

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

FREDRICK and ANNALESA THOMAS; and
JO-HANNA READ, as Guardian ad Litem of
E.T., a minor,

Plaintiffs,

v.

JASON CANNON; BRIAN MARKERT;
RYAN MICENKO; MICHAEL WILEY;
MICHAEL ZARO; CITY OF FIFE; CITY OF
LAKEWOOD; and PIERCE COUNTY
METRO SWAT TEAM,

Defendants.

FREDRICK THOMAS and ANNALESA
THOMAS, as Co-Administrators of the Estate
of Leonard Thomas, and its statutory
beneficiaries,

Plaintiffs,

v.

BRIAN MARKERT; MICHAEL WILEY;
NATHAN VANCE; MICHAEL ZARO;
SCOTT GREEN; JEFF RACKLEY; CITY OF
FIFE; CITY OF LAKEWOOD; PIERCE
COUNTY METRO SWAT TEAM; and JOHN
DOES 1 through 10,

Defendants.

Nos. 3:15-05346 BJR
3:16-cv-05392
CONSOLIDATED CASES

REVISED ORDER
AMENDING JUDGMENT

1 This matter having come before this Court upon Plaintiffs' Motion to Amend Judgment,
2 the Court having reviewed the records and files herein, including the jury's verdict (Dkt. 237),
3 the Court's original judgment (Dkt. 241), the plaintiff's motion to amend the judgment, and any
4 response by the defendants, and being fully advised; now therefore it is hereby

5 ORDERED that

6 Based on the Jury's responses on the verdict form (Dkt. No. 237), judgment is entered as
7 follows:

8 (1) in favor of plaintiff E.T. in the amount of \$500,000 against defendants Michael Zaro,
9 Michael Wiley, Brian Markert, and the City of Lakewood, jointly and severally;

10 (2) in favor of plaintiff E.T. in the amount of \$2,750,000 against defendants Michael Zaro
11 and the City of Lakewood, jointly and severally;

12 (3) in favor of plaintiff E.T. in the amount of \$125,000 against defendants Michael Zaro,
13 Michael Wiley, and the City of Lakewood, jointly and severally;

14 (4) in favor of plaintiff E.T. in the amount of \$125,000 against defendant the City of
15 Lakewood;

16 (5) in favor of plaintiff E.T. in the amount of \$500,000 against defendants the City of
17 Lakewood and the City of Fife, jointly and severally;

18 (6) in favor of plaintiff the Estate of Leonard Thomas in the amount of \$1,750,000
19 against defendants Michael Zaro, Michael Wiley, Brian Markert, and the City of Lakewood,
20 jointly and severally;

21 (7) in favor of plaintiff the Estate of Leonard Thomas in the amount of \$125,000 against
22 defendants Michael Zaro, Michael Wiley, and the City of Lakewood, jointly and severally;

23 (8) in favor of plaintiff the Estate of Leonard Thomas in the amount of \$10,000 against
24 defendant Michael Wiley;

25 (9) in favor of plaintiff Annalesa Thomas in the amount of \$750,000 against defendants
26 Michael Zaro and the City of Lakewood, jointly and severally;

1 (10) in favor of plaintiff Annalesa Thomas in the amount of \$500,000 against defendants
2 Michael Zaro, Michael Wiley, and the City of Lakewood, jointly and severally;

3 (11) in favor of plaintiff Annalesa Thomas in the amount of \$125,000 against defendant
4 the City of Lakewood;

5 (12) in favor of plaintiff Fred Thomas in the amount of \$750,000 against defendants
6 Michael Zaro and the City of Lakewood, jointly and severally;


7 (13) in favor of plaintiff Fred Thomas in the amount of \$125,000 against defendants
8 Michael Zaro, Michael Wiley, and the City of Lakewood, jointly and severally;

9 (14) in favor of plaintiff Fred Thomas in the amount of \$500,000 against the City of
10 Lakewood;

11 (15) in favor of defendant Nathan Vance; and

12 (16) in favor of defendant Ryan Micenko.

13 In addition, the following punitive damages are assessed in favor of all plaintiffs, jointly,
14 against: (1) Defendant Michael Zaro in the amount of \$3,000,000; (2) Defendant Michael Wiley
15 in the amount of \$1,500,000; and (3) Defendant Brian Markert in the amount of \$2,000,000.

16
17 DATED this 7th day of February ²⁰¹⁸~~2017~~.
18 *effective nunc pro tunc 1/12/2018* 

19 _____
20 Honorable Barbara J. Rothstein
21 United States District Court Judge

22 Presented by:

23 MacDONALD HOAGUE & BAYLESS

24 By /s/ Tiffany Cartwright
25 Timothy K. Ford, WSBA #5986
26 David J. Whedbee, WSBA #35977
27 Tiffany M. Cartwright, WSBA #43564
Attorneys for Plaintiffs