

Scott L. Sackett II (11762)
scott@yahlaw.com
YOUNG HOFFMAN, LLC
175 South Main Street, Suite 850
Salt Lake City, UT 84111
Telephone: 801-359-1900
Attorneys for Plaintiff Jeffrey D. Gaston

**IN THE THIRD JUDICIAL DISTRICT COURT
IN AND FOR SALT LAKE COUNTY, STATE OF UTAH**

JEFFREY D. GASTON,

Plaintiff,

vs.

JASON HALL, an individual, NATALIE
HALL, an individual, GEORGE
SCHLIESSER, an individual, and
WOODCRAFT MILL & CABINET, INC., a
Utah corporation, and BLUFFDALE CITY, a
municipality of the State of Utah,

Defendants.

**PLAINTIFF'S MEMORANDUM IN
OPPOSITION TO DEFENDANTS'
MOTION TO DISMISS WITH
PREJUDICE**

Civil No. 230905528

Judge Chelsea Koch

(HEARING REQUESTED)

Plaintiff Jeffrey D. Gaston ("Gaston"), by and through his counsel of record, Scott L. Sackett II of and for YOUNG HOFFMAN, LLC, hereby responds to Defendants' Bluffdale City and Natalie Hall (in her capacity as Bluffdale City Mayor) Motion to Dismiss with Prejudice (the "Motion").

GROUND AND RELIEF REQUESTED

As grounds for this Memorandum in Opposition (the "Opposition"), Gaston requests that this Court deny the Motion as it relates to Defendant Natalie Hall ("Hall"), as the Second

Amended Complaint asserts allegations against Hall outside the scope of her position as Bluffdale mayor, and further, as his Notice of Claim fulfills all requirements set forth in the Utah Governmental Immunity Act (“UGIA”) and is sufficient to apprise Defendants of the factual allegations forming the basis for Gaston’s claims, the nature of Gaston’s claims, the identity of the Defendants, and Gaston’s alleged damages. Finally, the UGIA expressly waives immunity for willful misconduct committed by Hall, as alleged in Gaston’s Notice of Claim and the Second Amended Complaint. Gaston hereby stipulates to dismissal of the Second Amended Complaint as against Bluffdale City.

INTRODUCTION

On approximately July 25, 2023, Gaston served a notice of claim in the form attached to the Motion as *Exhibit A* (the “Notice”). This litigation followed. Gaston’s Second Amended Complaint (the “Complaint”), which is the subject of the Motion, asserts claims against Hall including causes of action for civil assault, false light, intentional infliction of emotional distress, and civil conspiracy. Many of the factual occurrences that form the basis for the Complaint occurred during the timeframe leading up to Hall’s mayoral campaign, with limited instances of alleged actionable conduct occurring after Hall’s election. As a result, many of the causes of action asserted against Hall are not subject to the UGIA as they are based on conduct occurring prior to her election as mayor of Bluffdale, and not arising out of the scope of her employment with Bluffdale. Defendants, through the Motion, and despite Gaston’s compliance with the statutory requirements for a notice of claim under the UGIA, now seek dismissal of the Complaint as against Hall based on purported deficiencies in the Notice. For the reasons outlined

below, the Motion as it relates to Hall, should be denied.

ARGUMENT

As a result of the stipulation referenced above, the arguments set forth herein are solely directed at opposing the dismissal of Hall from this litigation. In reviewing the Motion, this Court must “assume the truth of the factual allegations in the complaint and draw all reasonable inferences therefrom in the light most favorable to the plaintiff.” *Fehr v. Stockton*, 2018 UT App 136, ¶8, 427 P.3d 1190.

I. The Complaint as against Hall cannot be dismissed as the causes of action set forth therein allege conduct occurring outside the scope of her role as Bluffdale mayor.

Upon information and belief, Defendants’ request for dismissal of the Complaint as against Hall is solely focused on the alleged conduct occurring within the scope of her role as mayor of Bluffdale. Out of an abundance of caution, Gaston states that all other conduct, including the conduct alleged to have occurred prior to Hall’s election, is properly within the jurisdiction of this court. See *Utah Code Ann.* §78A-5-102(1). Specifically, the Complaint’s causes of action are based, in part, on threatening communications created and delivered to Gaston prior to Hall’s election which were outside the scope of Hall’s employment with Bluffdale. Those allegations also include facts that give rise to a civil conspiracy claim involving conduct occurring prior to Hall’s election and also outside the scope of her employment with Bluffdale. See *Complaint* attached hereto as *Exhibit 1* at ¶¶15-16, 20-25, 29-33, 37-40, 43-46, 54-57, 90-91. This conduct, as described in the Complaint, clearly falls outside the scope of the UGIA, as Hall had not yet been elected as mayor, the conduct was outside the scope of her employment with Bluffdale, and

this Court properly has jurisdiction over these claims. See *Utah Code Ann.* §78A-5-102(1) (See also *Utah Code Ann.* §63G-7-101(2) (“The scope of the waivers and retentions of immunity found in this comprehensive chapter... governs all claims against governmental entities or against their employees or agents arising out of the performance of the employee’s duties, within the scope of employment, or under color of authority”).

Further, while the Complaint and the Notice do contain additional allegations that involve conduct that Gaston has alleged as occurring within the scope of Hall’s role as mayor, to the extent that discovery proves otherwise, that Hall’s actions were not performed in her official capacity as mayor of Bluffdale or under color of authority, Gaston is entitled to maintain his claims for damages arising from that conduct regardless of any purported deficiencies in the Notice.

Accordingly, the majority of the claims in the Complaint as asserted against Hall, including the second cause of action for civil assault, the fourth cause of action for intentional infliction of emotional distress, and the fifth cause of action for civil conspiracy, are all based entirely, or at least in large part, on allegations of conduct occurring outside of Hall’s role as mayor. The remaining causes of action, with the exception of the first cause of action for battery, may set forth a valid basis for damage claims depending upon information obtained during the course of discovery to the extent actions were taken outside the scope of Hall’s duties as mayor. As a result, the causes of action asserted against Hall in the Complaint cannot be dismissed as this Court has proper jurisdiction over those claims.

II. The Motion should be denied as Gaston’s Notice is compliant with the UGIA and fulfills the statutory purpose for which a notice of claim is required.

Utah law provides a list of requirements with which a notice of claim must comply. The content of the notice itself must identify the “nature of the claim”, “the damages incurred... so far as the damages are known”, “if the claim is being pursued against a governmental employee individually... the name of the employee.” *Utah Code Ann.* §63G-7-401(3)(a). Importantly, the statute contains no specific delineation of how each of those criteria must be met, but simply demands that the Notice provide the requisite information.

