries and damages, court costs, attorneys' fees, interest as allowed by law, and for such other appropriate relief as the Court finds may be just and equitable.

DEFAMATION AGAINST REYNOLDS

80. On Monday, July 18, 2011, REYNOLDS conducted a public news conference in Des Moines, Polk County, Iowa. During the news conference, REYNOLDS made false, defamatory statements concerning Claimant's performance as Workers' Compensation Commissioner.

81. REYNOLDS stated publicly that Claimant was not meeting his objectives in his position as Workers' Compensation Commissioner.

82. The defamatory statements made by REYNOLDS were false and REYNOLDS made those statements with knowledge, or reckless disregard, of their falsity.

83. The statements are defamatory per se in that they are statements of business incompetence or lack of skill in an occupation by which Claimant earns a living.

84. REYNOLDS has caused these false and defamatory statements to be published to third parties, thus injuring the reputation of the Claimant.

85. The false and defamatory statements and communications of REYNOLDS were not privileged.

86. As a direct and proximate result of REYNOLD's acts aforesaid, Claimant has in the past and will in the future suffer mental and emotional harm and anguish, anxiety, fear, depression, loss of enjoyment of life, degradation, disgrace, uncertainty, apprehensiveness, grief, restlessness, dismay, tension, and unease, pain and suffering.

87. REYNOLDS' actions perpetrated against Claimant were willful and wanton, and done with malice or in reckless disregard of the rights of Claimant, entitling him to punitive damages.

WHEREFORE, Claimant demands judgment against REYNOLDS in an amount that will fully and fairly compensate for Claimant's injuries and damages, for punitive damages in an amount sufficient to punish deter REYNOLDS and others from the same or similar wrongful conduct, court costs, attorneys' fees, interest as allowed by law, and for such other appropriate relief as the Court finds may be just and equitable.

DEFAMATION AGAINST ALBRECHT

88. On Tuesday, July 19, 2011, ALBRECHT made false, defamatory statements to news organizations, including IowaPolitics.com, concerning Claimant's performance as Workers' Compensation Commissioner.

89. ALBRECHT stated that the governor had heard directly from small business owners in Iowa who were extremely concerned with Mr. Godfrey's job performance. ALBRECHT blamed Claimant for rising expenses for employers in Iowa. Additionally, ALBRECHT stated that the governor cut Claimant's pay as a means of showing disapproval of his job performance.

90. The defamatory statements made by ALBRECHT were false and ALBRECHT made those statements with knowledge, or reckless disregard, of their falsity.

91. The statements are defamatory per se in that they are statements of business incompetence or lack of skill in an occupation by which Claimant earns a living.

92. ALBRECHT has caused these false and defamatory statements to be published to third parties, thus injuring the reputation of the Claimant.

93. The false and defamatory statements and communications of ALBRECHT were not privileged.

94. As a direct and proximate result of ALBRECHT's acts aforesaid, Claimant has in the past and will in the future suffer mental and emotional harm and anguish, anxiety, fear, depression, loss of enjoyment of life, degradation, disgrace, uncertainty, apprehensiveness, grief, restlessness, dismay, tension, and unease, pain and suffering.

95. ALBRECHT's actions perpetrated against Claimant were willful and wanton, and done with malice or in reckless disregard of the rights of Claimant, entitling him to punitive damages.

WHEREFORE, Claimant demands judgment against ALBRECHT in an amount that will fully and fairly compensate for Claimant's injuries and damages, for punitive damages in an amount sufficient to punish deter ALBRECHT and others from the same or similar wrongful conduct, court costs, attorneys' fees, interest as allowed by law, and for such other appropriate relief as the Court finds may be just and equitable.

DEFAMATION AGAINST ALBRECHT

96. On or around Tuesday, July 12, 2011, ALBRECHT made false, defamatory statements to news organizations, including WHO-TV, concerning Claimant's performance as Workers' Compensation Commissioner.

97. ALBRECHT stated that the Claimant's pay had been cut due to poor performance.

98. The defamatory statements made by ALBRECHT were false and ALBRECHT made those statements with knowledge, or reckless disregard, of their falsity.

99. The statements are defamatory per se in that they are statements of business incompetence or lack of skill in an occupation by which Claimant earns a living.

