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COMP
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**DISTRICT COURT
CLARK COUNTY, NEVADA**

THOMAS FINN) Case No.: A - 1 2 - 6 7 2 4 3 8 - C
) Dept. No.: X I V
Plaintiff,)
) **COMPLAINT**
vs.)
)
STEPHEN P. STUBBS, an individual,)
JOHN CHASE, an individual; CAM)
WALKER, an individual; DAVE OLSEN,)
an individual; DAN JENNINGS, an individual)
DOES I through X, inclusive; and ROE)
ENTITIES I through X, inclusive,)
)
Defendants.

COMPLAINT

COMES NOW Plaintiff, THOMAS FINN by and through his counsel SEAN P. FLANAGAN, ESQ., of the law firm of FLANAGAN, LTD, and as for his Complaint against the Defendants alleges as follows:

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1. That at all times mentioned herein, Plaintiff THOMAS FINN (“FINN”), was and is a resident of Clark County, State of Nevada.

2. That at all times mentioned herein, upon information and belief, Defendant, STEPHEN P. STUBBS (“STUBBS”) was and is a resident of Clark County, State of Nevada.

3. That at all times mentioned herein, upon information and belief, Defendant, JOHN CHASE (“CHASE”) was and is a resident of Clark County, State of Nevada.

4. That at all times mentioned herein, upon information and belief, Defendant, CAM WALKER (“WALKER”) was and is a resident of Clark County, State of Nevada.

5. That at all times mentioned herein, upon information and belief, Defendant, DAVE OLSEN (“OLSEN”) was and is a resident of Clark County, State of Nevada.

6. That at all times mentioned herein, upon information and belief, Defendant, DAN JENNINGS (“JENNINGS”) was and is a resident of Clark County, State of Nevada.

7. That the true names and capacities, whether individual, corporate, co-partnership, associate or otherwise, of DOES I through X and ROE CORPORATIONS I through X are unknown to Plaintiff who therefore sues said Defendants by said fictitious names. Plaintiff is informed and believes and therefore alleges that each of the Defendants designated as DOES I through X and ROE CORPORATIONS I through X are responsible in some manner for the events and happenings referred to herein and caused the injuries and damages suffered by the Plaintiff as alleged below. Plaintiff requests leave of the Court to amend the Complaint to insert the true names and capacities of said Defendants, when the same have been ascertained, to join such Defendants in this action and assert the appropriate charging allegations.

8. That FINN, at all times relevant hereto, was/is the Chief of Police for Boulder City, Nevada.

9. That prior to being hired by Boulder City, FINN was a Chief of Police in East Brunswick, New Jersey.

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2 10. On March 22, 2006, after a nationwide search, FINN was hired by Boulder City
3 to the position of Chief of Police, which is memorialized in writing.

4 11. Pursuant to that agreement, FINN was entitled to a salary, medical and uniform
5 benefits, retirement benefits and full-paid contributions into the Nevada PERS system.

6 12. Prior to, and since FINN's hiring date, FINN has never been the subject of any
7 disciplinary hearings or been reprimanded for his performance or execution of his duties as Chief
8 of Police.

9 13. As Chief of Police, FINN is responsible for maintaining the safety of the Boulder
10 City community as well as enforcing the laws of the State of Nevada, as they pertain to his
11 jurisdiction and the city of Boulder City.

12 14. As Chief of Police, FINN's immediate supervisor is the City Manager, currently
13 Vicki G. Mayes.

14 15. STUBBS is, and at all times relevant hereto, a licensed Nevada attorney who
15 represents the "Mongols" motorcycle club.

16 16. CHASE is, and at all times relevant hereto, a member of the Boulder City Police
17 Department.

18 17. WALKER is, and at all times relevant hereto, a member of the Boulder City, City
19 Council.

20 18. OLSEN is, and at all times relevant hereto, the City Attorney for Boulder City.

21 19. JENNINGS is, and at all times relevant hereto, the President of the Boulder City
22 Police Union and a Sergeant with the Boulder City Police Department.

23 20. On or about May of 2012, FINN was informed by STUBBS that the Mongols
24 planned to hold a rally/reunion in Boulder City the weekend of June 22-June 24, 2012.

