Le et al v. Urquhart et al Doc. 26

1 Judge Thomas S. Zilly Jury Trial Date: June 3, 2019 2 3 4 5 IN THE U.S. DISTRICT COURT FOR THE WESTERN DISTRICT OF WASHINGTON 6 AT SEATTLE 7 8 BAO XUYEN LE, INDIVIDUALLY, and as the Court appointed PERSONAL REPRESENTATIVE OF THE ESTATE 9 NO. 2:cv-18-00055 TSZ OF TOMMY LE, HOAI "SUNNY" LE, Tommy Le's Father, DIEU HO, Tommy 10 STIPULATION AND ORDER TO AMEND Le's Mother, UYEN LE and BAO XUYEN **COMPLAINT** 11 LE, Tommy Le's Aunts, KIM TUYET LE, Tommy Le's Grandmother, and QUOC NGUYEN, TAM NGUYEN, DUNG 12 NGUYEN, JULIA NGUYEN AND 13 JEFFERSON NGUYEN, Tommy Le's Siblings, 14 Plaintiffs, 15 v. 16 JOHN URQUHART, the former KING COUNTY SHERIFF, MARTIN LUTHER 17 KING JR. COUNTY as sub-division of the 18 STATE of WASHINGTON, KING COUNTY SHERIFF'S OFFICE, and KING COUNTY DEPUTY SHERIFF CESAR 19 MOLINA. 20 Defendants. 21 22 23 STIPULATION AND ORDER TO AMEND **CAMPICHE ARNOLD, PLLC** Market Place Tower COMPLAINT -1 1201 Third Avenue NO. 2:cv-18-00055 Suite 3810 Seattle, WA 98101

TEL: (206) 281-9000 FAX: (206) 281-9111

1		STIPULATION
2	The u	ndersigned counsel for the above-named Plaintiffs and Defendants to this action
3	reques	t the Court to confirm and order the following stipulation:
4	1.	That Plaintiffs may amend their complaint to conform to the attached Exhibit A:
5	PLAINTIFFS	' SECOND AMENDED COMPLAINT FOR DAMAGES FOR VIOLATION OF
6	CIVIL RIGH	TS (42 U.S.C. § 1983) AND UNDER WASHINGTON STATE LAW: TORTS OF
7	WRONGFUL	DEATH (RCW 4.20.020) & SURVIVAL ACTION (RCW 4.20.0600,
8	NEGLIGENO	CE, NEGLIGENT TRAINING AND TORT OF AND OUTRAGE (Second Amended
9	Complaint).	
10	2.	That the Second Amended Complaint removes as parties John Urquhart, Dow
11	Constantine, a	and the King County Sheriff's Office.
12	3.	That Cesar Molina's name is corrected from "Caesar" to its proper form "Cesar."
13	4.	That paragraph 52 of the Second Amended Complaint adds the words: "(for
14	example a phy	ysical take down)".
15	5.	The word "decent" is replaced with the correct word "descent" in paragraph 92.
16	6.	The word "plaintiff" is added to paragraph 110 for clarity.
17	7.	The words "loss of the respect of the Vietnamese community, and extreme shame
18	from these all	eged actions of an armed Tommy Le" are added to paragraph 111.
19	8.	Paragraph 119 is deleted leaving a place holder "X" to maintain the same
20	numbering se	quence of following paragraphs.
21	9.	New paragraphs 125 and 126 are added by Plaintiffs regarding the allegations of
22	"shame," and	"loss of honor."

STIPULATION AND ORDER TO AMEND COMPLAINT - 2 NO. 2:cv-18-00055

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1	10. The words "all material times hereto" replaces the phrase "the time of shooting of		
2	Tommy Le" in paragraph 128.		
3	IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.		
4	DATED this 22 nd day of May, 2018.		
5	By: s/Philip G. Arnold		
6	Philip G. Arnold, WSBA No. 2675 CAMPICHE ARNOLD PLLC		
7	Attorneys for Plaintiffs 1201 Third Avenue, Suite 3810		
8	Seattle, WA 98104 206.281.9000		
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10	parnold@campichearnold.com ltran@campichearnold.com		
11	jhackler@campichearnold.com lharris@campichearnold.com		
12	slandholm@campichearnold.com		
13			
14	DATED this 22 nd day of May, 2018.		
15	By: s/Richard Anderson		
16	Richard Anderson, WSBA No. 25115 Senior Deputy Prosecuting Attorney		
17	King County Prosecuting Attorney's Office Attorneys for King County		
18	500 Fourth Avenue, 9 th Floor Seattle, WA 98104		
19	206.296.8829 Emails:		
20	rich.anderson@kingcounty.gov nadia.rizk@kingcounty.gov		
21	angela.lindsey@kingcounty.gov		
22			
23	STIDIII ATION AND ODDED TO AMEND CAMBICHE ADNOLD DILIC		

COMPLAINT -3

NO. 2:cv-18-00055

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1			
2	DATED this 22 nd day of May, 2018.		
3			
4	By: s/Timothy Gosselin		
5	Timothy R. Gosselin Gosselin Law Office, PLLC		
5	Attorney for Officer Cesar Molina		
6	1901 Jefferson Avenue, Suite 304 Tacoma, WA 98402		
7	253.627.0684		
8	Email: tim@gosselinlawoffice.com		
0			
9	ORDER		
10	Pursuant to the stipulation of the parties, docket no. 25, Plaintiffs are granted		
11	leave to amend their complaint. Plaintiffs shall electronically file their Second Amended		
12	Complaint within seven (7) days of the date of this Order.		
13	IT IS SO ORDERED.		
14	Dated this 29th day of May, 2018.		
15	Thomas S Felly		
16	.		
17	Thomas S. Zilly United States District Judge		
18	Clinica States District Juage		
19			
19			
20			
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22			
23	STIPULATION AND ORDER TO AMEND COMPLAINT – 4 CAMPICHE ARNOLD, PLLC Market Place Tower		

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