100. ALBRECHT has caused these false and defamatory statements to be published to third parties, thus injuring the reputation of the Claimant.

101. The false and defamatory statements and communications of ALBRECHT were not privileged

102. As a direct and proximate result of ALBRECHT's acts aforesaid, Claimant has in the past and will in the future suffer mental and emotional harm and anguish, anxiety, fear, depression, loss of enjoyment of life, degradation, disgrace, uncertainty, apprehensiveness, grief, restlessness, dismay, tension, and unease, pain and suffering.

103. ALBRECHT's actions perpetrated against Claimant were willful and wanton, and done with malice or in reckless disregard of the rights of Claimant, entitling him to punitive damages.

WHEREFORE, Claimant demands judgment against ALBRECHT in an amount that will fully and fairly compensate for Claimant's injuries and damages, for punitive damages in an amount sufficient to punish deter ALBRECHT and others from the same or similar wrongful conduct, court costs, attorneys' fees, interest as allowed by law, and for such other appropriate relief as the Court finds may be just and equitable.

DEFAMATION AGAINST ALBRECHT

104. On or around Wednesday, July 13, 2011, ALBRECHT made false, defamatory statements to news organizations, including the Des Moines Register, concerning Claimant's performance as Workers' Compensation Commissioner.

105. ALBRECHT stated that the governor had spoken with a number of businesses concerned with Godfrey's performance.

106. The defamatory statements made by ALBRECHT were false and ALBRECHT made those statements with knowledge, or reckless disregard, of their falsity.

107. The statements are defamatory per se in that they are statements of business incompetence or lack of skill in an occupation by which Claimant earns a living.

108. ALBRECHT has caused these false and defamatory statements to be published to third parties, thus injuring the reputation of the Claimant.

109. The false and defamatory statements and communications of ALBRECHT were not privileged.

110. As a direct and proximate result of ALBRECHT's acts aforesaid, Claimant has in the past and will in the future suffer mental and emotional harm and anguish, anxiety, fear, depression, loss of enjoyment of life, degradation, disgrace, uncertainty, apprehensiveness, grief, restlessness, dismay, tension, and unease, pain and suffering.

111. ALBRECHT's actions perpetrated against Claimant were willful and wanton, and done with malice or in reckless disregard of the rights of Claimant, entitling him to punitive damages.

WHEREFORE, Claimant demands judgment against ALBRECHT in an amount that will fully and fairly compensate for Claimant's injuries and damages, for punitive damages in an amount sufficient to punish deter ALBRECHT and others from the same or similar wrongful conduct, court costs, attorneys' fees, interest as allowed by law, and for such other appropriate relief as the Court finds may be just and equitable.

DEFAMATION AGAINST BRANSTAD

112. On or around Wednesday, July 13, 2011, BRANSTAD made false, defamatory statements to news organizations, including WHO-TV, concerning Claimant's performance as Workers' Compensation Commissioner.

113. BRANSTAD blamed Claimant for rising workers' compensation costs for Iowa businesses.

114. The defamatory statements made by BRANSTAD were false and BRANSTAD made those statements with knowledge, or reckless disregard, of their falsity.

115. The statements are defamatory per se in that they are statements of business incompetence or lack of skill in an occupation by which Claimant earns a living.

116. BRANSTAD has caused these false and defamatory statements to be published to third parties, thus injuring the reputation of the Claimant.

117. The false and defamatory statements and communications of BRANSTAD were not privileged.

118. As a direct and proximate result of BRANSTAD's acts aforesaid, Claimant has in the past and will in the future suffer mental and emotional harm and anguish, anxiety, fear, depression, loss of enjoyment of life, degradation, disgrace, uncertainty, apprehensiveness, grief, restlessness, dismay, tension, and unease, pain and suffering.

119. BRANSTAD's actions perpetrated against Claimant were willful and wanton, and done with malice or in reckless disregard of the rights of Claimant, entitling him to punitive damages.

WHEREFORE, Claimant demands judgment against BRANSTAD in an amount that will fully and fairly compensate for Claimant's injuries and damages, for punitive in an amount sufficient to punish and deter BRANSTAD and others from the same or similar wrongful conduct, court costs, attorneys' fees, interest as allowed by law, and for such other appropriate relief as the Court finds may be just and equitable.

