

TO: Tracey Shorter, Larry Brady and Terry Young, Pulaski County Commissioners, Sheila Garling, Pulaski County Auditor, and Kevin Tankersley, Pulaski County Attorney

Tracey Shorter  
Pulaski County Commissioner  
Courthouse  
112 E. Main Street  
Winamac, IN 46996

Larry Brady  
Pulaski County Commissioner  
Courthouse  
112 E. Main Street  
Winamac, IN 46996

Terry Young  
Pulaski County Commissioner  
Courthouse  
112 E. Main Street  
Winamac, IN 46996

Sheila Garling  
Pulaski County Auditor  
Courthouse  
112 E. Main Street  
Winamac, IN 46996

Kevin Tankersley  
Pulaski County Attorney  
115 W. Main Street  
Winamac, IN 46996

Tracey Shorter, Individual Capacity  
Courthouse  
112 E. Main Street  
Winamac, IN 46996

### **NOTICE OF TORT CLAIM**

Comes now, Sandra Hurd, and for her Notice of Tort Claim against Tracey Shorter, in her individual capacity, and against Tracey Shorter, Larry Brady, and Terry Young, Pulaski County Commissioners, Sheila Garling, Pulaski County Auditor, and Kevin Tankersley, Pulaski County Attorney, in their official capacities, and pursuant to Ind. Code §34-13-3-1 et seq., says:

1. That at the time of the filing of this verified Notice of Tort Claim Sandra Hurd resides at 422 N. Monticello St., Winamac, Pulaski County, Indiana; at the time of all relevant occurrences herein, she resided at the same address;
2. That at all relevant times herein, up until August 27, 2013, Sandra Hurd was serving as the County Home Superintendent for Pulaski County, a position she had held for five (5) years and had been reappointed to on January 1, 2013;

3. That around or about the beginning of July 2013, Sandra Hurd discovered that she may be making a clerical error in reporting information to a state agency;

4. That around or about the beginning of July 2013, Sandra Hurd contacted the state agency to learn the process of correcting her clerical error;

5. That on or about July 24, 2013, Commissioner Tracy Shorter became aware of this clerical error and investigated whether Sandra Hurd was committing fraud;

6. That on or about July 30, 2013, Sandra Hurd filed paperwork with the state agency to self-report her clerical error and to fix her error;

7. That if the state agency discovered Sandra Hurd's error before she self-reported, she would have been personally liable and/or fined by the state agency for not self-reporting her clerical error;

8. That on or about August 15, 2013, Sandra Hurd was suspended from her job with pay for a period of ten days;

9. That on or about August 15, 2013, Commissioner Tracy Shorter appointed herself interim Superintendent of the County Home;

10. That on or about August 15, 2013, Commissioner Tracy Shorter made assurances to Sandra Hurd and the employees of the County Home that Sandra would be reinstated after a ten day suspension, if she only committed a clerical error;

11. That on or about August 22, 2013, Commissioner Terry Young received a letter from the state agency confirming that Sandra Hurd did not commit fraud; it was just a clerical error;

12. That Commissioner Tracy Shorter was aware of the fact that Sandra Hurd only

committed a clerical error and did not in fact commit fraud;

13. That the Pulaski County Commissioners employed the firm of Waggoner, Irwin, Scheele & Associates to investigate certain allegations and accusations, and Paula Reimers of that firm conducted the investigation;

14. That the investigation consisted of Paula Reimers questioning of current and former County Home employees on or about August 15, 2013, including Sandra Hurd;

15. That at the meeting on or about August 27, 2013, Sandra Hurd was discharged from her duties as Superintendent for the County Home;

16. That Kevin Tankersley told Sandra Hurd she was not entitled to an appeal of Tracey Shorter's decision;

17. That it is clear from the manner in which the entire situation was handled that Tracey Shorter, Larry Brady, Terry Young, Sheila Garling, and Kevin Tankersley conspired together to damage the reputation and name of Sandra Hurd by leaving a cloud of suspicion with the public as to what acts or misdeeds may or may not have been committed by Sandra Hurd to suspension and termination by suggesting criminal conduct;

18. That Tracey Shorter, Larry Brady, Terry Young, Sheila Garling, and Kevin Tankersley acted jointly and severally, to slander and defame the reputation and character of Sandra Hurd;

19. That the disciplinary action form completed by the commissioners indicated that Sandra Hurd was guilty of "intentionally modifying records;" that the form also indicated that Sandra Hurd's actions were intentional and had been occurring for over a year;

20. That the statements came about in the presence of Paula Reimers, an outside individual not involved with Pulaski government;

21. That Sandra Hurd was wrongfully discharged when she was terminated for self-reporting her clerical error to the state agency;

22. That Tracey Shorter, Larry Brady, Terry Young, and Kevin Tankersley, have further slandered and defamed Sandra Hurd in making statements regarding her honesty, for which there is no proof whatsoever, and that their actions were intentional;

23. That Commissioner Tracy Shorter contacted the Indiana State Police to falsely report that Sandra Hurd stole personal property and groceries from the County Home in furtherance of the conspiracy to wrongfully terminate Sandra Hurd; that the State Police investigation has been cancelled with no finding of wrongdoing;

24. That the actions of Tracey Shorter, Larry Brady, Terry Young, and Kevin Tankersley were clearly intended to damage the character and reputation of Sandra Hurd within the community and the statements were made with reckless disregard of the effect of said statements, and with no ability to prove the truth of any of said statements;


25. That Tracey Shorter, Larry Brady, Terry Young, Sheila Garling, and Kevin Tankersley have done nothing to publically correct or repair the erroneous and malicious impression that their actions created to damage the character and reputation of Sandra Hurd in the community;

26. That because of the actions of Tracey Shorter, Larry Brady, Terry Young, and Kevin Tankersley, Sandra Hurd is having, and will continue to have, a difficult time securing employment in her line of work because of these false and malicious statements;

27. That as a direct result of the actions of Tracey Shorter, Larry Brady, Terry Young, Sheila Garling, and Kevin Tankersley, Sandra Hurd has been damaged in the sum of \$500,000.00.

I AFFIRM UNDER THE PENALTIES FOR PERJURY THAT THE FOREGOING  
REPRESENTATIONS ARE TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Dated this \_\_\_\_\_ day of November, 2013.

  
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SANDRA HURD

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MILLBRANTH & BUSH  
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