**IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON**

**IN AND FOR THE COUNTY OF PIERCE**

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| **GARLENE KADILA,** as an individual,  Plaintiff,  vs.  **AZMAT ZIAJACOB AND JANE DOE ZIAJACOB,** as husband and wife**,**  Defendants. | NO. 23-2-06147-6  **COMPLAINT FOR MONEY DAMAGES** |

COMES NOW the Plaintiff Garlene Kadila for a claim against Azmat Ziajacob and Jane Doe Ziajacob alleging as follows:

1. **JURISDICTION**
   1. The Court has jurisdiction and venue over the parties and over the subject matter of this action. The tortious act occurred in Puyallup, Pierce County.
2. **PARTIES**
   1. Plaintiff Garlene Kadila resides in Pierce County, Washington.
   2. Upon information and belief, Defendants Azmat Ziajacob and Jane Doe Ziajacob are individuals residing at all times material hereto in Pierce County, Washington.
   3. All acts and/or omissions hereinafter alleged as performed by Defendant were performed on their own behalf, and on behalf of their marital community.
3. **FACTS OF THE ACCIDENT**
   1. On June 30th, 2022, at or around 09:31 PM, Plaintiff Kadila was traveling southbound on SR 161, near the intersection at 128TH ST E, in Puyallup, Washington.
   2. Plaintiff was stopped at the intersection.
   3. Defendant Ziajacob was also traveling on SR 161, directly behind Plaintiff.
   4. While speeding, Defendant failed to stop and struck the rear of Plaintiff’s vehicle.
   5. There were four minor passengers in Plaintiff’s vehicle.
   6. Defendant was cited for “SPEED TOO FAST”.
4. **NEGLIGENCE OF DEFENDANT**
5. Defendant was negligent for following too closely, speeding, and violating the rules of the road. The actions of Defendant prior to the subject collision were negligent and were the proximate cause of all of the damages claimed herein.
6. **NO OTHER AT-FAULT PARTIES**
7. Defendant above-named is the only “at fault” entities, or potentially “at fault” entities (as that term is defined in RCW 4.22.015) in this accident. There are no *non-party* "at fault" entities who are in any way or percentage "at fault" for this accident and/or for Plaintiff's injuries and damages proximately resulting therefrom.
8. **DAMAGES**

6.1 As a proximate result of the negligence of the Defendant, Plaintiff sustained injuries impairing their health and capacity, including, but not necessarily limited to the following: bodily injury,loss of ability and capacity to enjoy life; loss of wage, medical bills, past and future, in an amount now unknown but which will be proven at the time of trial; physical and mental pain and suffering; and to their general damages; all in an amount to be proven at the time of trial.

**VII. PRE-JUDGMENT INTEREST**

1. Plaintiff is entitled to pre-judgment interest on all damages ultimately awarded as a result of the subject accident from the date any such damages were incurred.
2. **PHYSICIAN-PATIENT PRIVILEGE**
3. Plaintiff asserts their physician-patient privilege for 88 days following the filing of this complaint. On the 89th day following the filing of this complaint, Plaintiff hereby waives their physician-patient privilege. That waiver is conditioned and limited as follows: (1) Plaintiff does not waive their constitutional right of privacy; (2) Plaintiff does not authorize contact with their health care providers of any kind except by judicial proceedings authorized by the Rules of Civil Procedure; and (3) representatives of the Defendant are specifically instructed not to attempt ex-parte contact with the health care providers of the Plaintiff.

**WHEREFORE**, Plaintiff prays for judgment against the Defendant as follows:

1. For medical and other treatment expenses, past, present, and future in an amount to be proven at the time of trial.
2. For past and future physical and mental pain and suffering, impairment of ability and capacity to enjoy life, and other general damages, in an amount to be proven at the time of trial.
3. For past and future wage loss.
4. For property damage, loss of use and diminished value.
5. For interest on all damages from the dates incurred.
6. For costs and disbursements incurred herein, including statutory attorney's fees.
7. For such other and further relief as the Court deems just and equitable.

**DATED** this 13th day of April 2023.

HABTEMARIAM LAW FIRM PLLC

/s/ Neftalem Habtemariam

Neftalem Habtemariam, WSBA #44117

Attorney for Plaintiff

/s/ Kalwaljit Thiara

Kalwaljit Thiara, WSBA #56763

Attorney for Plaintiff