

Bond Case Briefs

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EMPLOYMENT - VERMONT

Stone v. Town of Irasburg

Supreme Court of Vermont - April 25, 2014 - A.3d - 2014 VT 43

Linda Stone sued the Town of Irasburg alleging that the selectboard had acted unlawfully in ordering her, as town treasurer, to raise her bond to \$1,000,000. Following plaintiff's inability to obtain the bond and her removal from office by the selectboard, she claimed the Town improperly raised her bond and prevented her from obtaining the bond. She sought monetary damages based on common law defamation, tortious interference with office, violation of the Vermont Constitution, and deprivation of due process.

The trial court granted summary judgment in favor of the Town and treasurer appealed.

The Supreme Court of Vermont held that:

- Treasurer did not have a property interest in her elected position and therefore could not state a claim for relief under [§ 1983](#) for deprivation of a liberty interest;
- The intent of [24 V.S.A. § 901\(b\)](#) is not to provide attorney's fees to municipal employees who have disputes with a municipality regarding the termination of their employment;
- Treasurer had waived her right to argue that, by raising her bond and then removing her from office, the selectboard unlawfully invalidated the Town vote, which elected plaintiff as treasurer;
- Treasurer was entitled to remand on her claim for defamation; and
- Treasurer failed to meet the requisite elements of tortious interference with office.