

# 60 CASES AND COUNTING LEGAL ACTION UPDATE



## LEGAL WARRIOR SPOTLIGHT

### JENNIFER MATHESON: Featured Paralegal

Freedom Foundation paralegal Jennifer Matheson has seen the size of the organization's legal team double in just the three years she's been here, underscoring the importance of her responsibilities in keeping the entire effort on track.

Born and raised in Portland, Ore., Jennifer earned her bachelor's degree from the University of Oregon but has lived in Olympia for the past 18 years. Although a proud Duck, Jennifer's oldest daughter rows for the University of Washington, her middle daughter will begin her freshman year at Western Washington University this fall and her son, still in high school, hopes one day to row in college.

Jennifer previously lived in Washington, D.C., and is excited to be part of an organization that holds government and other entities accountable. Jennifer previously worked for the Washington State Senate.

Jennifer's familiarity with the legal system made her transition to the legal team a natural one, and she enjoys the challenge of helping the Freedom Foundation's attorneys do battle with government employee unions. Jennifer works closely with the five Washington attorneys and occasionally with the Oregon and California attorneys.

When not working, Jennifer enjoys the company of her crazy yellow lab, Jonah.



## KEY CASES

### DEFENDING WORKERS from union forgery

#### Washington

**Araujo v. SEIU 775**

**Gatdula v. SEIU 775**

**Yates v. WFSE**

**Ochoa v SEIU 775**

#### Oregon

**Zielenski v. SEIU 503**

**Schieve v. SEIU 503**

**Wright v. SEIU 503**

#### California

**Semerjyan v. SEIU 2015**

**Hubbard v. SEIU 2015**

**Marsh v. AFSCME 3299**

**Quezambra v. UDW AFSCME 3930**

**Solorzano v. Teamsters Local 2010**

# LEGAL TEAM

## Quarterly Report

May 2020  
Edition



### Ten Attorneys & Four Paralegals

No one fights government unions more aggressively or successfully than the Freedom Foundation

With over **60 ongoing legal cases**, we are defending workers and exposing the illegal actions of big government unions

**118 victories against the unions**, resulting in over **\$584,000** in settlements and fees unions have been forced to pay

Union legal fees spent fighting Freedom Foundation

**\$8.7 Million and counting**



#### INSIDE THIS EDITION:

Fight Against Government Unions Forging Signatures / Seattle Income Tax Is Dead  
Victory For CA Lifeguards / Profile In Courage: Kristina Semerjyan / Featured Paralegal: Jennifer Matheson



# FEATURED CASE

## THE FIGHT AGAINST GOVERNMENT UNIONS FORGING MEMBERS' SIGNATURES

Government unions across the country are willing to do anything, even going as far as forging signatures, to claim that they are complying with the U.S. Supreme Court decision of Janus v. AFSCME.

The Freedom Foundation, unwilling to allow public sector employees have their money stolen based on a forgery, has been filing lawsuits in response. In the last four months alone, the Foundation has brought seven new forgery lawsuits in Washington, Oregon, and California bringing the total number of Foundation forgery claims to twelve. This number demonstrates a serious pattern of criminal behavior by the Unions who, after Janus, need a sign of clear consent - such as a signature - to be able to receive dues deductions.

In June 2018, the U.S. Supreme Court ruled in the Janus v. AFSCME decision that forcing public employees to join or pay dues to a union was a violation of his or her First Amendment rights. For public employees this was a victory, yet for public sector unions this was a severe loss in revenue.

Since the Janus decision, the Foundation has been focused on investigating and asserting claims as well as filing lawsuits against government unions who commit forgeries against their members. It is abundantly clear to the Foundation that these unions are willing to do anything, including forge signatures on membership cards and dues authorizations, to get their hands on this money. In a number of these cases the Unions' have demonstrated how simple it is to utilize the internet in perpetrating this criminal behavior.



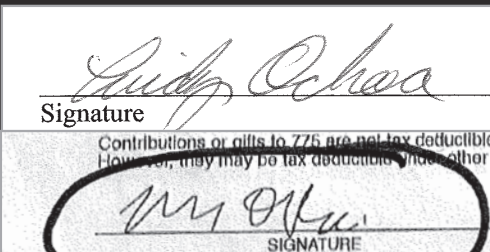
Maria Quezambra | Signature forged by AFSCME

The Foundation's assistance is imperative for these plaintiffs. Each of these individuals are brave Freedom Foundation plaintiffs seeking justice from government unions who are willing to do whatever they can to steal their money. Without the Foundation's pro bono work many of these public sector employees would never receive the justice they deserve.

The dozen forgery claims asserted so far have particular facts that make them unique, yet there is a common theme amongst all the suits – the Union will do anything to keep their members from leaving.