Here, the Notice fulfills each of the statutory requirements. See *Ex. A* to the Motion. Despite Defendants’ claim that the Notice purportedly fails to properly identify Hall, and while the Notice does reference “Bluffdale” generally, the Notice also identifies specific conduct engaged in by two separate Bluffdale employees and officials. These two individuals are the source of the conduct upon which the claims in the Notice are based, and upon which a portion of Gaston’s causes of action in the Complaint are based. Both Mark Reid and Hall are specifically identified throughout the Notice and their unlawful conduct is described in detail as is the nature of the claims arising therefrom. See generally, *Ex. A* to Motion at ¶¶2, 15, and at p. 5 (“Bluffdale, through its mayor Natalie Hall...”, “... Natalie Hall, proceeded to address the public forum, falsely stating that Jason Hall had not attacked Gaston, and that Jason Hall had not engaged in any wrongdoing toward Gaston.”, “... the improper actions by Bluffdale through its mayor”; “...as a result of Bluffdale’s portrayal of [Gaston] through statements it has made through its mayor Natalie Hall”.); See also, *Ex. A* to Motion at ¶¶1, 3-5, 10, 13-14. Further, the

Notice alleges the statutorily required willful misconduct standard for pursuing a claim against a governmental employee, for which immunity is waived. See *Utah Code Ann.* §63G-7-202(3)(c)(i); See generally, *Ex. A* to Motion (ie. Allegations of “with knowledge of the severity of the threats...”, “with full knowledge of the severity of the threats”, “were done in an attempt to disparage Gaston and cast doubt upon his claims of criminal conduct occasioned upon him”, “chosen to impede the subject criminal investigation and take actions to compound the emotional distress suffered by Gaston”, “intentional and deliberate efforts” and “actual malice”). None of these allegations of willful and intentional, deliberate conduct would be necessary or appropriate for a claim solely against Bluffdale City as immunity for Bluffdale is generally only waived under a claim of negligence. *Utah Code Ann.* §63G-7-301(2)(i).

In *Nunez v. Albo*, a plaintiff sought recovery from injuries sustained during a medical procedure. *Nunez v. Albo*, 2002 UT App 247, 53 P.3d 2. The original complaint before the trial court named the doctor performing the medical procedure as the sole defendant. *Id.* During the course of the litigation, plaintiff sought to amend her complaint to include the University of Utah as a defendant. *Id.* The trial court denied plaintiff’s motion to amend, in part, due to plaintiff’s failure to identify the University in her notice of claim, holding that it would not have jurisdiction over the University as a result. *Id.* at ¶20. The notice of claim had only identified the defendant doctor that was already named in the complaint but did not name or otherwise identify the University of Utah, let alone name the University as a potential defendant. *Id.* at ¶25. On appeal, the Utah Court of Appeals overturned the trial court’s decision, despite plaintiff’s failure to not only list the University as a potential defendant in the notice of claim, but also to even fail

to identify the University anywhere in the notice. *Id* at ¶27. The court held that the notice of claim was sufficient as the parties could be made aware of potential liabilities, stating that the notice permitted the parties to recognize potential liability and that the parties were free to investigate the merits of the claims and “arrive at a timely settlement, if appropriate”. *Id* at ¶27.

Here, Gaston is clearly in greater compliance with the UGIA than the plaintiff in *Nunez*. Gaston identified Hall and Mark Reid in the Notice, whereas in *Nunez* the University was not even mentioned. See *Ex. A* to Motion; *Nunez*, 2002 UT App 247. Gaston specifically identified the willful and actionable conduct in which Hall and Mark Reid both engaged. *Ex. A* to Motion. The Notice was delivered to the proper individuals/entities, and fully complied with all requirements of the UGIA related to a statement of facts, identification of the nature of Gaston’s claim, and his potential damages. In fact, so long as the Notice meets the technical requirements of the statute (specifically in this instance, “the name of the employee”), the Complaint against Hall cannot be dismissed. (See *Xiao Yang Li v. University of Utah*, 2006 UT 57, ¶19, 144 P.3d 1142, holding “[t]he Notice before us satisfies the statutory requirements under the [UGIA] because it meets the technical requirements of the statute.”)

Further, the purpose of the UGIA’s notice of claim requirements is “to provide the governmental entity an opportunity to correct the condition that caused the injury, evaluate the claim, and perhaps settle the matter without the expense of litigation.” *Mechem v. Frazier*, 2008 UT 60, ¶17, 1293 P.3d 630; see also *Nunez* 2002 UT App 247. Here, each of those opportunities has been presented. As described above, the specific actionable conduct in which Hall engaged

within the scope of her position as mayor has been delineated in detail within the Notice of Claim. *Ex. A* to Motion at ¶15. This is sufficient not only to identify the employee (Hall), but also to apprise the parties of the nature of Gaston's claim (for example - "Bluffdale, ***through its management and elected officials*** have portrayed Gaston as a liar and manipulator, and have further portrayed Gaston in a manner which is highly offensive..."; "This false and unlawful portrayal of Gaston has caused him significant emotional distress...") *Ex. A* to Motion at pp. 4-5 (***emphasis added***). The parties were clearly put on notice of Gaston's claims and the specific conduct alleged to have been committed by Hall and Mark Reid, and each of the parties were free to investigate those claims.

Defendants cite, in part, *Wheeler* as support for their request for dismissal based on Plaintiff's alleged failure to strictly comply with the statutory requirements for a notice of claim. See *Wheeler v. McPherson*, 2002 UT 16, 40 P.3d 632. In *Wheeler*, the court's discussion regarding strict compliance with the notice of claim provisions related to timeliness, failure to deliver the notice of claim to the proper recipient and was primarily focused on the improper delivery of a notice of claim to county commissioners and insurance carriers rather than the county clerk as required under the statute. *Id.* None of these are applicable to the instant case. The Notice was served upon the proper party, identifies the nature of Gaston's claim, identifies the damages suffered by Gaston to the extent they are known, and identifies Hall in the allegations contained therein.

Gaston has pursued a claim against Hall for conduct occurring, in part, in her role as Bluffdale mayor and, as required by statute, has identified her specifically in the Notice and

complied with all other notice requirements set forth in the UGIA. Accordingly, the Motion as it relates to Hall, should be denied.

III. Claims asserted as against Hall are based on willful misconduct and are specifically exempted from immunity under the UGIA.

While the Motion properly asserts that the UGIA “governs all claims against governmental entities or against their employees or agents arising out of the performance of the employee’s duties, within the scope of employment, or under color of authority”, the UGIA also expressly exempts from immunity, claims against an employee whose act or omission gives rise to claims where “the employee acted or failed to act through fraud or willful misconduct...” *Utah Code Ann.* §63G-7-202(3)(c)(i).

