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SUPERIOR COURT OF WASHINGTON FOR SNOHOMISH COUNTY

██████████,
Plaintiff,
vs.
██████████ and ██████████,
individually and the marital community
composed thereof,
Defendants.

NO.
COMPLAINT FOR DAMAGES

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

I. PARTIES & JURISDICTION

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

1.2 Defendant ██████████ is now believed to be, and was at all relevant times hereinafter alleged, a resident of Snohomish County, Washington. If this Defendant is married, her acts and omissions hereinafter described were for and on behalf of the marital community.

1 **IV. SECOND CAUSE OF ACTION -**
2 **COMMON LAW STRICT LIABILITY**

3 4.1 Plaintiff re-alleges the allegations set forth in Sections I through III, and
4 incorporates them as fully set forth herein.

5 4.2 The Defendant had prior actual or constructive knowledge that her dog had
6 aggressive and/or dangerous propensities that were likely to lead to the injuries inflicted upon a
7 human being or other dogs, including the injuries and/or bites that her dog inflicted upon
8 Plaintiff Blume.
9

10 4.3 The Defendant had prior actual or constructive knowledge that her dog had
11 certain aggressive tendencies and/or propensities that were likely to lead to the dog biting,
12 injuring and/or acting aggressively toward other human beings, including individuals that
13 happened to be in the same location.
14

15 4.4 The Defendant failed to adequately quarantine, secure, confine and/or muzzle
16 her dog before it could bite, attack and/or injure a human being, including individuals that
17 happened to be in the home.

18 4.5 The Defendant is therefore strictly liable for the injuries and damages caused
19 to the Plaintiff.
20

21 **V. THIRD CAUSE OF ACTION - NEGLIGENCE**

22 5.1 Plaintiff re-alleges the allegations set forth in Sections I through IV, and
23 incorporates them as fully set forth herein.
24

25 5.2 The Defendant owed the Plaintiff a duty of care and a duty to act reasonably.
26

1 5.3 The Defendant breached the duty of care and the duty to act reasonably by,
2 among other things, failing to control, confine, secure, leash and/or muzzle her dog so it could
3 not menace human beings or other dogs.

4 5.4 The Defendant breached her duty of care and her duty to act reasonably by,
5 among other things, allowing her dog to come in contact with other people at the house including
6 the Plaintiff, and allowing her dog to bite, attack and/or otherwise injure the Plaintiff.
7

8 5.5 As a result of the Defendant's negligent acts and/or omissions, the Plaintiff
9 was injured, suffered, and continues to suffer, physical disability, pain, emotional trauma and
10 grief, loss of enjoyment, medical expenses, loss of earnings and earning capacity, emotional
11 distress, loss of consortium and other damages.
12

13 **VI.NO CONTRIBUTORY NEGLIGENCE / COMPARATIVE FAULT**
14

15 6.1 The damages suffered by Plaintiff were not caused by any fault, carelessness,
16 or negligence on Plaintiff's part, but were caused solely and proximately by the negligent acts
17 and omissions of the Defendant.

18 6.2 There are no other entities which caused or contributed to Plaintiff's injuries
19 or damages.
20

21 WHEREFORE, Plaintiff prays for judgment against Defendant as follows:

22 1. For all damages sustained by Plaintiff in amounts proven at trial, including
23 without limitation, past and future medical expense and other healthcare expenses, lost wages,
24 lost earning capacity, pain and suffering, both mental and physical, loss of enjoyment of life,
25 disability, disfigurement, past and future special damages, and other damages;
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 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 8th day of October, 2018

DAVIS LAW GROUP, P.S.

By: Christopher M. Davis, WSBA No. 23234
By: Maridith E. Ramsey, WSBA No. 46266
Davis Law Group, P.S.
2101 Fourth Avenue, Suite 1030
Seattle, WA 981221
Phone (206) 727-4000

Attorneys for Plaintiffs