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SUPERIOR COURT OF WASHINGTON FOR SNOHOMISH COUNTY

CONFIDENTIAL and CONFIDENTIAL,  
individually and the marital community  
composed thereof,

Plaintiffs,

vs.

GREAT WESTERN TRANSPORT, INC., a  
Washington corporation; CONFIDENTIAL  
and CONFIDENTIAL, individually and the  
marital community composed thereof,

Defendants.

NO.

COMPLAINT FOR DAMAGES

COMES NOW Plaintiffs against the above-named Defendants, and state and allege as follows:

I. PARTIES & JURISDICTION

1.1 <Plaintiff>and <Plaintiff> are residents of Snohomish County, State of Washington. Said plaintiffs are husband and wife and therefore constitute a marital community under the laws of the state of Washington.

1.2 Defendant Great Western Transport, Inc. (hereinafter “GWT”) is a corporation incorporated under the laws of the State of Washington. This defendant transacts business in

1 Snohomish and/or has its principal place of business in Snohomish or King County, and  
2 therefore falls within the jurisdiction of the above-entitled court. At all times material hereto,  
3 GWT employed Defendant <Defendant> and is therefore vicariously liable for the negligent  
4 acts and/or omissions of its employee or agent under the doctrine of respondeat superior.  
5

6 1.3 Defendant <Defendant> is believed to be a resident of Snohomish County,  
7 State of Washington. If this defendant is married, his acts and omissions hereinafter described  
8 were for and on behalf of his marital community. At all times material hereto, Defendant  
9 <Defendant> was acting within the scope of his employment as agent and/or employee of  
10 GWT.  
11

12 1.4 All acts and omissions alleged to have occurred herein took place in  
13 Snohomish County, State of Washington. Therefore, Snohomish County is a proper venue for  
14 this cause of action.  
15

## 16 II. FACTS 17

18 2.1 On or about <Date>, Defendant <Defendant> was operating a commercial  
19 dump truck or motor vehicle in the southbound lanes of Interstate 5 in Snohomish County,  
20 Washington. At all times material hereto, the vehicle was being used in the operation of the  
21 business conducted by GWT.  
22

23 2.2 At all times material hereto, Defendant <Defendant> was operating the  
24 commercial dump truck while acting within the scope of his employment with Defendant GWT.  
25

26 2.3 Defendant <Defendant> was following another vehicle being operated by  
<Plaintiff>.

2.4 <Plaintiff>lawfully stopped his vehicle on Interstate 5 for traffic ahead.

1           2.5     <Defendant> failed to stop his vehicle behind the plaintiff's vehicle, and  
2 collided into the rear of Plaintiff <Plaintiff's> vehicle.

3           2.6     As a result of the collision, Plaintiff <Plaintiff> sustained injuries and the  
4 plaintiffs together have incurred damages.  
5

### 6 7   III. CAUSE OF ACTION - NEGLIGENCE

8           3.1     Plaintiffs re-allege the allegations contained in paragraphs 1.1 through 2.6, and  
9 incorporate them as though fully set forth herein.

10           3.2     Defendant <Defendant> owed the plaintiffs a duty of care and duty to act  
11 reasonably.  
12

13           3.3     Defendant <Defendant> breached his duty of care and his duty to act  
14 reasonably by, among other things, failing to follow the plaintiff's vehicle at a safe distance and  
15 failing to stop behind the plaintiff's vehicle without causing a collision.

16           3.4     Defendant <Defendant> breached his duty of care and his duty to act  
17 reasonably by, among other things, causing a motor vehicle collision with Plaintiff <Plaintiff's>  
18 vehicle.  
19

20           3.5     As a direct and proximate cause of the negligence and/or tortious conduct of  
21 Defendant <Defendant>, the plaintiffs have suffered bodily injuries, pain and suffering, mental  
22 anguish, anxiety, disability, past and future economic damages, loss of consortium and other  
23 damages.  
24

### 25 26   IV. PRAYER FOR RELIEF

1 WHEREFORE Plaintiffs pray for judgment against the Defendants, jointly and  
2 severally, as follows:

3 1. For all damages sustained by the Plaintiffs, including without limitation, all  
4 past and future economic and non-economic damages, loss or destruction of property, pain,  
5 suffering, disability, loss of enjoyment, mental anguish, loss of consortium, and other damages  
6 in such amounts as will be proven at the time of trial;

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

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

11 4. Costs and disbursements pursuant to statute; and

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

13  
14  
15 Dated this <Date>.

16 **DAVIS LAW GROUP, P.S.**

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