Here, both in the Notice and in the Complaint, Gaston has alleged that the actions of Hall were willful, and that she did intend to cause Gaston damages. See, for example, “[Hall], through the creation and delivery of the threatening communications described more fully above, intended to cause Gaston to suffer imminent apprehension of harmful contact or death” *Ex. 1* at ¶227; “At all times relevant hereto, [Hall’s] actions were willful and malicious...” *Ex. 1* at 232; “Hall’s unlawful and improper statements were made to cast false light upon Gaston” *Ex. 1* at 247; “...Hall acted intentionally,, and with actual malice in [her] portrayal of Gaston, giving the impression that Gaston was a liar and manipulator, and that the allegations that he was a victim of the crimes referenced herein, were false” *Ex. 1* at 251; [Hall] intended to cause or acted in reckless disregard of the likelihood of causing emotional distress to Gaston” *Ex. 1* at 258; “At all times relevant hereto, [Hall’s] actions were willful and malicious...” *Ex. 1* at 261; “Defendants

had a common objective to cause injury to Gaston...” *Ex. 1* at 265.

Further, the Notice alleges the statutorily required willful misconduct standard for pursuing a claim against a governmental employee, for which immunity is waived. See *Utah Code Ann.* §63G-7-202(3)(c)(i); See generally, *Ex. A* to Motion (ie. Allegations of “with knowledge of the severity of the threats...”, “with full knowledge of the severity of the threats”, “were done in an attempt to disparage Gaston and cast doubt upon his claims of criminal conduct occasioned upon him”, “chosen to impede the subject criminal investigation and take actions to compound the emotional distress suffered by Gaston”, “intentional and deliberate efforts” and “actual malice”).

Accordingly, where both the Notice and the Complaint specifically allege the willful nature of Hall’s misconduct, any potential immunity Hall might enjoy is expressly exempted from the UGIA, and the Motion, as against Hall, must be denied.

SUMMARY

The purpose of a notice of claim is to apprise the parties of the nature of a plaintiff’s claims, including a brief statement of facts giving rise to those claims, thereby allowing evaluation of the claim and consideration of potential settlement. The Notice is sufficient to put all parties on notice of the nature of Gaston’s claim as it relates to the conduct of Hall and Mark Reid. The Notice serves to fulfill each of the purposes of a notice of claim as set forth in Utah law. All statutory requirements, including the requirement that Hall be specifically identified by name, have been met. Hall’s actions and the damages arising therefrom were specifically attributed to her in the Notice and she was clearly identified therein. The Notice was properly and timely delivered pursuant to the UGIA. The Notice further makes allegations constituting

willful misconduct, allegations which would otherwise be unnecessary were the Notice simply directed at Bluffdale under a negligence standard. Simply put, the Notice was compliant with each of the statutory requirements imposed upon Gaston, including those requirements imposed when asserting against an employee of a governmental entity.

Further, there is no reasonable argument that the specific conduct alleged in the Notice and the Complaint, does not constitute willful misconduct by Hall. The conduct was alleged to be intentional, with knowledge of injury, and even alleged to have been occasioned upon Gaston with actual malice. This type of willful misconduct is expressly exempted from immunity under the UGIA and cannot form the basis for dismissal of the Complaint.

Finally, to the extent that the Complaint has specifically alleged conduct outside the scope of Hall's role as mayor, and to the extent that discovery produces evidence that other actionable conduct occurred outside Hall's role as mayor, dismissal of the causes of action asserted against Hall for that conduct is improper.

Accordingly, while Gaston stipulates to dismissal of Bluffdale from this action, for the foregoing reasons, Gaston respectfully requests that the Motion, as against Hall, be denied.

Dated this 14th day of March, 2024.

YOUNG HOFFMAN, LLC

By /s/ Scott L Sackett II
Scott L. Sackett II
Attorneys for Plaintiff Jeffrey D. Gaston

CERTIFICATE OF SERVICE

I certify that on this 14th day of March, 2024, I caused a true copy of the foregoing **Plaintiff's Memorandum in Opposition to Defendants' Motion to Dismiss** to be served via the court's electronic filing system upon the following:

Aaron B. Clark
Trinity Jordan
Jordan E. Westgate
Jacob R. Lee
aclark@atllp.com
tjordan@atllp.com
jwestgate@atllp.com
jrlee@atllp.com
ARMSTRONG TEASDALE LLP
222 South Main Street, Suite 1830
Salt Lake City, UT 84101
*Attorneys for Jason Hall, Natalie Hall,
and Woodcraft Mill & Cabinet, Inc.*

Gregory N. Hoole
gregh@hooleking.com
HOOLE & KING, L.C.
4276 South Highland Drive
Salt Lake City, UT 84124
*Attorney for Mayor Natalie Hall and
Bluffdale City*

/s/ Echo Peterson

Echo Peterson

EXHIBIT 1

Scott L. Sackett II (11762)
scott@yahlaw.com
YOUNG HOFFMAN, LLC
175 South Main Street, Suite 850
Salt Lake City, Utah 84111
Telephone: (801) 359-1900
Attorneys for Plaintiff Jeffrey D. Gaston

**IF YOU DO NOT RESPOND TO THIS
DOCUMENT WITHIN THE
APPLICABLE TIME LIMITS,
JUDGMENT COULD BE ENTERED
AGAINST YOU AS REQUESTED**

IN THE THIRD JUDICIAL DISTRICT COURT
IN AND FOR SALT LAKE COUNTY, STATE OF UTAH

JEFFREY D. GASTON

Plaintiff,

vs.

JASON HALL, an individual, NATALIE
HALL, an individual, GEORGE
SCHLIESSER, an individual,
WOODCRAFT MILL & CABINET, INC.,
a Utah corporation, and BLUFFDALE
CITY, a municipality of the State of Utah,
Defendants.

SECOND AMENDED COMPLAINT

Case No. 230905528

Judge: Chelsea Koch

Tier: 3

Plaintiff Jeffrey D. Gaston (“Gaston”), by and through his counsel of record, Scott L. Sackett II of and for Young Hoffman, LLC, complains against defendants Jason Hall, Natalie Hall, George Schliesser, Woodcraft Mill & Cabinet, Inc., and Bluffdale City (collectively “Defendants”) and for causes of action allege as follows:

THE PARTIES

1. Jeffrey D. Gaston (“Gaston”) is an individual residing in Salt Lake County, State of Utah.
2. Jason Hall (“Mr. Hall”) is an individual residing in Salt Lake County, State of

Utah.

3. Natalie Hall (“Mrs. Hall”) is an individual residing in Salt Lake County, State of Utah.

4. Defendant Woodcraft Mill & Cabinet, Inc. (“Woodcraft”) is a Utah corporation with its principal place of business in Salt Lake County, State of Utah.

