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2017 MAR -9 PM 4:06

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CLARK COUNTY

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6 IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON

7 IN AND FOR THE COUNTY OF CLARK

8 KELCIE A. HUNTLEY, a single woman, and
9 ALYXANDRIA K. BATES, a married woman,

10 Plaintiffs,

11 v.

12 VANCOUVER SCHOOL DISTRICT NO. 37,
13 and VIRGINIA E. SHARPE, individually and
14 in her capacity as an employee of Vancouver
15 School District No. 37,

16 Defendants.

Case No. 17 2 00581 2

COMPLAINT FOR MONEY DAMAGES

17 COMES NOW Plaintiffs Kelcie A. Huntley and Alyxandria K. Bates, by and through
18 their attorney of record, Barry W. Brandenburg, and allege as follows:

19 I. PARTIES

20 A. Kelcie A. Huntley, Plaintiff, has been at all times material hereto, including on or
21 about October 10, 2014, a resident of Clark County, Washington.

22 B. Alyxandria K. Bates, Plaintiff, is the natural mother of Plaintiff Kelcie A.
23 Huntley, and has been at all times material hereto, including on or about October 10, 2014, a
24 married resident of Clark County, Washington.
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COMPLAINT FOR MONEY DAMAGES- 1

BRANDENBURG LAW FIRM
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1 C. Vancouver School District No. 37 (hereinafter "VSD"), Defendant, has been at all
2 times material hereto, including on or about October 10, 2014, a public school district organized
3 and operating within the state of Washington.

4 D. Virginia E. Sharpe, Defendant, has been at all times material hereto, including on
5 or about October 10, 2014, a resident of Clark County, Washington and an agent, servant, and/or
6 employee of VSD.

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8 II. FACTS

9 A. On or about October 10, 2014 in Clark County, Washington, Plaintiff Kelcie A.
10 Huntley was walking westbound in the pedestrian crosswalk in the intersection of east
11 McLoughlin Boulevard and Grand Boulevard.

12 B. On the date and at the location mentioned above, Virginia E. Sharpe was driving a
13 VSD owned 2008 School Bus within the scope of her training and authority as a VSD bus driver.

14 C. On the date and at the location above, Virginia E. Sharpe and VSD breached their
15 duty to Kelcie A. Huntley when Virginia E. Sharpe negligently drove a 2008 VSD School Bus
16 into Plaintiff Kelcie A. Huntley's body.

17 D. On the date and at the location mentioned above, shortly after the Plaintiff Kelcie
18 A. Huntley's body was struck by the 2008 VSD School Bus, Plaintiff Alyxandria K. Bates
19 arrived at the collision location and witnessed Plaintiff Kelcie A. Huntley's body lying in the
20 road.
21

22 E. As a direct and proximate result of this collision, Plaintiff Kelcie A. Huntley
23 sustained personal injuries as more specifically complained of, *infra*.

24 F. As a direct and proximate result of this collision, Plaintiff Alyxandria K. Bates
25 sustained personal injuries as more specifically complained of, *infra*.
26

1 III. VENUE AND JURISDICTION

2 A. Venue is appropriate in Clark County Superior Court for the reason that the
3 collision and Plaintiffs' injuries occurred in Clark County, Washington.

4 B. Clark County Superior Court has subject matter and personal jurisdiction over this
5 action and the Defendants herein since the cause of action herein named occurred in Clark
6 County, Washington.

7 C. Defendant VSD was properly and timely served with Plaintiffs' RCW Standard
8 Tort Claim Form.

9 D. Defendant VSD was properly served with Plaintiffs' Summons and Complaint
10 For Money Damages.

11 E. Defendant Virginia E. Sharpe was properly served with Plaintiffs' Summons and
12 Complaint For Money Damages.

13 IV. LIABILITY

14 Defendants VSD and Virginia E. Sharpe are at fault and/or liable for Virginia E. Sharpe's
15 negligent operation of said VSD 2008 School Bus prior to or at the time of the incident
16 previously described and/or her violation of various Washington statues, rules of the road,
17 regulations, and/or common law duties.
18

19 V. CAUSATION AND PROXIMATE CAUSE

20 The negligence, fault, acts, inactions, or omissions of Defendants VSD and Virginia E.
21 Sharpe as previously described herein under the sections of this complaint describing the parties,
22 facts, and liability were the cause-in-fact and the proximate cause of Plaintiffs' injuries and
23 damages as herein described.
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VI. DAMAGES

A. Plaintiff Kelcie A. Huntley has suffered and sustained past, present, and future damages including, but not necessarily limited to the following:

1. Medical and health related bills and expenses of all kinds;
2. Pharmaceutical and over-the-counter medication expenses and/or prosthetic device expenses;
3. Wage loss and/or impaired earning capacity;
4. Pain and suffering;
5. Mental anguish and emotional distress;
6. Temporary and/or permanent total and/or partial disability and/or disfigurement;
7. Loss of enjoyment and/or loss, impairment, or diminishment of the joys and amenities of life;
8. Loss of the child-parent relationship with her mother, Alyxandria K. Bates;
9. Inconvenience;
10. Mileage and other travel related expenses incurred in seeking health care for the injuries herein complained of;
11. Interest on health care expenses or obligations and or other economic damages incurred as a result of the injuries herein complained of, at the maximum amount allowable by law, including prejudgment interest (from the date of origin of any such expenses to the date of entry of judgment) and post-judgment interest;
12. Other economic/special damages; and,
13. Other noneconomic/general damages.

Any and all such damages are in amounts to be proven at the time of trial or arbitration of this cause.

B. Plaintiff Alyxandria K. Bates has suffered and sustained past, present, and future damages including, but not necessarily limited to the following:


1. Loss of the parent-child relationship with her daughter, Kelcie A. Huntley;
2. Negligent infliction of emotional distress;
3. Other economic/special damages; and
4. Other noneconomic/general damages.

VII. PRAYER FOR RELIEF

Plaintiffs hereby pray that the Court award them judgment against the Defendants in this case for their damages as above-described, and for their statutory and/or reasonable attorney fees

1 to which they may be entitled under the laws of the State of Washington, pre-judgment interest
2 on all damages awarded Plaintiffs, together with such costs as may be incurred by Plaintiffs in
3 the prosecution of this action and/or for such other and further relief as the Court deems just and
4 equitable in the premises.

5 DATED this 9th day of March 2017.

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9 Barry W. Brandenburg, WSB #20120
10 Attorney for Plaintiffs
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