

FILED  
SUPREME COURT  
STATE OF WASHINGTON  
6/23/2020 2:18 PM  
BY SUSAN L. CARLSON  
CLERK

No. 98633-9

SUPREME COURT OF THE STATE OF WASHINGTON

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UNEMPLOYMENT LAW PROJECT, et al.

Petitioners,

v.

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

Respondent.

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DECLARATION OF FLAVIA FELICIANO

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THE SHERIDAN LAW FIRM, P.S.

John P. Sheridan, WSBA #21473  
Mark W. Rose, WSBA #41916  
Andra Kranzler, WSBA # 44098  
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Hoge Building, Suite 1200  
705 Second Avenue  
Seattle, WA 98104  
(206) 381-5949

Attorneys for Petitioners

I, FLAVIA FELICIANO, declare that the following statement is true and correct:

1. My name is Flavia Feliciano.
2. I am over the age of eighteen (18) and competent to make this declaration.
3. I am a resident of Hermiston in Umatilla County, OR.
4. I worked at St. Michelle Wine Estate for four and a half years as a Quality Improvement Technician.
5. I became unemployed on August 28<sup>th</sup>, 2019.
6. I applied for unemployment benefits on in October of 2019.
7. My claim was in adjudication for several weeks. I was denied because of misconduct, but you appealed and won with the help from the Unemployment Law Project.
8. I started receiving benefits in early February, and received benefits through May 9<sup>th</sup>, 2020, when ESD didn't pay me.
9. On May 17<sup>th</sup>, 2020, they sent you a notification stating that I needed to verify my identity. I replied the same day, sending my driver's license and social security card.
10. Since then, my claim has been in adjudication and my account says, "payment pending." I've been waiting five weeks now, and I haven't received any payment.

11. I've tried calling ESD at least a hundred times. Every day, I try calling early in the morning, late in the afternoon, and at night, but I've only received messages saying that I need to call back another time without letting me through. I have not spoken with a representative. I've sent ten messages or so through my electronic account over the course of the last five weeks, but I have not received any response.

12. I have been significantly and adversely affected in the following ways due to my not receiving my unemployment benefits: I have no money at all. I am so broke. I can't pay my rent for June, I can't pay my bills. I can't pay my rent, my power bills, my water, my phone bills... I had to borrow money for gas and food. I am in limbo because I can't apply for food stamps because I am technically supposed to receive unemployment, but I haven't received any money yet. I cannot pay my blood pressure medication this month, so I can't receive it. My car need an oil change and light bulbs, but I have no money to pay for that either. Currently, my driver's license is suspended (for a traffic ticket, which I can't pay) and I would need to pay to get it back, but I don't have money to do that.

13. On a scale of 1-10 my level of fear and stress is a 10. I've been in tears. It's so frustrating to not have answers or explanations as to why my money is being withheld. I assume it's a fraud thing, but they

haven't officially told me that yet, so I'm still in the dark. Right now, knowing nothing is very stressful. It's not fair that they would just stop sending money cold turkey without any explanation whatsoever. I don't know how it's legal to get away with that.

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 16<sup>th</sup> day of June, 2020 in Seattle, Washington.

/s/   
\_\_\_\_\_  
FLAVIA FELICIANO

**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  
Senior Assistant Attorney General

Leah E. Harris, WSBA #40815  
Assistant Attorney General

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[LalSeaEf@atg.wa.gov](mailto:LalSeaEf@atg.wa.gov)

- 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.**

**June 23, 2020 - 2:18 PM**

**Transmittal Information**

**Filed with Court:** Supreme Court  
**Appellate Court Case Number:** 98633-9  
**Appellate Court Case Title:** Unemployment Law Project et al. v. Suzan Levine

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