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*Attorney for Claimant*

MARVIN HANSEN, )  
 )  
 Claimant, )  
 )  
 vs. )  
 )  
 MARSH VALLEY JOINT SCHOOL )  
 DISTRICT #21, )  
 )  
 )  
 Defendant. )  
 \_\_\_\_\_ )

**NOTICE OF TORT CLAIM**

COMES NOW the above-named Claimant, by and through the undersigned counsel and submits the following Notice of Tort Claim.

1. Conduct Giving Rise to the Claim: For the past sixteen (16) years, Claimant Marvin Hansen was the Superintendent of the Marsh Valley Joint School District #21 (the "District"). In February 2019, Mr. Hansen began to receive threats from Randy Armstrong. Randy Armstrong began telling Mr. Hansen that if Mr. Hansen did not fire Jason Brower, then Randy Armstrong would see to it that Mr. Hansen was fired. Specifically, Randy Armstrong stated that if he couldn't get rid of Mr. Brower through Mr. Hansen, then the Marsh Valley School Board would get rid of Mr. Hansen first, then Mr. Brower. Randy Armstrong also told Mr. Hansen that there were allegations

that Mr. Hansen was not abiding by the District's fiscal policies and that those allegations would "take a life of their own."

In January 2020, Paige Armstrong—Randy Armstrong's wife—became a member of the Marsh Valley School Board. Mrs. Armstrong subsequently began making and overseeing numerous public records requests in an effort to show that Mr. Hansen misused District funds. When no financial misdeeds could be found, Lynette Battson, told Mrs. Armstrong that she knew how to get Mr. Hansen fired. Ms. Battson then accused Mr. Hansen of sexual harassment, an allegation that was investigated and ultimately determined to be false. All of this information came from Paige Armstrong to the Board Chairman, Kevin Fannesbeck.

On July 13, 2020, the Board entered into an agreement with Mr. Hansen that he would remain as Superintendent until a new qualified Superintendent was hired. However, the Board then hired a Superintendent who was not qualified—Gary Tucker. Mr. Tucker was not qualified to hold the position of Superintendent because he did not have an Idaho Superintendent's Certification and had only two (2) years of administration experience at a small charter school in Utah. Mr. Tucker is, however, the cousin of Randy Armstrong. When Mr. Tucker was hired, Mr. Hansen was forced out to be on sick leave as of September 16, 2020. Mr. Hansen believes he may not be allowed to come back to work.

Additionally, after Ms. Battson's alleged Mr. Hansen sexually harassed her, the Board essentially removed Mr. Hansen from his position as Superintendent and demoted him to the position of Administrative Assistant to the Superintendent.

Throughout this whole process, and even after Mr. Hansen was demoted, Paige Armstrong intentionally and knowingly shared confidential, personal information about Mr. Hansen to third

parties. This information was discussed by the Board during an executive session held in regards to Ms. Battson's false sexual harassment allegations. Paige Armstrong did so knowing the allegations were false and/or in a reckless disregard as to their truth, and knowing that the information discussed at the executive session was confidential. Paige Armstrong did so in an effort to get Mr. Hansen fired. As a result of the false claims and disclosure of confidential information, Ms. Battson's husband, David Battson, went to the administrative offices of the District and beat Mr. Hansen with a baseball bat. This attack occurred on school property and during Mr. Hansen's work schedule.

Additionally, in July 2020, the Board entered into a settlement agreement with Mr. Hansen. Pursuant to that contract, the Board should not release or disclose confidential information. This settlement agreement was breached when members of the Board disclosed information including telling Mr. Battson of the affair, which led to Mr. Battson beating Mr. Hansen with a baseball bat on school property during school work time for Mr. Hansen.

The conduct by various members of the Board and other District employees, including, but not limited to, false allegations of sexual harassment, intentional and knowing disclosure of confidential information discussed during an executive session, and the breach of the settlement agreement between Mr. Hansen and the Board, has caused Mr. Hansen loss of income, great pain, turmoil, emotional distress, and suffering and the beating at the hand of Mr. Battson.

2. Conduct Giving Rise to Liability: The Board had a duty to maintain the confidentiality of the information that was discussed during the executive session. Further, the Board had a duty to abide by the terms of the settlement agreement. Moreover, Paige Armstrong and Ms. Battson engaged in defamatory conduct with the intent to ruin Mr. Hansen's career.

3. Conduct and Circumstances Which Brought About Injury or Damage: As a result of the conduct or actions and/or omission of the Board, Mr. Hansen was improperly demoted and eventually removed from employment. Further, Mr. Hansen's character, including his ability to adequately perform at his job, has been attacked and damaged. Mr. Hansen is claiming \$300,000 in special damages and \$200,000 in general damages, for a total of \$500,000.

4. Persons Involved:

Marvin Hansen  
1375 East Arimo Road  
Arimo ID 83214

Marsh Valley School District  
40 School Street  
Arimo, ID 83214

Marsh Valley School Board  
40 School Street  
Arimo, ID 83214

Randy Armstrong  
PO Box 8,  
Inkom, ID, 83245

Kevin Fannesbeck  
40 School Street  
Arimo, ID 83214

Don Nielsen  
40 School Street  
Arimo, ID 83214

Paige Armstrong  
40 School Street  
Arimo, ID 83214

Kathy Egan  
40 School Street  
Arimo, ID 83214

Jill Gunter  
40 School Street  
Arimo, ID 83214

5. Claims Asserted: Claimant asserts a claim against Marsh Valley School District pursuant to Idaho Code Section 6-901 et. seq., and all applicable laws for liability and damages sustained by Mr. Hansen as a result of the conduct of the Marsh Valley School District and specifically the conduct of the individuals who were responsible for the false and defamatory statements made about Mr. Hansen, and those responsible for breaching the confidentiality of the executive session and the settlement agreement.

RESPECTFULLY SUBMITTED this 4 day of January, 2021.

COOPER & LARSEN, CHARTERED

By: /s/ Reed W. Larsen  
REED W. LARSEN