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SUPERIOR COURT OF WASHINGTON FOR SNOHOMISH COUNTY

JAMES L. MARTONIK,  
Plaintiff,

NO.  
COMPLAINT FOR DAMAGES

vs.

STEPHANIE C. WOODS and JOHN DOE  
WOODS, individually and the marital  
community composed thereof,  
Defendants.

COMES NOW Plaintiff against the above-named Defendants, and states and alleges  
as follows:

**I. PARTIES & JURISDICTION**

1.1 Plaintiff James L. Martonik is now, and was at all relevant times hereinafter  
alleged, a resident of Snohomish County, State of Washington.

1.2 Defendant Stephanie C. Woods is believed to be a resident of Snohomish  
County, State of Washington. If this Defendant is married then her acts and omissions  
hereinafter described were for and on behalf of her marital community.

1 1.3 All acts and omissions alleged to have occurred herein took place in  
2 Snohomish County, State of Washington.

## 3 II. FACTS

4 2.1 On or about January 24, 2013, Defendant Stephanie C. Woods was operating  
5 a motor vehicle southbound on 164<sup>th</sup> St. S.E.  
6

7 2.2 Plaintiff James L. Martonik was a pedestrian.

8 2.3 Plaintiff James L. Martonik, as a pedestrian, crossed a driveway on the north  
9 side of 164th St. S.E. at approximately the 1000 block.

10 2.4 Defendant Woods turned left into the driveway on 164th St. S.E. at  
11 approximately the 1000 block.

12 2.5 Defendant Woods struck Plaintiff while he was crossing the driveway as a  
13 pedestrian.

14 2.6 Plaintiff sustained serious injuries and sustained other damages as a result of  
15 being hit by the vehicle operated by Defendant Woods.  
16

## 17 III. CAUSE OF ACTION—NEGLIGENCE

18 3.1 Plaintiff re-alleges the allegations contained in paragraphs 1.1 through 2.6,  
19 and incorporates them as though fully set forth herein.

20 3.2 Defendant Stephanie C. Woods owed Plaintiff a duty of care and a duty to act  
21 reasonably.  
22

23 3.3 Defendant Stephanie C. Woods breached her duty of care and her duty to act  
24 reasonably by, among other things, failing to yield to the Plaintiff while he was crossing the  
25 driveway.

1           3.4     As a result of Defendant Stephanie C. Woods' negligent and/or tortious  
2     conduct, Plaintiff was injured, suffered, and continues to suffer, physical disability and pain,  
3     emotional trauma, medical expenses, loss of earnings and earning capacity, disability, loss of  
4     enjoyment, and other damages.

5  
6           WHEREFORE, Plaintiff prays for judgment against Defendants, jointly and  
7     severally, as follows:

8           1.       For all damages sustained by Plaintiff in an amount proven at trial, including  
9     past and future medical expenses and other health care expenses, pain and suffering, both  
10    mental and physical, past and future permanent partial disability and disfigurement, loss of  
11    enjoyment of life, damages to property, past and future special damages, loss of consortium  
12    and other damages;

13          2.       Interest calculated at the maximum amount allowable by law, including pre-  
14    and post-judgment interest;

15          3.       A reasonable attorney's fee as allowed by law;


16          4.       An award of sanctions for spoliation of evidence as authorized by law;

17          5.       Costs and disbursements pursuant to statute; and

18          6.       Other and further relief as this Court may deem just and equitable.

19     Dated this 2<sup>nd</sup> day of December, 2014.

20  
21                                       **DAVIS LAW GROUP, P.S.**

22                                         
23     By: Christopher M. Davis, WSBA No. 23234  
24     By: Gregory S. Colburn, WSBA No. 41236  
25     Attorneys for Plaintiff