

Ex-Lowe's worker ordered to pay \$500K

He sexually assaulted female co-worker; store settled out of court

By Laura McVicker

Tuesday, October 29, 2010

A Clark County judge on Monday ordered a former Lowe's employee to pay a co-worker \$500,000 in damages for sexually assaulting her at work in 2008.

Clark County Superior Court Judge John Wulle signed the order against Brandon B. Riggan, allowing his co-worker to seek his assets for the next 10 years.

The decision concludes the case. Lowe's Inc. already settled out of court with the plaintiff, Elyse Moreton, in July, awarding her a confidential figure, said her attorney, Michael Beaty.

Riggan was sentenced April 14, 2009, to four years in prison after pleading guilty to attempted indecent liberties with forcible compulsion in connection with the assault.

The 30-year-old Vancouver man, who is serving his sentence at the Washington Corrections Center in Shelton, did not respond to the lawsuit, so the judge made a default judgment.

Moreton, 22, who was living in northern Clark County, was working at Lowe's, 11413 N.E. 76th St., on July 23, 2008. Court records say Riggan followed her into the ladies' restroom and started kissing, groping and sexually assaulting her. This came after weeks of repeated unwanted sexual advances at work, according to the lawsuit. He also threatened to harm her if she reported the incident.

Moreton said Lowe's management took no action before the assault, when she had reported the sexual harassment to a head cashier. And following the assault, when Moreton reported the incident to her boss, none of the management employees contacted police, she said in the lawsuit.

Negligent supervision

Moreton called 911 at the prompting of her parents. Riggan was arrested later that day at his home without incident and was subsequently fired.

Attorney Beaty said the case against Lowe's had to do with negligent supervision, while the case against Riggan was about sexual harassment and battery.

"What Lowe's did was a mistake," Beaty said. "What Riggan did was on purpose."

A Seattle attorney for Lowe's, Thomas Lemly, did not return a phone call to The Columbian seeking comment.

A similar case occurred at a Lowe's store in Longview in August 2009, when three former employees won a \$1.7 million lawsuit against the company for ongoing sexual harassment by managers and one case of sexual assault.

Monday, Moreton said the money from Lowe's has helped pay for ongoing therapy; she said she has post-traumatic stress disorder from the assault.

"It's nice today to have closure," she said. "But it's still a daily struggle."

Laura McVicker: 360-735-4516 or laura.mcvicker@columbian.com.