5. Defendant George Schliesser (“Schliesser”) is a resident of the State of Utah.

6. Defendant Bluffdale City (“Bluffdale”) is a municipality of the State of Utah.

JURISDICTION AND VENUE

7. This Court has jurisdiction over, and venue is proper in, this matter pursuant to Utah Code Ann. §§78A-5-102(1) and 78B-3-307.

8. This is a Tier 3 case pursuant to Rule 26 of the Utah Rules of Civil Procedure as Plaintiff’s claims for damages exceed \$300,000.

FACTS

9. Gaston was elected to public office in Bluffdale City (“Bluffdale”) as a member of its City Council and took office in January 2020.

10. At all times relevant hereto, Gaston has occupied the office of City Council Member.

11. In the fall or winter of 2020, Gaston decided to run for Mayor of Bluffdale.

12. In preparation for the Bluffdale mayoral election which would occur in November 2021, Gaston began fundraising efforts, among other things.

13. While still pursuing his plan to run for mayor, on March 5, 2021, Gaston received

an e-mail from the address “cpacbluffdale@gmail.com”.

14. Gaston believed the e-mail was sent by a group of individuals forming a political organization in Bluffdale.

15. The e-mail contained harassing and demeaning commentary toward Gaston such as the following:

- a. “You act like a schoolyard bully, not a statesman”;
- b. “You would be exposed as a fool”; and
- c. “you will be exposed as a freshman using childish tactics”.

16. The e-mail also contained threatening language stating “[i]n the meantime, you should know that the wheels are in motion to render you irrelevant”.

17. At the time the March 5, 2021, e-mail was received, Gaston was unaware of the identity of its author.

18. This e-mail was meant to harass, intimidate, and threaten Gaston, or otherwise cause him severe emotional distress.

19. On March 8, 2021, an e-mail from “Bluffdale Citizens for Civility” was sent to the Bluffdale mayor, Bluffdale’s city manager and its city attorney, and members of its city council.

20. The e-mail contained various complaints related to Gaston, calling him a “man-child with massive insecurity issues” and “Bluffdale’s own little Donald Trump”.

21. The e-mail contained threatening comments stating that “Gaston needs to be reeled in,” and that Bluffdale needed to “stand up and be finished with this fool once and for all”.

22. The e-mail continued “if he doesn’t get the hint, there is a group of us that are ready to move to the next phase.”

23. These statements indicated that the author/s were prepared to take additional proactive steps to further their unlawful objectives.

24. The author/s further acknowledge the threatening nature of the e-mail stating that if Gaston does what they demand, then “we can return to civil discourse.”

25. This e-mail was meant to harass, intimidate, and threaten Gaston, and otherwise cause him to suffer severe emotional distress.

26. The e-mail was not addressed to Gaston but was provided to him by Bluffdale’s city attorney.

27. Gaston believed that Bluffdale Citizens for Civility was a group of individuals forming a political organization within Bluffdale.

28. At the time the March 8, 2021, e-mail was received and shared with Gaston, Gaston was unaware of the identity of its author.

29. On March 9, 2021, Gaston received a package at his home from an unidentified sender.

30. The package contained an anger management workbook for children.

31. The package also called Gaston an “imbecile” and ordered that he move from Bluffdale.

32. The package also contained death threats, demanding that Gaston kill himself or he would end up being killed.

33. The package contained statements informing Gaston that “this is your final warning. We are moving to the next phase. Do what we ask, or we will do what must be done.”

34. The package and the threats contained therein caused Gaston significant fear for his safety and the safety of his family.

35. Gaston reasonably believed that someone was making active efforts to force him to forego his run for Mayor or he would be killed.

36. The package was meant to harass, intimidate, and threaten Gaston, and otherwise cause him to suffer severe emotional distress.

37. On March 9, 2021, a separate package from an unidentified sender was delivered to Bluffdale with “gag gifts” addressed to other council members of Bluffdale.

38. Gaston was also a named recipient of the “gag gifts.”

39. Each of the “gag gifts” received by the other Bluffdale council members was directed at Gaston.

40. This package was meant to harass, intimidate, and threaten Gaston, and otherwise cause him to suffer severe emotional distress.

41. The March 9, 2021, package was given to law enforcement.

42. Law enforcement permitted Bluffdale council members to examine the package.

43. On March 24, 2021, while at a city council meeting, Gaston was handed a letter that had been received by the Bluffdale city clerk, addressed to Gaston.

44. The letter again contained death threats against Gaston, stating “You will no longer have the will to live in Bluffdale. It’s time we put you down like the dog you are, not a

statesman.”

45. The letter caused Gaston significant fear for his safety and the safety of his family.

46. The letter further promoted Gaston’s reasonable belief that someone was intending to cause Gaston significant bodily harm or death.

47. At the time Gaston received the March 24, 2021, letter, he was unaware of the identity of its author.

48. This letter was meant to harass, intimidate, and threaten Gaston, and otherwise cause him to suffer severe emotional distress.

49. As a result of these threatening communications, and out of fear for the safety of his family, Gaston began having his domestic partner stay with her family when he would be absent from the home.

50. On approximately April 20, 2021, Gaston continued with his efforts to run for mayor, signing up for a time slot wherein potential candidates are interviewed.

51. Mrs. Hall signed up for the time slot immediately following Gaston.

52. On approximately April 30, 2021, Gaston attended his aforementioned interview as part of the process of running for Bluffdale mayor.

53. Mrs. Hall was in attendance at the interview location for the purpose of running for mayor, and saw Gaston leave his interview.

54. On June 14, 2021, Gaston received another e-mail communication from “cpacbluffdale@gmail.com”.

55. The e-mail specifically indicated that the author had heard that Gaston “interviewed to get money for a potential run for mayor.”
56. The e-mail also referenced the “gag gifts” that had been sent to Bluffdale city council, calling the sending of the gag gifts “Brilliant.”
57. The e-mail contained additional threatening communication, stating that Gaston would “be putting your house up for sale out of humiliation by the time we’re done.”
58. At the time the June 14, 2021, e-mail was received, Gaston did not know the identity of its author.
59. This e-mail was meant to harass, intimidate, and threaten Gaston, and otherwise cause him to suffer severe emotional distress.
60. Based on the threats to his life and the continued hostile and threatening communications received, Gaston discontinued his campaign for mayor.
61. Gaston then began supporting Mrs. Hall’s opponent, John Roberts.
62. On July 20, 2021, Gaston received another e-mail communication from “cpacbluffdale@gmail.com”.
63. The July 20, 2021, e-mail contained additional harassing and demeaning communications toward Gaston.
64. The July 20, 2021, e-mail referenced Gaston’s support for Mrs. Hall’s sole opponent for mayor and in relation to that support stated “Jesus Fucking Christ, you’re an imbecile.”
65. At the time the July 20, 2021, e-mail was received, Gaston had no knowledge of

the identity of the author of the e-mail.