25 21. Pursuant to receiving notice of the rally/reunion, FINN convened a meeting with
26 various law enforcement agencies including, but not limited to Las Vegas Metropolitan Police
27 Department ("METRO"), North Las Vegas Police Department, Henderson Police Department,
28

1 Nevada Highway Patrol, Federal Bureau of Investigation ("FBI"), Department of Homeland
2 Security ("DHS"), Bureau of Alcohol, Tobacco, Firearms & Explosives ("BATF"), Drug
3 Enforcement Administration ("DEA") and Vicki Mayes, City Manager of Boulder City.
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5 22. Pursuant to that meeting, the various law enforcement agencies developed a plan
6 to maintain and ensure the safety of the residents of Boulder City and outlying areas.

7 23. Prior to the rally/reunion weekend, FINN sent an email to OLSEN, Judge Victor
8 Lee Miller, Detective Scott Pastore, Lieutenant Vincent Albowicz, and Boulder City Court
9 Administrator Bernie Graham requesting "zero tolerance" for all residents of Boulder City and
10 anyone in the city during the weekend of the rally/reunion. The email FINN sent was obtained
11 by STUBBS without a Freedom of Information Request and formed the basis for a lawsuit
12 STUBBS subsequently filed against FINN.

13 24. As part of an "open communication" policy, FINN furnished STUBBS with his
14 personal cell phone number to be used during the rally/reunion weekend to discuss any matters
15 that might arise.

16 25. FINN was scheduled to work from 6pm.-6am. throughout the weekend.

17 26. During the rally/reunion weekend STUBBS contacted FINN on at least five (5)
18 separate occasions to discuss minor offenses. On June 23, 2012, STUBBS once again attempted
19 to contact FINN and was informed by FINN that FINN was attempting to get some sleep before
20 his shift and would speak to STUBBS when FINN's shift began. FINN also informed STUBBS
21 that in the interim, STUBBS could communicate with the Officer-in-Charge should anything
22 require immediate attention.
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24 27. In response, STUBBS communicated to WALKER, who was acting Mayor Pro
25 Tem during the weekend, that FINN was ignoring him and had told STUBBS to "quit your
26 bitching."
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2 28. Upon receiving this news, WALKER communicated to FINN that WALKER was
3 going to be meeting with STUBBS and the Mongols at 5pm. on Saturday, June 23, 2012 and that
4 before that meeting WALKER would like for FINN to call STUBBS, "just to say hi."

5 29. FINN informed WALKER that FINN had "nothing to say to STUBBS so there's
6 no need to call him," and he would be on duty at 6pm.

7 30. Subsequent to the rally/reunion, WALKER, on two separate occasions,
8 approached Vicki G. Mayes and discussed WALKER's displeasure with FINN for disobeying
9 WALKER's order for FINN to call STUBBS.

10 31. Subsequent to the rally/reunion, FINN was invited to attend a meeting between
11 STUBBS, WALKER, OLSEN, and Mayor Tobler to discuss the weekend. FINN declined the
12 meeting.

13 32. Following the meeting, STUBBS filed a civil rights complaint against various
14 municipalities and entities. Boulder City was not named as a defendant.

15 33. STUBBS filed an amended complaint naming FINN and Detective Scott Pastore
16 as defendants. STUBBS has posted on the Internet that Boulder City was not named as a
17 defendant and that FINN was named individually with the hope that FINN would have to pay for
18 his defense on his own.

19 34. Since the rally/reunion weekend, STUBBS has posted on the Internet that FINN
20 had committed various felonies and crimes, causing FINN to suffer damage to his reputation and
21 standing in the community, thereby subjecting FINN to ridicule.

22 35. Following the postings on the Internet, FINN has been subjected to numerous
23 public attacks on his character. One such instance occurred at the City Council meeting on
24 November 13, 2012, where STUBBS and STUBBS' father levied personal attacks on FINN in
25 contravention of the City of Boulder City's City Council meeting policy. WALKER did not stop
26 the comments or interrupt the speeches made against FINN.
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2 36. As part of his campaign against FINN, STUBBS has attempted to have FINN
3 placed on "administrative leave" and has attempted to have OLSEN, District Attorney Steve
4 Wolfson and the Attorney General's office conduct and investigation of FINN.

5 37. In an attempt to further the campaign against FINN, CHASE contacted Bryce
6 Boldt, Personnel Administrator for Boulder City and asked for a meeting with Boldt to discuss
7 FINN's alleged criminal conduct and intimidation of the police force. CHASE insisted this
8 meeting take place out of the office and be conducted outside of Boulder City.

9 38. Boldt informed CHASE that Boldt didn't want to waste his time and CHASE
10 assured Boldt that CHASE had evidence of FINN's alleged criminal conduct.