DEFAMATION AGAINST BOEYINK

120. On or around Tuesday, July 12, 2011, BOEYINK made false, defamatory statements to news organizations, including the Des Moines Register, concerning Claimant's performance as Workers' Compensation Commissioner.

121. BOEYINK stated that the governor's office was displeased with Claimant's performance, and that they were displeased with the direction the Workers' Compensation office was going in.

122. The defamatory statements made by BOEYINK were false and BOEYINK made those statements with knowledge, or reckless disregard, of their falsity.

123. The statements are defamatory per se in that they are statements of business incompetence or lack of skill in an occupation by which Claimant earns a living.

124. BOEYINK has caused these false and defamatory statements to be published to third parties, thus injuring the reputation of the Claimant.

125. The false and defamatory statements and communications of BOEYINK were not privileged.

126. As a direct and proximate result of BOEYINK's acts aforesaid, Claimant has in the past and will in the future suffer mental and emotional harm and anguish, anxiety, fear, depression, loss of enjoyment of life, degradation, disgrace, uncertainty, apprehensiveness, grief, restlessness, dismay, tension, and unease, pain and suffering.

127. BOEYINK's actions perpetrated against Claimant were willful and wanton, and done with malice or in reckless disregard of the rights of Claimant, entitling him to punitive damages.

WHEREFORE, Claimant demands judgment against BOEYINK in an amount that will fully and fairly compensate for Claimant's injuries and damages, for punitive damages in an amount sufficient to punish and deter BOEYINK and others from the same or similar wrongful conduct, court costs, attorneys' fees, interest as allowed by law, and for such other appropriate relief as the Court finds may be just and equitable.

EXTORTION AGAINST FINDLEY AND BOEYINK

128. On July 11, 2011, Claimant was summoned to a meeting with FINDLEY and BOEYINK. The meeting was held at the Iowa State Capitol, at approximately 1:30 PM.

129. During the July 11, 2011 meeting, FINDLEY and BOEYINK demanded that Claimant resign his position.

130. Claimant again asserted that his position was non-partisan and further explained the quasi-judicial nature of the position. Claimant refused to resign.

131. FINDLEY and BOEYINK proceeded to use threats in an attempt to get Claimant to resign. FINDLEY and BOEYINK told Claimant that his pay would be immediately reduced from \$112,068.84 to \$73,250 if he did not resign from his position.

132. FINDLEY and BOEYINK's threats to Claimant—that if he did not resign his salary would be cut by nearly \$40,000—threatened Claimant's business or professional reputation.

133. FINDLEY and BOEYINK's threats to Claimant—that if he did not resign his salary would be cut by nearly \$40,000—threatened wrongful injury to Claimant, including but not limited to Claimant's ability to retain his property interest in his position as Workers' Compensation Commissioner.

134. FINDLEY and BOEYINK intended to communicate the threats to Claimant.

135. FINDLEY and BOEYINK's purpose in making the threats was to obtain from the Claimant his property interest in his position as Workers' Compensation Commissioner. They intended that their threats would force Claimant to resign from the position.

136. FINDLEY and BOEYINK did not have a reasonable belief that they were entitled to recover Claimant's property interest in his position as Workers' Compensation Commissioner.

137. As a direct and proximate result of FINDLEY and BOEYINK's acts aforesaid, Claimant has in the past and will in the future suffer mental and emotional harm and anguish, anxiety, fear, depression, loss of enjoyment of life, degradation, disgrace, uncertainty, apprehensiveness, grief, restlessness, dismay, tension, and unease, pain and suffering.

138. FINDLEY and BOEYINK's actions perpetrated against Claimant were willful and wanton, and done with malice or in reckless disregard of the rights of Claimant, entitling him to punitive damages.

WHEREFORE, Claimant demands judgment against FINDLEY and BOEYINK in an amount that will fully and fairly compensate for Claimant's injuries and damages, for punitive damages in an amount sufficient to punish and deter FINDLEY and BOEYINK and others from the same or similar wrongful conduct, court costs, attorneys' fees, interest as allowed by law, and for such other appropriate relief as the Court finds may be just and equitable.