### Forged vs. Authentic Signatures

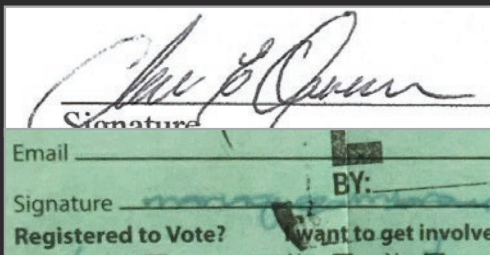
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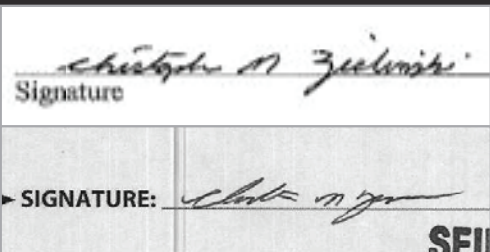
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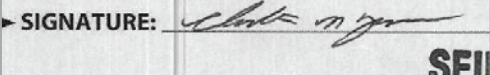
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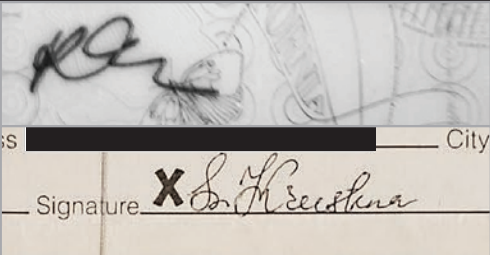
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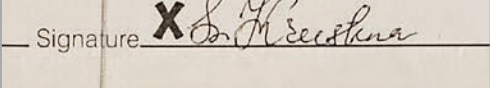
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# FEATURED LEGAL VICTORIES

## SEATTLE INCOME TAX IS DEAD

A three-year legal battle has finally left Seattle's illegal, unconstitutional income tax scheme a rotting corpse. And a Freedom Foundation lawsuit was a key contributor to its demise.

Prodded by the radical left Economic Opportunity Institute, Seattle decided to be a test case to challenge almost a century of settled law that income is property and property taxes in the state must be uniform.

The Washington Court of Appeals agreed that the Seattle income tax was unconstitutional, although on different grounds than the King County judge, and the Washington Supreme Court declined the city's request to review that opinion on April 2, 2020, settling the matter.

Washington won't impose a "progressive" income tax for the foreseeable future.

The Freedom Foundation represented the first group of plaintiffs to file a legal challenge, with its lawyers working in partnership with the tax experts at Seattle's Lane Powell law firm.

The team's strategy was simple: Seattle's income tax would institutionalize inequality in a state whose constitution explicitly forbids taxation schemes that punish specific groups.

At the end of the day, an income tax would simply add to the government burden, violating the Freedom Foundation's fundamental mission to advance individual liberty and limited government.

## VICTORY FOR CA LIFEGUARDS

In January, the Freedom Foundation filed suit in District Court on behalf of 22 California lifeguards alleging their union, the California State Law Enforcement Association (CSLEA), and the state of California are forcing them to maintain membership and pay dues to an organization they vehemently oppose.

CSLEA insists it can keep the lifeguards locked into membership until June 2023, when its CBA with their employer expires. CSLEA sought to stay the case, Savas v. CSLEA, pending the outcome of a similar lawsuit, Cooley v. CSLEA, at the 9th Circuit Court of Appeals.

Fortunately, Judge Dana Sabraw, recognized the significant harm the lifeguards would suffer if a stay potentially lasting up to two years was granted.

His ruling noted the union "...failed to prove either it will suffer hardship in the absence of a stay or that (the) plaintiffs will not suffer prejudice if a stay is imposed."

This is a significant victory for the Freedom Foundation and its clients, the lifeguards.

The case can now move forward and, if the lifeguards prevail, it will send a strong message to the unions and empower millions of public employees nationwide to just say no to union bullying.

With the Freedom Foundation at their side, the lifeguards are safe swimming with the sharks.

# PROFILE IN COURAGE



KRISTINA SEMERJYAN

Kristina Semerjyan and her husband, Tigran Semerjyan, immigrated to the United States from Armenia in 2001. They won their green cards in the lottery and didn't think twice about coming to the United States.

Ms. Semerjyan, along with her husband, became homecare providers in 2003. Over the years, she and her husband cared for several disabled men, women, and children.

Upon employment, SEIU 2015 automatically deducted union dues from her paycheck. Because SEIU never solicited her membership and automatically deducted dues, she reasonably believed the deductions were mandatory. In September 2019, she learned she had a First Amendment right to not pay money to SEIU and quickly opted to exercise that right.

SEIU responded via letter saying she signed a membership card and could not terminate the union dues until a narrow window in March. She followed up with the union, who told her she had a membership card on file.

When the Union sent her the copy, she quickly recognized it was forged. The union has denied the forgery and then propounded the falsehood by claiming her husband may have signed it for her.

"Regardless of the outcome of this case, I am glad that we decided to punish SEIU 2015 for the signature forgery they committed 6 years ago. All I wanted from the Union was an apology and reimbursement of fees, they unlawfully charged during the 6 years. I didn't get either one, instead I was constantly ignored and humiliated by different employees. They made it clear to me that all they cared about, were their own interests, and they suggested to let it go, and move forward. From that point, SEIU 2015 lost my trust, and respect forever. I would like to thank the Freedom Foundation, and especially my attorney, Mariah, for all the help and support I got in the past 3 months. Thank you, for standing up for me, and for protecting my rights!"

## The Washington Times

### LAWSUITS ACCUSE UNIONS OF FAKING SIGNATURES TO MAINTAIN MEMBERSHIP

James Varney — April 2, 2020

"A series of federal class-action lawsuits in Western states accuse state employee unions of faking signatures to maintain membership and dues. 'This isn't an accounting error or an honest mistake,' said Eric Stahlfeld chief litigator for Freedom Foundation..."