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KING COUNTY  
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CASE NUMBER: 17-2-12512-1 SEA

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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF KING

JUDITH WANGEN, as Personal  
Representative of the ESTATE OF  
LAWRENCE E. WANGEN,  
  
Plaintiff,

No.  
  
COMPLAINT FOR MEDICAL  
NEGLIGENCE, WRONGFUL DEATH,  
AND SURVIVAL ACTION

v.

KAISER FOUNDATION HEALTH PLAN  
OF WASHINGTON, OVERLAKE  
HOSPITAL MEDICAL CENTER, and  
JOHN SCOTT EMERY, MD,  
  
Defendants.

**I. PARTIES, JURISDICTION AND VENUE**

1.1. Judith Wangen was the spouse of decedent Lawrence Edward Wangen until the time of his death, and is the Personal Representative of the Estate of Lawrence Edward Wangen. She has at all times pertinent hereto been a resident of Edmonds, Washington.

1.2. Defendant Kaiser Foundation Health Plan of Washington ("Kaiser") is an active corporation organized under the laws of the State of Washington and doing business in the State of Washington. Group Health Cooperative was acquired and is now a part of Kaiser

1 Foundation Health Plan of Washington as of February 1, 2017, and Kaiser is liable for the  
2 acts and injuries alleged herein as the successor in interest to Group Health Cooperative.

3 1.3. Defendant Overlake Hospital Medical Center (“Overlake”) is an active  
4 nonprofit corporation organized under the laws of the State of Washington and doing  
5 business in the State of Washington.

6  
7 1.4. Defendant John Scott Emery, M.D., is a physician licensed to practice  
8 medicine in the State of Washington. At all relevant times, Dr. Emery was an employee or  
9 agent of Group Health Cooperative, a part of Kaiser Foundation Health Plan of Washington  
10 since February 1, 2017.

11 1.5. King County is the appropriate venue for this action because the events giving  
12 rise to this cause of action took place in King County and defendants Kaiser and Overlake are  
13 located therein.

14  
15 1.6. Plaintiff elects not to submit this matter to arbitration. Please see attached  
16 declaration of Judith Wangen.

## 17 II. FACTS

18 2.1. On June 8, 2015, decedent Lawrence Wangen was hospitalized at Overlake  
19 Hospital under the care of Dr. Emery for a laparoscopic hiatal hernia repair and Nissen  
20 fundoplication.

21  
22 2.2. Following the surgery and during his hospitalization at Overlake Hospital  
23 from June 8 through June 10, 2015, Mr. Wangen did not do well. His pain level was greater  
24 than expected for the surgery he had, he needed increasing levels of oxygen support, his heart  
25 rate and respiratory rate were elevated, and he had low urine output relative to his fluid  
26 intake.





1 C. The statutory beneficiaries of a wrongful death claim, namely plaintiff  
2 and those provided by law, have suffered damages on account of the suffering and death of  
3 the decedent, for the loss of love, care, affection, companionship, guidance and society, of  
4 the decedent. Claims for loss of consortium on behalf of the decedent's adult children,  
5 Richard Wangen and Rachel Wangen-Hoch, are specifically included within the damages  
6 claimed.  
7

8 D. The Estate of Lawrence Wangen has suffered the loss of future  
9 earnings and other economic losses.

10 E. All other rights and remedies arising from decedent's injuries.

11 F. All of the above damages are in an amount which will be proved at  
12 trial.  
13

14 **V. PRAYER FOR RELIEF**

15 WHEREFORE, Plaintiff prays for damages as set forth above, and for such other  
16 relief as the Court deems just and reasonable.

17 DATED this 17<sup>th</sup> day of May, 2017.  
18

19 SCHROETER, GOLDMARK & BENDER

20 *Kristin Houser*

21 KRISTIN HOUSER, WSBA # 7286  
22 ADAM J. BERGER, WSBA #20714  
23 THOMAS J. BREEN, WSBA #34574  
24 Counsel for Plaintiff  
25  
26

**DECLARATION OF CLIENT REGARDING VOLUNTARY ARBITRATION**

I, Judith Wangen, am plaintiff in a lawsuit against Kaiser Foundation Health Plan of Washington, Overlake Hospital Medical Center, and John Scott Emery, MD. I make this declaration based upon personal knowledge. I am over the age of 18 and competent to testify to the matters set forth herein.

1. My attorney of record, Kristin Houser, presented me with a copy of the provisions of RCW Chapter 7.70A and answered my questions before commencing this lawsuit.
2. I have elected not to submit the dispute in this matter to arbitration under that chapter.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

DATED at Seattle, Washington, this 16 day of May, 2017.

  
Judith Wangen