66. This e-mail was meant to harass, intimidate, and threaten Gaston, and otherwise cause him to suffer severe emotional distress.

67. In August 2021, Gaston attended the Bluffdale Old West Days celebration (“OWD”).

68. Gaston had rented a booth at OWD to promote Mr. Roberts’ mayoral campaign.

69. Gaston had signs supporting Mr. Roberts’ campaign at his OWD booth.

70. Gaston’s booth was proximate to the booth of Mrs. Hall.

71. Gaston was unaware that his booth would be adjacent to the booth of Mrs. Hall until he arrived at the OWD event.

72. Gaston began unloading his vehicle and placing the signs up around his booth at OWD.

73. Once he began to place signs up on his booth, Gaston was approached by Mr. Hall.

74. Mr. Hall began to act erratic, cursing at Gaston, calling him “fucking pathetic.”

75. Mr. Hall followed Gaston across the lawn of the OWD event as Gaston attempted to retreat from Mr. Hall.

76. As Mr. Hall followed Gaston, Mr. Hall picked up the signs placed by Gaston’s booth.

77. Gaston retreated to a point significantly removed from his booth and Mrs. Hall’s booth.

78. Despite Gaston's retreat, and without provocation, Mr. Hall attacked Gaston.
79. Mr. Hall threw Mr. Roberts' campaign signs at Gaston.
80. The signs thrown by Mr. Hall struck Gaston in the hands, arms, and face, leaving visible injury to Gaston.
81. Gaston immediately reported the incident to OWD staff, Bluffdale management, and law enforcement.
82. After the attack, Mr. Hall admitted to the attack and attempted to apologize for his actions.
83. Mr. Hall also indicated that the attack was the result of Gaston's communication to Bluffdale's city attorney regarding complaints received from citizens and city employees about Mrs. Hall.
84. Upon information and belief, Mrs. Hall was aware of Mr. Hall's intent to confront Gaston and was complicit with Mr. Hall's actions at OWD.
85. On November 2, 2021, Gaston received a package at his home containing a jester's hat and another demeaning letter.
86. The return address on the November 2, 2021, package was for an axe-throwing society.
87. Upon information and belief, this return address was placed on the package to intimidate Gaston and cause him to fear for his personal safety.
88. This package was meant to harass, intimidate, and threaten Gaston, and otherwise cause him to suffer severe emotional distress.

89. On November 10, 2021, Mrs. Hall and Bluffdale management were attempting to change city ordinances that prevented Mrs. Hall, as a Bluffdale employee, from working while she ran for Bluffdale political office.

90. Gaston voted to uphold the ordinance as it was written, not allowing Mrs. Hall to work for Bluffdale while she ran for mayor.

91. Shortly thereafter, on November 23, 2021, Gaston received a package at his home containing a letter with additional death threats, stating “Unfortunately [Gaston], you have shown you will not change until something is done. It’s time you leave Bluffdale or resign. If you don’t you will end up dead.”

92. Gaston took the threats at face value.

93. This package was meant to harass, intimidate, and threaten Gaston, and otherwise cause him to suffer severe emotional distress.

94. As a result of the continuous threats to Gaston, he experienced constant fear that he would be harmed or killed, and that the same might occur to his family.

95. Gaston and his domestic partner, Jazmine Beeny, were constantly afraid to return to their home for fear that the threats would be carried out.

96. The severity of Gaston’s fear and emotional distress was based upon the content of the communications and packages, as well as the fact that the threats were not only delivered to Bluffdale City Hall, but also to Gaston’s personal residence.

97. As a result of the communications and packages sent to Gaston and to Bluffdale employees and/or council members, Gaston suffered extreme humiliation and estrangement from

other council members and employees of Bluffdale.

98. Upon information and belief, each of the communications and packages described herein were packaged, created, or written by Defendants Mr. Hall, Mrs. Hall, Schliesser, and Woodcraft (the “Hall Defendants”).

99. Upon information and belief, Mr. Hall is an owner or manager of Woodcraft.

100. At all times relevant hereto, Woodcraft was aware of the contents of the packages and communications referenced herein.

101. Schliesser was an employee of Woodcraft.

102. Schliesser’s sole relationship with Mr. Hall and Mrs. Hall was by virtue of his employment at Woodcraft.

103. As part of his employment with Woodcraft, Schliesser was charged with running errands, mailing packages, and delivering information on behalf of Woodcraft.

104. While employed by Woodcraft, and during his normal work hours, Schliesser was instructed by Woodcraft to deliver one or more of the packages and communications referenced herein.

105. One or more of those packages were delivered to the post office by Schliesser.

106. One or more of the packages were hand delivered by Schliesser to Bluffdale City Hall.

107. Schliesser made each of the deliveries at the direction of the other Hall Defendants.

108. At all times relevant hereto, Schliesser was aware of the content of the packages

and communications directed at and delivered to Gaston.

109. Schliesser hid his identity while making the deliveries by, among other things, wearing oversized clothing, wearing a mask, obscuring his license plate, and paying for postage with cash.

110. Schliesser hid his identity at the instruction of the other Hall Defendants.

111. At all times relevant hereto, Schliesser was paid by Woodcraft for the delivery of the packages and/or communications to Gaston.

112. In addition, one or more employees of Woodcraft engaged in the creation of, at least in part, the above-referenced communications and packages which were delivered to, or directed toward, Gaston.

113. Woodcraft's computers and software were used in the creation of threatening communications to Gaston.

114. In approximately November 2021, law enforcement, through its investigation into the unlawful communications received by Gaston, connected Schliesser, Mr. Hall, and Mrs. Hall to the improper and unlawful communications and packages that were sent or directed to Gaston.

115. Upon learning that law enforcement had connected them to the unlawful threats and communications to Gaston, the Hall Defendants destroyed a Woodcraft computer used in the creation of those unlawful threats and communications.

116. The Hall Defendants were aware of the investigation into the criminal actions committed against Gaston.

117. The Hall Defendants were aware that the above referenced computer had

information relevant to the investigation into the criminal conduct committed against Gaston.

118. The destruction of Woodcraft's computer was done to hide the Hall Defendants' unlawful conduct.

119. It was not until approximately November 2021, that Gaston learned that the Hall Defendants were behind the unlawful communications and packages.

120. Upon information and belief, at the very least, the March 5, 2021, and March 8, 2021, e-mails described herein were sent from Woodcraft's server.

121. In approximately July 2022, Mr. Hall was charged with various crimes related to unlawful conduct toward Gaston.

122. The charges were widely reported in various media outlets.

123. The Hall Defendants' actions caused such severe emotional distress to Gaston that he requested a police escort to future Bluffdale meetings.