11 39. At the meeting with Boldt, CHASE failed to produce any evidence of FINN's
12 alleged criminal conduct and Boldt informed CHASE that CHASE had wasted Boldt's time and
13 had made reckless charges against FINN.

14 40. As part of his campaign against FINN, STUBBS has attempted to have FINN
15 placed on "administrative leave" and has attempted to have OLSEN, District Attorney Steve
16 Wolfson and the Attorney General's office conduct and investigation of FINN.

17 41. In furtherance of this campaign on October 22, 2012, STUBBS called OLSEN.
18 Unbeknownst to STUBBS, OLSEN was meeting with FINN about the prosecution rate of DUI's
19 and allowed FINN to listen to the conversation utilizing OLSEN's cell phone "speaker" feature.

20 42. During that conversation STUBBS asked OLSEN about his investigation of FINN
21 as STUBBS had been assured by WALKER that an investigation into FINN was ongoing.
22 STUBBS also inquired of OLSEN if OLSEN could find an officer in Reno, Nevada to file a
23 complaint against FINN to get the investigation to proceed. STUBBS then stated WALKER had
24 told STUBBS; "The new City Manager will deal with Chief Finn."
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26 43. Following the telephone conversation with STUBBS, OLSEN and FINN
27 continued their face-to-face meeting, which was recorded by FINN.
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1 44. On numerous occasions while FINN was Chief of Police, FINN has spoken to
2 OLSEN about the prosecution rate for DUI's under OLSEN.

3 45. FINN has reviewed the prosecution rate for DUI's under OLSEN and has
4 discovered that City Attorney's office under OLSEN has reduced or "Plea Bargained" numerous
5 DUI Second and First Offenses to "Reckless Driving", "Careless Driving" and/or "Parking
6 Violations."

7 46. On November 1, 2012, JENNINGS sent an email to members of the Boulder City
8 Police Protective Association ("BCPPA") to discuss JENNINGS' impression of the City
9 Manager candidates. The email also discussed JENNINGS' belief that the new City Manager
10 would not be retaining FINN in his position as Chief of Police.

11 47. FINN is informed and believes and therefore alleges that STUBBS, WALKER,
12 OLSEN, JENNINGS and CHASE have acted in concert to inflict damage upon FINN's
13 reputation, thereby creating a situation whereby the City Manager would be either forced to
14 place FINN on administrative leave or dismiss FINN from his position, then replacing FINN
15 with CHASE.

16 48. That STUBBS, WALKER, OLSEN, JENNINGS and CHASE are, and at all times
17 relevant hereto, have been aware that FINN is currently the Chief of Police of Boulder City.

18 49. That STUBBS, WALKER, OLSEN, JENNINGS and CHASE, by engaging in
19 conduct described herein, have intentionally interfered with FINN's contractual relationship with
20 Boulder City, thereby causing FINN to suffer damages in an amount in excess of \$10,000.00.

21 50. That STUBBS, WALKER, OLSEN, JENNINGS and CHASE, by engaging in the
22 conduct described herein, have caused such damage to FINN's reputation that it is highly
23 unlikely that FINN could obtain employment as a Chief of Police, thereby causing FINN to
24 suffer damages in an amount in excess of \$10,000.00.

25 51. That the actions of STUBBS, WALKER, OLSEN, JENNINGS and CHASE were
26 done with such an intentional, reckless and wanton disregard for FINN's reputation, that such
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1 behavior on the part of STUBBS, WALKER, OLSEN, JENNINGS and CHASE, entitles FINN
2 to an award of punitive damages.

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4 52. As a further direct and proximate result of the actions of STUBBS, WALKER,
5 OLSEN, JENNINGS and CHASE, and each of them, PLAINTIFF has been required to retain
6 counsel and is entitled to reasonable attorneys' fees.

7 WHEREFORE, PLAINTIFF prays judgment of this Court as follows:

- 8 1. General damages in excess of \$10,000.00;
- 9 2. Special damages in excess of \$10,000.00;
- 10 3. Punitive Damages;
- 11 4. Attorneys' fees;
- 12 5. Costs herein; and
- 13 6. For such other and further relief as the court may find just and proper in
14 the premises.

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16 DATED this 21st day of November, 2012.

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18 Respectfully submitted,

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20
21 By: /s/ Sean Flanagan _____
22 SEAN P. FLANAGAN, ESQ.
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TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE


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