

1 continuing harm were all that is required to extend the limitations period indefinitely, every
2 terminated employee who failed to receive a paycheck and every tort victim who incurred future
3 medical bills would have an on-going right to sue regardless of the passage of time and the
4 existence of a statutory limitations period. That is not the law, however. Plaintiff must allege
5 continuing unlawful acts on the part of the defendants within the limitations period, not simply
6 continuing ill effects of a long-ago act. In Martin v. Spokane, 55 Wn.2d 52, 56 (1959), for
7 example, the City of Spokane made insufficient pension payments every month, each of which
8 triggered a new limitations period. Martin was therefore allowed to recover the shortages he
9 incurred during the three years prior to the filing of his complaint. In contrast, all elements of
10 plaintiff's claims arose in 2006 and only the damage element has been repeated within the
11 limitations period. There was no continuing violation, only continuing damages, and plaintiff's
12 employment and contract-related claims are now time-barred.

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14 For all of the foregoing reasons, the State defendants' motion for summary judgment is
15 GRANTED and plaintiff's cross-motion is DENIED.

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17 Dated this 4th day of August, 2015.

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20 Robert S. Lasnik

21 United States District Judge
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