124. This was especially true once Gaston became aware that the Hall Defendants were the source of the threats as his position as an elected city council member required him to regularly be in contact with some of the Hall Defendants, including Mrs. Hall who had since been elected mayor of Bluffdale.

125. In early July 2022, Mrs. Hall publicly accused Gaston of threatening her, attacking her, wrongly accusing her, and bullying her, creating a hostile workplace.

126. Mrs. Hall made these accusations with her official Bluffdale Mayor account on social media.

127. Mrs. Hall further falsely stated that Mr. Hall had never sent any threatening

letters.

128. Mrs. Hall further falsely stated that Mr. Hall was never involved with threats of violence.

129. Mrs. Hall knew that her statements were false.

130. Mrs. Hall made her statements to cast Gaston in a false light.

131. On July 27, 2022, a Bluffdale city council meeting was held (the “Meeting”).

132. As part of his duties, Gaston was present at the Meeting.

133. Mrs. Hall, as mayor, was also present at the Meeting.

134. At the Meeting multiple city residents demanded the resignation of Mrs. Hall based upon the unlawful conduct committed against Gaston during Mrs. Hall’s mayoral campaign.

135. Mrs. Hall refused to answer questions posed to her during the Meeting, and specifically indicated that the Meeting was not a place for her to provide commentary.

136. Despite her representations, once the comment period had closed and Bluffdale residents were no longer permitted to provide commentary, Mrs. Hall falsely denounced the allegations against Mr. Hall.

137. Mrs. Hall proceeded to state that the allegations against Mr. Hall were fabricated and were untrue.

138. Mrs. Hall proceeded to indicate that Mr. Hall never attacked Gaston.

139. These allegations cast a false light on Gaston, the witness and victim of the Hall Defendants’ criminal conduct.

140. In fulfillment of his duties as a Council member, Gaston was present at the Meeting.

141. The Meeting was broadcast to the Bluffdale residents in attendance and online.

142. The Meeting was also the subject of significant media coverage by various news outlets.

143. At all times relevant hereto, Gaston intended to pursue a career in politics.

144. The portrayal of Gaston in a false light by Mrs. Hall has significantly impeded Gaston's ability to continue that pursuit.

145. In each of the instances of threatening communications received, Gaston informed law enforcement.

146. At all times relevant hereto, law enforcement services were provided to Bluffdale by the Saratoga Springs police department.

147. At all times relevant hereto, Bluffdale was aware of the threatening communications and packages sent to or directed at Gaston.

148. Despite Bluffdale's knowledge of the severity of the threatening communications received by Gaston, Bluffdale, through its city manager Mark Reid ("Reid"), instructed law enforcement to not speak to Gaston.

149. Reid, in his capacity as city manager, further instructed its local law enforcement that Gaston was "too close to them", and that Gaston was "manipulating them".

150. Bluffdale's instructions to local law enforcement cast Gaston in a false light.

151. Bluffdale's actions caused Gaston to suffer severe emotional distress.

152. Upon receipt of the death threats and other communications, Gaston requested that a police officer be made available to accompany him to public meetings.

153. At all times relevant hereto, Officer Nick Stidham was the highest-ranking law enforcement officer on duty in Bluffdale.

154. Officer Stidham was one of the investigating officers that discovered that the threatening communications and/or packages were created or delivered by one or more of the Hall Defendants.

155. Officer Stidham and other local law enforcement officers were available to accompany Gaston to these public meetings.

156. The request made by Gaston was reasonable in light of the death threats directed toward him and the demands that he remove himself from political office.

157. Despite Gaston's request, Bluffdale instructed Officer Stidham not to accompany Gaston to public meetings.

158. Upon information and belief, this instruction was also provided to other members of local law enforcement.

159. These instructions were provided despite Bluffdale's knowledge of the severity of the threats levied against Gaston.

160. Bluffdale's instructions to law enforcement were unlawful and without authority.

161. Further, Bluffdale, through Reid, contacted Andrew Burton, police chief for the Saratoga Springs police department, and demanded that Officer Stidham be transferred from Bluffdale.

162. Bluffdale's request was unlawful and without authority.

163. Bluffdale's demands were intended to impede the investigation into the threatening conduct against Gaston, and to further cast Gaston in a false light.

164. After the first package containing demeaning comments and/or threats against Gaston was delivered to Bluffdale City Hall, Bluffdale, through Reid, demanded that law enforcement not show or produce video footage of the package delivery to Gaston.

165. Bluffdale's instructions were unlawful.

166. Bluffdale's instructions were intended to impede Gaston's ability to determine the source of the threatening communications.

167. As part of the investigation into the threatening communications directed at Gaston, local law enforcement was provided a package directed to Gaston.

168. This package was evidence in law enforcement's investigation into the criminal conduct occasioned on Gaston.

169. Bluffdale demanded that law enforcement turn over the package.

170. Law enforcement gave the package to Reid.

171. Despite Bluffdale's knowledge of the nature of the package as evidence in the investigation regarding the threats made to Gaston, it, through Reid, destroyed the package and its contents.

172. The destruction of the package by Bluffdale was unlawful and was made to impede the investigation into the threats against Gaston.

173. Upon information and belief, Bluffdale, through its management, attempted to

access the law enforcement evidence storage locker located in Bluffdale City Hall.

174. The evidence storage locker could only be accessed by law enforcement.

175. The attempted break-in occurred shortly after a search warrant was served on Schliesser.

176. Upon information and belief, various electronic items and other evidence were obtained from Schliesser and his residence.

177. In addition, upon information and belief, law enforcement found a firearm in Schliesser's residence.

178. As referenced above, Schliesser was employed by Woodcraft, and was complicit in the threatening conduct and communications toward Gaston.

179. Upon information and belief, certain evidence related to the investigation into the threats against Gaston, was stored in the evidence storage locker.

180. At the time of the attempted break-in to the evidence storage locker, the security cameras that surveilled that area were turned off.

181. This was unusual as the surveillance cameras operated 24/7 and were never turned off.

182. Bluffdale management has sole access to its security cameras.

183. Upon information and belief, Bluffdale, through its city management attempted to access the evidence storage locker to impede the investigation into the threats against Gaston.

184. Bluffdale further impeded the investigation into the Hall Defendants' unlawful conduct through improper refusal to comply with lawful GRAMA requests.

185. Bluffdale received GRAMA requests for Mrs. Hall's electronic documents and other electronic information stored on Bluffdale's computers.

186. Bluffdale improperly refused to comply with the lawful GRAMA requests.

187. Bluffdale additionally attempted to hold closed door city council meetings without Gaston.

188. Bluffdale left Gaston out of e-mail chains related to city business.

189. The attempts to hold closed door meetings without Gaston and without notice to Gaston, were unlawful.

190. Bluffdale's failure to include Gaston in communications with city council members related to city business was unlawful.

