

FILED
SUPREME COURT
STATE OF WASHINGTON
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No. 98633-9

SUPREME COURT OF THE STATE OF WASHINGTON

UNEMPLOYMENT LAW PROJECT, et al.

Petitioners,

v.

SUZAN LEVINE, COMMISSIONER FOR THE WASHINGTON STATE EMPLOYMENT
SECURITY DEPARTMENT,

Respondent.

DECLARATION OF AMY SWANNER

THE SHERIDAN LAW FIRM, P.S.

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Attorneys for Petitioners

I, AMY SWANNER, declare that the following statement is true and correct:

1. My name is Amy Swanner.
2. I am over the age of eighteen (18) and competent to make this declaration.
3. I am a resident of Lake Stevens in Snohomish County, WA.
4. I worked at Molly McGuire's and The Vessel for 2 years as a bartender, and six months as a bartender, respectively.
5. I became unemployed on March 14th, 2020, in response to the stay-at-home order.
6. I applied for unemployment benefits on March 18th, 2020.
7. I was approved immediately and started receiving payment in \$188 regular unemployment and \$600 according to the PUA.
8. After eight weeks, the payments just stopped. On May 18th, 2020, I received notification through my SAW account asking for identity verification. I sent in a copy of my social security card, my passport, and my driver's license to verify my identity.
9. My account only said "pending" and has said this for the last six weeks.

10. ESD did not contact me or give me any notice of any actions against me. I have a secured debit card called Green Dot Corporation that I purchased through Wal-Mart five years ago, but on Memorial Day, May 25th, 2020, I tried to use the card at Arby's, but it declined. I had \$66 on this card at the time, and \$4,400 in my savings. I called Wal-Mart who told me to call Green Dot. I spent hours on the phone waiting for representative and was finally told that my case went to the Green Dot fraudulent investigation department. I waited for week to a representative, and no one called me. Finally, I called and ended up talking to a gal who asked me to send in verification. I sent in my marriage certificate - because it was in my maiden name and married since I originally got the card- along with my passport and newer ID with my married name. They told me to wait while they processed it. I decided to check my account online and logged into my bank to find that the balance was zero. A withdrawal of all my savings had been authorized and the transactions said, "FEDERAL ADJUSTMENT DEBIT," with "Funding Reversal" underneath. Green Dot then told me that they sent all of my money back to ESD because of "suspicious activity."

11. The following Monday I was able to call ESD. I got through to a representative. She confirmed that she could see that my ID was valid but couldn't comment on the withdrawal of all my money

because she couldn't do anything until my identification was verified by another person or department or something. She said she couldn't transfer me to someone who was qualified to help me because that department's call log was full and was not accepting any further calls at that time. My husband and I call pretty much every day now - nothing in our status has changed.

12. I have been significantly and adversely affected in the due to my not receiving my unemployment benefits: Before they stopped paying us, I was on time with all my payments and bills. Now, however, I am behind on rent, truck payments, insurance payments, credit card bills, jewelry bill, and all of our monthly utilities and power bills. My husband and I hanging on by a thread. Fortunately, we don't have any medical bills, but we are struggling to find enough money for food.

13. On a scale of 1-10 my level of fear and stress is a 10 because my credit is going bad because I can't pay my bills, and I may lose my truck. I'm afraid I won't get my money back. That money was to save for times of crisis, and now that there is one, it's been taken away from me. We have been screwed over by that. We are scraping together enough money for food and internet, which is helping us keep our sanity right now. The stress of not getting our money feels like it is there for no reason. My husband is a union worker and has paid into unemployment

every year, which supports Washington State unemployment. To receive the cold shoulder like this really shows how the agency is being run. We really feel like we are going crazy because we are sitting tight and just waiting for assistance, but there is nothing we can do.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct to the best of my knowledge.

DATED this 18th day of June, 2020 in Seattle, Washington.


/s/

AMY SWANNER

CERTIFICATE OF SERVICE

I, Tony Dondero, certify under penalty of perjury under the laws of the State of Washington and the United States that, on June 23, 2020, I served the document to which this Certificate is attached to the party listed below in the manner shown.

ROBERT FERGUSON
Attorney General

Eric D. Peterson, WSBA #35555
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- By United States Mail
- By Legal Messenger
- By Facsimile
- By Overnight Fed Ex Delivery
- By Electronic Mail

Dated this 23rd day of June 2020.

s/Tony Dondero _____
Tony Dondero,
Legal Assistant

THE SHERIDAN LAW FIRM, P.S.

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