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SUPERIOR COURT OF WASHINGTON FOR PIERCE COUNTY

██████████,
Plaintiff,
vs.
WI H. LEE and JANE DOE LEE, individually
and the marital community composed thereof;
DONG K. LEE and POONG LEE,
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, Washington.

1.2 Defendant Wi H. Lee is now believed to be, and was at all relevant times
hereinafter alleged, a resident of Pierce County, Washington. If this Defendant is married,

1 his acts and omissions hereinafter described were for and on behalf of his marital
2 community.

3 1.3 Defendants Dong K. Lee and Poong Lee are now believed to be, and were at
4 all relevant times hereinafter alleged, residents of Pierce County, Washington. Defendants
5 are believed to be a marital community formed under the laws of the state of Washington.
6 The defendants' acts and omissions hereinafter described were for and on behalf of their
7 marital community.
8

9 1.4 Upon information and belief, Defendant Wi H. Lee is the son of Defendants
10 Dong K. Lee and Poong Lee. At all times material hereto, the vehicle operated by Defendant
11 Wi H. Lee was owned and/or maintained by Defendants Dong K. Lee and Poong Lee for the
12 benefit of family members, including Defendant Wi H. Lee. Therefore, Defendants Dong K.
13 Lee and Poong Lee are liable for the negligent acts and/or omissions described herein that
14 were committed by Defendant Wi H. Lee by virtue of the Family Car Doctrine.
15

16 1.5 The acts and omissions described herein took place in Pierce County,
17 Washington. Pierce County is therefore a proper venue for this action.
18

19 II. FACTS

20 2.1 On or about August 5, 2018, Defendant Wi H. Lee was operating a motor
21 vehicle in Tacoma located in Pierce County, Washington.
22

23 2.2 Defendant Wi H. Lee was heading west on McMurray Road.

24 2.3 Plaintiff [REDACTED] was lawfully operating a motorcycle and heading north
25 on Marine View Drive in Tacoma, Washington.

1 2.4 Defendant Wi H. Lee failed to stop or otherwise yield to traffic at the
2 intersection of McMurray Road and Marine View Drive.

3 2.5 Defendant Wi H. Lee then turned left onto Marine View Drive without
4 yielding the right-of-way to traffic traveling on Marine View Drive.
5

6 2.6 Defendant Wi H. Lee turned left directly in front of Plaintiff's motorcycle.

7 2.7 Plaintiff had no reasonable opportunity to avoid a collision.

8 2.8 Plaintiff then crashed his motorcycle into the defendant's left-turning vehicle.

9 2.9 Plaintiff ██████████ sustained bodily injuries and other damages as a result
10 of the collision.
11

12
13 **III. CAUSE OF ACTION--NEGLIGENCE**

14 3.1 Plaintiff re-alleges the allegations contained in Sections I through II, and
15 incorporates them as though fully set forth herein.

16 3.2 Defendant Wi H. Lee owed Plaintiff a duty of care and a duty to act
17 reasonably.
18

19 3.3 Defendant Wi H. Lee breached his duty of care and his duty to act reasonably
20 by, among other things, failing to exercise ordinary care and failing to stop or otherwise yield
21 to oncoming traffic.

22 3.4 Defendant Wi H. Lee breached his duty of care and his duty to act reasonably
23 by, among other things, causing a collision with the Plaintiff's motorcycle.
24
25

1 3.5 As a result of the Defendant's negligent conduct, Plaintiff was injured,
2 suffered, and continues to suffer, physical disability and pain, emotional trauma, medical
3 expenses, loss of earnings and earning capacity, and other damages.
4

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6 **IV. CAUSE OF ACTION—NEGLIGENT ENTRUSTMENT**

7 4.1 Plaintiff re-alleges the allegations contained in Sections I through III, and
8 incorporates them as though fully set forth herein.

9 4.2 Defendants Dong K. Lee and Poong Lee owed Plaintiff a duty of care and a
10 duty to act reasonably.

11 4.3 Defendants Dong K. Lee and Poong Lee breached their duty of care and their
12 duty to act reasonably by, among other things, negligently entrusting a motor vehicle to Wi
13 H. Lee, a person they knew or should have known was reckless and/or incompetent to
14 operate a motor vehicle.
15

16 4.4 As a result of Defendants Dong K. Lee's and Poong Lee's tortious and
17 negligent conduct, Plaintiff was physically and emotionally injured, suffered, and continues
18 to suffer, physical disability and pain, emotional trauma, medical expenses, loss of earnings
19 and earning capacity, and other damages.
20

21
22 **IV. NO CONTRIBUTORY NEGLIGENCE/COMPARATIVE FAULT**

23 4.1 The damages suffered by Plaintiff were not caused by any fault, carelessness,
24 or negligence on his part, but were caused solely and proximately by the tortious acts and/or
25 omissions of Defendant Wi H. Lee.

1 4.2 There are no other entities which caused or contributed to Plaintiff's injuries
2 or damages.
3

4 WHEREFORE, Plaintiff prays for judgment against the Defendants, jointly and
5 severally, as follows:

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

10 2. Interest calculated at the maximum amount allowable by law, including pre-
11 and post-judgment interest;
12

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

14 4. Costs and disbursements pursuant to statute; and

15 5. Other and further relief as this Court may deem just and equitable.
16

17 Dated this 9th day of May, 2019.
18

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

20 S/ CHRISTOPHER M. DAVIS

21 By: Christopher M. Davis, WSBA No. 23234

22 Attorney for Plaintiff

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