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SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

CONFIDENTIAL and CONFIDENTIAL
husband and wife, individually and as
Guardians of DOG BITE VICTIM and
<VICTIM’S SISTER>, minor children,

NO.
COMPLAINT FOR DAMAGES

Plaintiffs,

vs.

<DOG OWNER #1>and <Dog Owner #2>,
individually and the marital community
composed thereof,

Defendants.

COMES NOW the Plaintiffs, by and through their attorneys of record, and state and
allege against the above-named Defendants as follows:

I. PARTIES & JURISDICTION

1.1 <Plaintiff>and <Plaintiff> are residents of King County, Washington. Said
plaintiffs are husband and wife, and therefore constitute a marital community under the laws
of Washington. These plaintiffs are also the biological parents and guardians of their minor
children <Dog Bite Victim>(DOB: 10/02/03) and <Victim’s Sister> (DOB: 06/25/01).

1 Plaintiffs bring this action in their individual capacity and on behalf of their minor children
2 <Dog Bite Victim> and <Victim's Sister>.

3 1.2 Defendants <Dog Owner #1>and <Dog Owner #2> are believed to be
4 residents of Bellevue, King County, Washington. If these defendants are husband and wife, or
5 hold themselves out as such, then each of the defendant's acts and/or omissions as described
6 herein were for and on behalf of their marital and/or combined community.
7

8 1.3 All actions and/or omissions described herein took place on or at the
9 defendants' residential property located at <Address>, Bellevue, Washington 98006. Therefore,
10 King County is a proper venue for this action.
11

12 II. FACTS

13 2.1 At all times material hereto, the defendants owned, kept, controlled and/or
14 otherwise harbored a canine animal (dog) which they named "Cody."
15

16 2.2 On or about <Date>, the defendants hosted an overnight birthday party for
17 one of their children. The plaintiffs' daughter, <Victim's Sister>, was invited to and attended
18 the party.
19

20 2.3 The defendants were accustomed to using a muzzle on Cody because there
21 were prior instances of the dog biting and/or acting aggressively towards human beings.
22

23 2.4 The next day on <Date> the defendants removed the muzzle from their dog.

24 2.5 <Plaintiff> and <Dog Bite Victim>were invited into the defendants' home on
25 April 17 when they arrived to pick up <Victim's Sister> from the overnight birthday party.
26

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2 IV. SECOND CAUSE OF ACTION

3 COMMON LAW STRICT LIABILITY

4 4.1 Plaintiffs re-allege the allegations set forth in paragraphs 1.1 through 3.2, and
5 incorporate them as fully set forth herein.
6

7 4.2 The defendants had prior actual or constructive knowledge that their dog had
8 vicious and/or dangerous propensities that were likely to lead to injuries inflicted upon another
9 human being, including the injury or bite that the dog inflicted upon <Dog Bite Victim>.

10 4.3 The defendants had prior actual or constructive knowledge that their dog had
11 previously bitten, injured or acted aggressively toward other human beings, including children.
12

13 4.4 The defendants had prior actual or constructive knowledge that their dog had
14 certain aggressive tendencies or propensities that were likely to lead to the dog biting, injuring
15 or acting aggressively toward other human beings, including children.

16 4.5 The defendants failed to adequately quarantine, confine and/or muzzle their
17 dog before it could bite and/or attack a child invited onto their property.
18

19 4.6 The defendants are therefore strictly liable for the injuries and damages
20 caused to the plaintiffs and their minor children <Dog Bite Victim> and <Victim's Sister>.
21

22 V. THIRD CAUSE OF ACTION

23 NEGLIGENCE

24 5.1 Plaintiffs re-allege the allegations set forth in paragraphs 1.1 through 4.6, and
25 incorporate them as fully set forth herein.
26

1 6.3 Plaintiffs and <Victim's Sister> were present and observed the attack on <Dog
2 Bite Victim>, and observed <Dog Bite Victim>'s traumatic injuries at or near the time of the
3 occurrence.

4 6.4 As a result of the defendants' negligent and/or reckless conduct, Plaintiffs
5 Deborah and <Victim's Sister> have experienced, and will continue to experience, severe
6 emotional distress.

7
8
9 WHEREFORE, Plaintiffs pray for judgment against the Defendants, jointly and
10 severally, as follows:

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12
13 1. For all damages sustained by the Plaintiffs in amounts proven at trial,
14 including without limitation, past and future medical expense and other healthcare expenses,
15 lost wages, lost earning capacity, pain and suffering, both mental and physical, loss of
16 enjoyment of life, disability, disfigurement, past and future special damages, loss of consortium,
17 loss of relationship, and other damages;

18
19 2. Interest calculated at the maximum amount allowable by law, including pre-
20 and post-judgment interest;

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

22 4. Costs and disbursements pursuant to statute; and
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5. Other and further relief this Court may deem just and equitable.

DATED this <Date>.

DAVIS LAW GROUP, P.S.

/s/ _____
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By: <Dog Owner #1> Colburn, WSBA No. 41236
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