

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
LEWIS COUNTY, WASHINGTON**

**IN THE MATTER OF:**

RESOLUTION NO. 22-412

APPROVE DEFENSE AND INDEMNITY FOR JOSH METCALF AND HIS MARITAL COMMUNITY, AND FOR JOHN ROE AND HIS MARITAL COMMUNITY, IF ANY

**WHEREAS**, the Board of County Commissioners (BOCC) previously established a process for providing litigation defense and indemnification for County officers and employees in certain circumstances; and

**WHEREAS**, Josh Metcalf and John Roe have been named as defendants in the matter of Gary H. Wolfelt. - Western District of Washington Civil Action No. 3:-22-cv-05669-JHC, which relates to actions allegedly taken in the course and performance of their duties for Lewis County; and

**WHEREAS**, Josh Metcalf and his marital community, and John Roe and his marital community, if any, have requested defense and indemnity pursuant to Resolutions 03-042 and 04-164; and

**WHEREAS**, it appears that the provision of legal defense and indemnity for Josh Metcalf and his marital community, and for John Roe and his marital community, if any, is appropriate in the circumstances of this case.

**NOW THEREFORE BE IT RESOLVED** that the BOCC approves the requests from Josh Metcalf and his marital community, and for John Roe and his marital community, if any, for legal defense and indemnity in the above-referenced lawsuit, with the exception of, and subject to review in the event of, any award of punitive damages, based upon actions taken during the course and performance of their duties undertaken on behalf of Lewis County; and

**NOW THEREFORE BE IT FURTHER RESOLVED** that the Lewis County Prosecuting Attorney's Office is hereby requested and authorized to provide legal defense for Josh Metcalf and his marital community, and for John Roe and his marital community, if any, in accordance herewith; and the Lewis County Risk Manager and/or Lewis County Claims Administrator, pursuant to Resolution 10-151, is authorized to serve as adjuster on this matter.

DONE IN OPEN SESSION this 13th day of December, 2022.

APPROVED AS TO FORM:  
Jonathan Meyer, Prosecuting Attorney

BOARD OF COUNTY COMMISSIONERS  
LEWIS COUNTY, WASHINGTON

Kevin A. McDowell  
By: Kevin A. McDowell,  
Deputy Prosecuting Attorney

Lindsey R. Pollock, DVM  
Lindsey R. Pollock, DVM, Chair

ATTEST:  
Rieva Lester, Clerk of the Board

Sean D. Swope  
Sean D. Swope, Vice Chair

Tamara Martin  
By: Tamara Martin

Scott J. Brummer  
Scott J. Brummer, Commissioner