191. Bluffdale's intended exclusion of Gaston was meant to ostracize him and further cause him emotional distress despite Bluffdale's knowledge of the threats received by Gaston.

192. Bluffdale further caused Gaston to be cast in a false light to numerous Bluffdale residents as well as in front of various media outlets.

193. As of the date of the Meeting referenced herein, criminal charges had been levied against Mr. Hall for his participation in the threatening conduct occasioned upon Gaston.

194. During the Meeting, numerous Bluffdale residents attempted to ask questions of Mrs. Hall.

195. Mrs. Hall refused to respond, stating that she, the city council, and Bluffdale management were there to simply listen to the complaints posed by Bluffdale residents.

196. During the Meeting, as more fully described above, Mrs. Hall improperly and

unlawfully proceeded to cast Gaston in a false light.

197. At the time of the Meeting, Mrs. Hall was acting in her capacity as Bluffdale's mayor.

198. In fact, Mrs. Hall's attendance at the Meeting was solely in fulfillment of her duties as mayor and representative of Bluffdale.

199. Despite Bluffdale's knowledge of the truthfulness of Gaston's claims, it permitted Mrs. Hall, on its behalf, to cast Gaston in a false light.

200. Mrs. Hall's statements improperly indicated that Gaston's claims were false.

201. Bluffdale failed to prevent or otherwise stop Mrs. Hall from using its public forum to cast Gaston in a false light.

202. At all times relevant hereto, Bluffdale had the capacity and authority to direct the actions of its representatives at the Meeting.

203. Bluffdale's actions were meant to, at least in part, cause further distress to Gaston.

204. Bluffdale was aware of Mrs. Hall's use of her formal Bluffdale Mayor social media account to post accusations against Gaston.

205. Bluffdale failed to take any steps to prohibit the use of its official mayoral social media account from making accusations against Gaston.

206. Bluffdale was aware of the charges against Mr. Hall and permitted the use of its official mayoral social media account to claim that Mr. Hall had not engaged in threatening or violent conduct.

207. At the time these posts were made, Mrs. Hall was acting in her capacity as

Bluffdale's mayor.

208. Bluffdale was aware of the falsity of the accusations levied by Mrs. Hall against Gaston.

209. Bluffdale was aware of the falsity of Mrs. Hall's denial of the threatening conduct engaged in by Mr. Hall.

210. At all times relevant hereto, Bluffdale was aware of the threats to Gaston and Mr. Hall's physical assault of Gaston.

211. At no time did Bluffdale offer any support or assistance to Gaston.

212. At all times relevant hereto, Bluffdale sought to hinder Gaston's investigation into the source of the threatening conduct.

213. At all times relevant hereto, Bluffdale sought to hinder Gaston's ability to protect himself from the threats received.

214. Bluffdale's actions were performed in furtherance of the Defendants' intent to cause Gaston extreme emotional distress.

215. Gaston has complied with §63G-7-401 of the Governmental Immunity Act, having provided a timely Notice of Claim to Bluffdale's identified recipient in the Governmental Immunity Act Database.

216. Bluffdale has failed to respond to the Notice of Claim, and more than 60 days have lapsed since its delivery.

FIRST CAUSE OF ACTION
(Battery – Defendant Jason Hall)

217. Plaintiff incorporates the allegations contained in Paragraphs 1 through 216 of the Complaint as though fully set forth herein.

218. As described more fully above, Mr. Hall deliberately attacked Gaston at the Bluffdale OWD event, striking him with campaign signs.

219. Mr. Hall's striking of Gaston caused Gaston to suffer injury and was offensive to Gaston as a matter of law.

220. At all times relevant hereto, Mr. Hall's actions were willful and malicious, and manifested a knowing and reckless disregard toward and indifference to the rights of Gaston.

221. As a result of the battery occasioned upon Gaston by Mr. Hall, Gaston has suffered significant damage for which he seeks recovery, including damages for the emotional distress and mental anguish suffered as a result of the attack, the amount of which will be proved at trial.

222. Based on the foregoing, Gaston is entitled to judgment against Mr. Hall for battery in an amount to be determined at trial, plus pre- and post-judgment interest to the extent permitted by law, and punitive damages.

SECOND CAUSE OF ACTION
(Civil Assault – Hall Defendants)

223. Plaintiff incorporates the allegations contained in Paragraphs 1 through 222 of the Complaint as though fully set forth herein.

224. Mr. Hall, through his conduct at OWD in the manner described above, intended to

cause harmful or offensive contact with Gaston, or at the very least, intended to cause imminent apprehension of harmful or offensive conduct to Gaston.

225. As a result of Mr. Hall's actions, Gaston was put in imminent apprehension of harmful or offensive contact by Mr. Hall, at the OWD event.

226. Gaston suffered severe emotional distress and mental anguish as a result of the imminent apprehension of harmful or offensive contact by Mr. Hall at the OWD event.

227. Further, the Hall Defendants, through the creation and delivery of the threatening communications described more fully above, intended to cause Gaston to suffer imminent apprehension of harmful contact or death.

228. At all times relevant hereto, Schliesser was acting within the course and scope of his employment with Woodcraft.

229. Schliesser's unlawful conduct, including the delivery of the threatening communications described herein, was done at the direction of the other Hall Defendants.

230. Schliesser was compensated by Woodcraft for his participation in the Hall Defendants' threatening conduct.

231. Gaston, as a result of the Hall Defendants' conduct described herein, suffered imminent apprehension of significant bodily harm or death.

232. At all times relevant hereto, the Hall Defendants' actions were willful and malicious, or manifested a knowing and reckless indifference toward and disregard to the rights of Gaston.

233. Based on the imminent apprehension of significant bodily harm or death, Gaston

suffered severe emotional distress and mental anguish.

234. Based on the foregoing, Gaston is entitled to judgment against the Hall Defendants, jointly and severally, for the assault occasioned upon him as described above, in an amount to be determined at trial, plus pre- and post-judgment interest to the extent permitted by law, and punitive damages.

THIRD CAUSE OF ACTION
(False Light- Defendants Bluffdale and Natalie Hall)

235. Plaintiff incorporates the allegations contained in Paragraphs 1 through 234 of the Complaint as though fully set forth herein.

236. As described more fully above, on approximately July 6, 2022, Mrs. Hall utilized her formal Bluffdale mayor social media account to make accusation against Gaston, including but not limited to, that he threatened her, attacked her, made false accusations against her, and created a hostile work environment.

