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SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

CONFIDENTIAL, individually,

Plaintiff,

vs.

KING COUNTY, a governmental entity, by and through KING COUNTY METRO and KING COUNTY DEPARTMENT OF TRANSPORTATION, governmental agencies; CONFIDENTIAL and CONFIDENTIAL, individually and the marital community composed thereof,

Defendants.

NO.

COMPLAINT FOR DAMAGES

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

I. PARTIES & JURISDICTION

1.1 <Plaintiff> is now, and was at all relevant times hereinafter alleged, a resident of King County, State of Washington.

1.2 Defendant King County is a governmental entity within the state of Washington. At all times material hereto, defendant King County acted through its agencies or departments, including King County Metro and King County Department of Transportation

1 (hereinafter collectively referred to as "King County"). At all times material hereto, King
2 County is liable for the acts and/or omissions of its employees, including those committed by
3 <Defendant>, under the doctrines of master/servant and respondeat superior.

4 1.3 <Defendant>is now believed to be, and was at all relevant times hereinafter
5 alleged, a resident of King County, State of Washington. If this defendant is married, his acts
6 and omissions hereinafter described were for and on behalf of his marital community. At all
7 times material hereto, Defendant Webster was employed by King County as a Metro bus driver
8 and was working within the scope of his employment as such.

9 1.3 Plaintiff has properly complied with RCW 4.96.020 by completing and
10 signing the King County Claim for Damages form which was served on defendant King County
11 on or about August 30, 2010. More than sixty (60) days have elapsed before the filing of
12 plaintiff's complaint in the above-entitled court.

13 1.4 All acts and omissions alleged to have occurred herein took place in King
14 County, State of Washington. King County is therefore a proper venue for this action.

15 II. FACTS

16 2.1 On or about <Date>, <Plaintiff> was lawfully operating her bicycle in the
17 southbound curbside lane on or near the Ballard Bridge, in Seattle, Washington.

18 2.2 <Defendant>was operating a King County Metro articulating bus in the
19 southbound curbside lane on or near the Ballard Bridge in Seattle, Washington.

20 2.3 While operating the King County bus, <Defendant>came upon the plaintiff
21 who was riding her bicycle in the far right portion of the lane.

1 2.4 <Defendant>did not slow down or attempt to move over to allow the plaintiff
2 sufficient room to safely operate her bicycle on the roadway.

3 2.5 <Defendant>then attempted to pass the plaintiff while on her bicycle at a
4 speed that was too fast, and in a manner that was unsafe and/or hazardous to the plaintiff.
5

6 2.6 As a result of attempting to pass the plaintiff on the road in an unsafe and/or
7 hazardous manner, the bus collided with the plaintiff.

8 2.7 <Plaintiff> sustained bodily injuries and other damages as a result of the
9 collision with the bus, and as a result of the hazardous manner in which <Defendant>attempted
10 to pass her on the road.
11

12
13 III. CAUSE OF ACTION--NEGLIGENCE

14 3.1 Plaintiff re-alleges the allegations contained in paragraphs 1.1 through 2.7, and
15 incorporates them as though fully set forth herein.

16 3.2 <Defendant>owed the plaintiff a duty of care and a duty to act reasonably.
17

18 3.3 <Defendant>breached his duty of care and his duty to act reasonably by,
19 among other things, causing a collision with the plaintiff while she was lawfully operating her
20 bicycle on the roadway.

21 3.4 As a result of the defendant’s negligent conduct, the plaintiff was injured,
22 suffered, and continues to suffer, physical disability and pain, emotional trauma, medical
23 expenses, loss of earnings and earning capacity, loss of consortium and other damages.
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26 WHEREFORE, Plaintiff prays for judgment against the Defendants, jointly and
severally, as follows:

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

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

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

4. Costs and disbursements pursuant to statute; and

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

Dated this <Date>.

DAVIS LAW GROUP, P.S.

/s/ _____
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