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**STATE OF WASHINGTON
THURSTON COUNTY SUPERIOR COURT**

DEPARTMENT OF LABOR AND
INDUSTRIES OF THE STATE OF
WASHINGTON

Plaintiff,

v.

FOWLER NAT D. AND MARY M.
DBA FARM BOY DRIVE IN

Defendant.

NO. 20-2-02460-34

DECLARATION OF BRYAN
TEMPLETON IN SUPPORT OF
DEPARTMENT'S MOTION FOR
SECOND ORDER OF CONTEMPT

I, Bryan Templeton, declare under the penalty of perjury under the laws of the State of Washington that the following is true and correct:

1. I am over the age of eighteen and am otherwise competent to testify. I make these statements on personal knowledge and belief.
2. I have been employed with the Department of Labor and Industries from 2008 to present. In this time, I have worked as an investigator from 2008 through 2013, Investigations Supervisor from 2013 to 2015, Investigations Technical Expert from 2015 to 2020, and am now assigned as the Fraud Specialist and have been in this capacity from July 2020 to present. I also am the agency's evidence manager and have several other project management responsibilities.
3. As the Fraud Specialist, I supervise the agency's fraud adjudicative staff as well as our detection and fraud intelligence group. Recent I was assigned to help manage the

1 Department's enforcement of the COVID-19 rules outlined in the Governor's
2 Proclamations. As part of this assignment, I am responsible for managing the spot checks
3 performed by field investigative staff. I am responsible for the coordination and review
4 of all spot checks statewide.

5 4. On January 7, 2021, two members of my staff visited Farm Boy in an effort to determine
6 whether indoor dining services were still being offered. The restaurant's blinds were
7 again closed. There was a sign in a window reading "We Are Open. Enter at Own Risk.
8 Our Freedoms and our Livelihood are Essential. The precautions we take are [blank]."

9 5. The investigators observed multiple vehicles in Farm Boy's parking lot, and people going
10 from those vehicles into Farm Boy. Some of these people stayed inside Farm Boy for
11 approximately 40 minutes and departed the restaurant with no bags of food. One group
12 was in the restaurant for at least one hour and 40 minutes, and also left without take-out
13 orders.

14 6. Besides observing Farm Boy patrons entering the restaurant, remaining inside for
15 extended periods, and leaving without take-out food, the investigators ordered food at
16 Farm Boy's drive-through window. While picking up the food, the investigators were
17 able to see through the window into the dining area. There were at least 12 patrons in the
18 restaurant eating food at tables and three employees working without masks.

19 7. One of the investigators asked the drive-through attendant if he could eat his drive-
20 through food inside Farm Boy; the attendant responded with a wink and stated "I can't
21 say yes or no to that."

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1 8. Department employees have received numerous threats in response to their efforts to
2 enforce the Governor's COVID-19 proclamations, including threats to their lives. There
3 have also been several protests at employee homes. For these reasons, employees
4 performing inspection work are reluctant to have their names publicized.

5
6 DATED this 8 day of January, 2021 in Puyallup, Washington by:

7
8 Templeton,
9 Bryan R (LNI)  Digitally signed by
10 Templeton, Bryan R (LNI)
11 Date: 2021.01.08 12:18:18
12 -08'00'
13
14 BRYAN TEMPLETON