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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

LEA BLACK,

Plaintiff,

v.

PRIDE MOBILITY PRODUCTS
CORPORATION, et al.,

Defendants.

C15-2008 TSZ

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable Thomas S. Zilly, United States District Judge:

(1) Plaintiff's Motion for Issuance of Letters Rogatory, docket no. 53, is GRANTED in part and DENIED in part. The sentence on page 2, lines 15-18 of the proposed Letters Rogatory, which reads "[w]hile Plaintiff believes complete relief may be obtained from the defendants presently named in the lawsuit, Pride Mobility Products Corporation (Pride) appears to disagree and has suggested that certain of Plaintiff's claims should be directed to Merits" will be removed. Plaintiff is DIRECTED to file, within twenty-eight (28) days of the date of this Minute Order, certified translations in Mandarin Chinese of the Summons and Third Amended Complaint, and of the Letters Rogatory, as modified by the Court, which is attached to this Minute Order. *See* U.S. Department of State Circular, <https://travel.state.gov/content/travel/en/legal-considerations/judicial/country/taiwan.html> ("Letters Rogatory [requesting service of process on a Taiwanese entity] and accompanying documents should be in English with certified translations in Mandarin Chinese."). The Court will issue Letters Rogatory in the form attached to this Minute Order and post them to the docket once plaintiff has filed the certified translations.

1 (2) The Clerk is directed to send a copy of this Minute Order to all counsel of
2 record.

3 Dated this 23rd day of March, 2017.

4 William M. McCool
5 Clerk

6 s/Karen Dews
7 Deputy Clerk

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

LEA BLACK,

Plaintiff,

v.

PRIDE MOBILITY PRODUCTS CORPORATION, a foreign corporation; and UNITED SEATING AND MOBILITY, L.L.C., a foreign corporation, d/b/a NUMOTION, a foreign corporation; CAPSTONE MOBILITY GROUP, LLC, a foreign corporation; MERITS HEALTH PRODUCTS CO., LTD; MERITS HEALTH PRODUCTS, INC.; JOHN DOE COMPANY 1; JOHN DOE COMPANY 2,

Defendants.

No. 2:15-cv-02008-TSZ

LETTERS ROGATORY

TO THE APPROPRIATE JUDICIAL AUTHORITY OF TAIWAN, for International Judicial Assistance:

A request for international judicial assistance is being made in the interests of justice for plaintiff, Lea Black.

The United States District Court, District of Western Washington, presents its compliments to the appropriate Judicial Authority of Taiwan, and requests international

1 judicial assistance in order to obtain service of process, to be used in a civil proceeding that is
2 before this Court in the above captioned matter.

3 Plaintiff Lea Black was severely injured in Seattle, Washington after her Pride Pursuit
4 mobility scooter entered a “freewheel” condition on a hill. The scooter failure may have
5 been caused, among other things, by a failure of a coupler part between the scooter’s pinion
6 gear and the motor/brake assembly. The coupler part may have been manufactured and sold
7 by the Merits Health Products, family of companies.

8 Plaintiff Lea Black seeks damages for her injuries, including but not limited to broken
9 bones, loss of appendages, trauma, loss of her living situation, loss of mobility and other
10 injuries resulting in past and future pain and suffering, both physical and mental, and other
11 general damages, together with past and future medical and related expenses, punitive
12 damages if available, and other special damages to be proved at the time of trial.

13 Liability in this case is premised on manufacturer liability under RCW 7.72.030(1)(a),
14 (2), (3); RCW 7.72.030(1)(b), (c); and RCW 7.72.030(3).

15 This Court respectfully requests the assistance described herein as necessary in the
16 interests of justice for Lea Black. The assistance requested is that The Appropriate Judicial
17 Authority of Taiwan effect service of process upon the below named:

18 Merits Health Products Co., Ltd.
19 No. 18 Jingke Rd., T.P.M.T. Park,
20 Nantun District Taichung City,
Taichung 40852, Taiwan, R.O.C.

Merits Health Products Co., Ltd.
9 Road 6
Taichung Industrial Park
Taichung, Taiwan

21 by leaving one copy of the attached documents, Summons and Complaint, with Chinese
22 translations thereof, with a director, officer, or other entity authorized to accept service of
23 civil process in the manner prescribed for service of similar documents under the laws of
24 Taiwan.

1 This Court further requests that, after service has been made, the person who serves
2 the documents upon Merits Health Products Co., Ltd., execute a Certificate of Service and
3 return it, together with a copy of the documents served, to this Court at the address below.

4 The United States District Court, Western District of Washington, expresses its
5 willingness to provide similar assistance to Judicial Authorities of Taiwan.

6 Plaintiff's counsel, Schroeter, Goldmark & Bender, 500 Central Building, 810 Third
7 Avenue, Seattle, Washington 98104, as the requesting party, is willing to reimburse the
8 Judicial Authorities of Taiwan for costs incurred in executing this request for judicial
9 assistance.

10
11 DONE IN OPEN COURT this _____ day of _____, 2017.

12
13
14 _____
15 THOMAS S. ZILLY
16 United States District Judge
17 United States District Court
18 Western District of Washington
19 700 Stewart Street, Suite 2310
20 Seattle, WA 98101
21 (206) 370-8400

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26 (SEAL OF COURT)

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Requesting Party:

SCHROETER, GOLDMARK & BENDER

By: s/Sims Weymuller
SIMS WEYMULLER, WSBA #33026

By: s/Peter O'Neil
PETER O'NEIL, WSBA #28198

By: s/Lucas Garrett
LUCAS GARRETT, WSBA #38452

Counsel for Plaintiff
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