237. The post was made in a public forum, with no restrictions on the viewers that could access the social media post.

238. Bluffdale did not take any action to prevent Mrs. Hall from making the social media post.

239. Bluffdale did not take any action to remove the social media post.

240. Mrs. Hall made the post in her role as mayor of Bluffdale.

241. Bluffdale was complicit in the content appearing on its official mayor's page, including the above referenced post and the content contained therein.

242. As described more fully above, on July 27, 2023, Mrs. Hall alleged, among other things, that Gaston had not suffered an attack by Mr. Hall at the OWD event and claimed that the allegations of the threatening and demeaning communications sent by Mr. Hall to Gaston were untrue.

243. Bluffdale did not take any action to prevent Mrs. Hall from making statements during the Meeting about Gaston.

244. Bluffdale did not take any action to terminate Mrs. Hall's statement about Gaston at the Meeting.

245. Mrs. Hall's allegations referenced above were false.

246. This improper portrayal of Gaston by Mrs. Hall occurred in a public forum, with numerous Bluffdale residents present, and was the subject of significant media coverage.

247. Mrs. Hall's unlawful and improper statements were made to cast false light upon Gaston.

248. Mrs. Hall was acting in her capacity as mayor of Bluffdale.

249. Bluffdale further cast Gaston in a false light by, among other things, disseminating unlawful and improper instructions to law enforcement and members of the city council, meant to portray Gaston's claims as false, and to portray Gaston as a manipulator, liar, and to otherwise ostracize him.

250. At all times relevant hereto, Bluffdale knew that its statements to law enforcement, and the statements made at the Meeting regarding Gaston's claims were false.

251. Both Bluffdale and Mrs. Hall acted intentionally, and with actual malice in their

portrayal of Gaston, giving the impression that Gaston was a liar and manipulator, and that the allegations that he was a victim of the crimes referenced herein, were false.

252. The false light in which Gaston was placed by Bluffdale and Mrs. Hall is highly offensive to a reasonable person and presented Gaston's persona in a highly offensive manner.

253. Based on Bluffdale and Mrs. Hall's conduct described above, Gaston has suffered detrimental impact to his political career, among other things, and caused him to suffer severe emotional distress.

254. Based on the foregoing, Gaston is entitled to judgment against Bluffdale and Mrs. Hall for their portrayal of Gaston in a false light in an amount to be determined at trial, including but not limited to compensatory damages including damages for emotional distress, plus pre- and post-judgment interest to the extent permitted by law, and punitive damages.

FOURTH CAUSE OF ACTION
(Intentional Infliction of Emotional Distress – All Defendants)

255. Plaintiff incorporates the allegations set forth in Paragraphs 1 through 254 of the Complaint as though fully set forth herein.

256. Defendants' unlawful conduct described more fully above included, but is not limited to, harassment and intimidation of Gaston, portraying Gaston in a false light, impeding the investigation into the threats against Gaston, committing battery against Gaston, and assaulting Gaston, including through the communication of numerous death threats directed to Gaston at both his public office as well as his home.

257. Defendants' conduct described herein is outrageous and intolerable and offends

against the generally accepted standards of decency and morality as a matter of law.

258. Defendants intended to cause or acted in reckless disregard of the likelihood of causing emotional distress to Gaston.

259. Any reasonable person would have known that Gaston would suffer emotional distress as a result of Defendants' conduct described herein.

260. As a result of Defendants' conduct described herein, Gaston did suffer severe emotional distress.

261. At all times relevant hereto, Defendants' actions were willful and malicious, or manifested a knowing and reckless indifference toward and disregard of the rights of Gaston.

262. Based on the foregoing, Gaston is entitled to judgment against Defendants for intentional infliction of emotional distress in an amount to be determined at trial, plus pre- and post-judgment interest to the extent permitted by law, and punitive damages.

FIFTH CAUSE OF ACTION
(Civil Conspiracy – All Defendants)

263. Plaintiff incorporates the allegations contained in Paragraphs 1 through 262 of the Complaint as though fully set forth herein.

264. At all times relevant hereto, Defendants acted in concert, one with another.

265. At all times relevant hereto, Defendants had a common objective to cause injury to Gaston in the manner described herein, which included but was not limited to, causing Gaston severe emotional distress and mental anguish, civil assault, and casting Gaston in a false light.

266. Each of Defendants understood and agreed to the objective and conduct causing

injury to Gaston, which included, but was not limited to, harassment and intimidation of Gaston, impeding the investigation into the threats against Gaston, portrayal of Gaston in a false light, battery against Gaston, and assault which included death threats directed to Gaston.

267. At least one or more of Defendants did engage in conduct causing injury to Gaston in the manner described herein, including but not limited to, striking Gaston with campaign signs, sending hostile and threatening communications to Gaston including death threats, and casting Gaston in a false light through a denial of his claims and improperly and unlawfully alleging Mr. Hall's innocence and lack of involvement in any criminal conduct against Gaston, in a public forum.

268. As a result of Defendants' conduct, Gaston suffered damages, including but not limited to, severe emotional distress and mental anguish.

269. As a result of Defendants' conduct as described herein, Gaston did suffer injury, both physical and emotional, including severe emotional distress.

270. Based on the foregoing, Gaston is entitled to judgment against Defendants for civil conspiracy in an amount to be determined at trial, including compensatory damages for emotional distress, plus pre- and post-judgment interest to the extent permitted by law, and punitive damages.

PRAYER FOR RELIEF

WHEREFORE, having pled his claims for relief against Defendants, Plaintiff prays for judgment as follows:

1. ON THE FIRST CAUSE OF ACTION: for judgment against Jason Hall for battery in

an amount to be determined at trial, plus pre- and post-judgment interest, and punitive damages.

2. ON THE SECOND CAUSE OF ACTION: for judgment against the Hall Defendants for civil assault in an amount to be determined at trial, plus pre- and post-judgment interest, and punitive damages.
3. ON THE THIRD CAUSE OF ACTION: for judgment against Defendants Bluffdale and Natalie Hall for their portrayal of Gaston in a false light in an amount to be determined at trial, plus pre- and post-judgment interest, and punitive damages.
4. ON THE FOURTH CAUSE OF ACTION: for judgment against all Defendants for damages suffered from their intentional infliction of emotional distress in an amount to be determined at trial, plus pre- and post-judgment interest, and punitive damages.
5. ON THE FIFTH CAUSE OF ACTION: for judgment against all Defendants for civil conspiracy in an amount to be determined at trial, plus pre- and post-judgment interest, and punitive damages.
6. For attorneys' fees and costs to the extent permitted by Utah law.
7. For all other relief that this Court deems just and proper.

DATED this 11th day of December, 2023.

YOUNG HOFFMAN, LLC

By /s/ Scott L Sackett II
Scott L. Sackett II
Attorneys for Plaintiff Jeffrey D. Gaston