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SUPERIOR COURT OF WASHINGTON FOR SNOHOMISH COUNTY

CONFIDENTIAL, as Personal Representative
of the ESTATE of CONFIDENTIAL,
deceased,

Plaintiff,

vs.

CONFIDENTIAL and <DEFENDANT>,
individually and the marital community
composed thereof,

Defendants.

NO.

COMPLAINT FOR DAMAGES

COMES NOW the Plaintiff, by and through his attorney of record, and states and
alleges against the above-named Defendants as follows:

I. PARTIES & JURISDICTION

1.1 Plaintiff <Plaintiff> is the Personal Representative of the Estate of
<Deceased>, deceased, by order of the court in King County Superior Court Cause No.
CONFIDENTIAL SEA. <Plaintiff> brings this cause of action on behalf of the Estate and the
Estate’s beneficiaries for the wrongful death of <Deceased> pursuant to RCW 4.20 *et seq.*

1 2.7 Defendant <Defendant> paid \$100 to Mr. <Confidential> as compensation for
2 the bite and/or injury he received from <Defendant>' dog.

3 2.8 Thereafter, the defendant's dog bit and/or injured another person, to wit:
4 <Deceased>.

5 2.9 The defendants' dog bit and/or injured <Deceased>'s finger while the animal
6 was still present on the <Lake Confidential> property.

7 2.10 Thereafter, <Deceased> developed a life-threatening infection from the dog
8 bite.

9 2.11 <Deceased> was later diagnosed with capnocytophaga canimorsus sepsis,
10 which is a bacterium commonly found in the saliva of cats and dogs.

11 2.12 <Deceased> thereafter died on <Date>.

12 2.13 The cause of <Deceased>'s death was capnocytophaga canimorsus sepsis
13 secondary to the bite inflicted by the defendants' dog on <Date>.

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18 **III. FIRST CAUSE OF ACTION**

19 **LIABILITY UNDER DOG BITE STATUTE - RCW 16.08.040**

20 3.1 Plaintiff re-alleges the allegations set forth in paragraphs 1.1 through 2.13,
21 and incorporates them as fully set forth herein.

22 3.2 The Defendants are strictly liable for the injuries and damages caused to
23 plaintiff and the decedent as mandated by the dog liability statute at RCW 16.08 *et seq.*
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2 IV. SECOND CAUSE OF ACTION

3 COMMON LAW STRICT LIABILITY

4 4.1 Plaintiff re-alleges the allegations set forth in paragraphs 1.1 through 3.2, and
5 incorporates them as fully set forth herein.
6

7 4.2 The defendants had prior knowledge, or constructive knowledge, that their
8 dog Buddy had vicious and/or dangerous propensities that were likely to lead to injuries
9 inflicted upon another human being, including the injury or bite that Buddy inflicted upon
10 <Deceased>.
11

12 4.3 The defendants had prior knowledge that their dog Buddy had previously
13 bitten, injured or acted aggressively toward other human beings.

14 4.4 The defendants failed to adequately quarantine and/or confine their dog
15 Buddy before it bit and injured <Deceased>.
16

17 4.5 The defendants are therefore strictly liable for the injuries and damages
18 caused to the plaintiff and the decedent.
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20 V. THIRD CAUSE OF ACTION

21 NEGLIGENCE

22 5.1 Plaintiff re-alleges the allegations set forth in paragraphs 1.1 through 4.5, and
23 incorporates them as fully set forth herein.
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25 5.2 The Defendants owed Plaintiff and <Deceased> a duty of care and a duty to
26 act reasonably.

1 6.3 The defendants' dog, and their acts and/or omissions described herein, have
2 subjected the defendants to common law strict liability and negligence for the wrongful death
3 of <Deceased>.

4 6.4 As a proximate cause of the bite inflicted by the defendants' dog, and the
5 defendants' acts and/or omissions described herein, the defendants are liable to plaintiff,
6 <Deceased> and his estate, for all economic and non-economic damages, including those
7 allowed by RCW 4.20 *et seq.*, and which include without limitation, past and future medical
8 expense, funeral, and burial expenses, past and future lost income or earning capacity, loss of
9 consortium, emotional distress, grief, loss of enjoyment of life, inconvenience, mental anguish,
10 the destruction of the spousal and parent-child relationship, and conscious pain, suffering,
11 anxiety and fear of impending death experienced by the decedent in amounts to be proven at
12 trial.
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16 WHEREFORE, Plaintiff prays for judgment against the Defendants, jointly and
17 severally, as follows:
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20 1. For all damages sustained by the Estate and the Estate's beneficiaries in an
21 amount proven at trial, including past and future medical expense and other healthcare
22 expenses, lost wages, lost earning capacity, funeral and burial expense, pain and suffering, both
23 mental and physical, loss of enjoyment of life, disability, disfigurement, damage to property,
24 past and future special damages, loss of consortium, loss of relationship, and other damages;
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26 2. Interest calculated at the maximum amount allowable by law, including pre-
and post-judgment interest;

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3. A reasonable attorney's fee as allowed by law;
4. Costs and disbursements pursuant to statute; and
5. Other and further relief this Court may deem just and equitable.

DATED this <Date>.

DAVIS LAW GROUP, P.S.

By: Christopher M. Davis
WSBA No. 23234
Attorneys for Plaintiff