

Exhibit 3 – Second Amended Complaint, same case (filed Sept.
20, 2024)

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

WA HE LUT INDIAN SCHOOL, an Indian school,

Plaintiff,

v.

ANZA SMITH; BEN PAZ; CHI-TOL-BIA MILLS; CHRISSY MILLS; DAKOTA CASE; DAKOTA FIRE THUNDER; DEONA MCCLOUD; ERVINA "BINAH" MCCLOUD; DILLON WOODWARD; KEETCHUD' CABACUD KAY MILLS; MARIE FRANK IRONPIPE; QUAL-BEET-TUB MILLS; SYKA JOHN; YEKABOLTSA MILLS; YESMOWIT MILLS; and DOES NO. 1-10, each in their individual capacities,

Defendants.

No. 24-2-02515-34

**SECOND AMENDED COMPLAINT
FOR DAMAGES AND INJUNCTIVE
RELIEF FOR TRESPASS,
CONVERSION, AND CRIMINAL
PROFITEERING**

I. PARTIES

1. Plaintiff Wa He Lut Indian School ("School") is a state-compacted school for Native children, grades K-8. The School sits on land within Thurston County, Washington, title to which is held by the United States for the exclusive use of the School. The School was recognized by the U.S. government more than 50 years ago and is currently funded by the U.S. Department of the Interior and the State of Washington.

2. Defendants Anza Smith, Ben Paz, Chi-Tol-Bia Mills, Chrissy Mills, Dakota Case, Dakota Fire Thunder, Deona McCloud, Dillon Woodward, Ervina "Binah" McCloud, Keetchud'Cabacud Kay Mills, Marie Frank Ironpipe, Qual-Beet-Tub Mills, Syka John, Yekaboltsa Mills, Yesmowit Mills, and Does Nos. 1-10, each sued in their individual capacities, are residents of the State of Washington, upon information and belief.

II. JURISDICTION AND VENUE

3. The acts alleged herein occurred on a 6.33-acre parcel of fee land located at 11110 Conine Avenue SE, Olympia, WA 98513, in Thurston County, Washington, title to which is held by the United States for the exclusive use of the School. See Pub. L. No. 96-277, § 5(a), 94 Stat. 546 (June 17, 1980) (codified at 18 U.S.C. § 437 note); on contiguous 25.46-acre, 3-acre, 2.15-acre, and 1.47-acre parcels of fee land, all of which are also located at 11110 Conine Avenue SE, Olympia, WA 98513, in Thurston County, Washington; and on other fee land parcels located in Olympia and Yelm, in Thurston County, Washington.

4. One or more Defendants are Native American and reside or do business in Thurston County, Washington. One or more "Doe" Defendants are *not* Native American and reside or do business in Thurston County, Washington.

5. Jurisdiction over this civil trespass action is proper in this Court pursuant to Washington's original jurisdiction. See Wash. Const. art. IV, § 6 (providing superior courts shall "have original jurisdiction in all cases at law which involve the title or possession of real property" and in "all proceedings in which jurisdiction shall not have been by law vested exclusively in some other court"). None of the acts alleged herein occurred within an established Indian Reservation or on trust land or allotted land.

6. Venue is proper in this Court pursuant to RCW 4.12.010, 4.12.020, and 4.12.025.

III. STATEMENT OF FACTS

A. History and Background of the Wa He Lut Indian School.

7. In or around 1918, Willy Frank, a member of the Nisqually Tribe, acquired the 6.33 acre parcel on which the School sits today. The property is located at 11110 Conine Avenue SE, Olympia, WA 98513, in Thurston County, Washington, in a “geographic location” commonly known as Frank’s Landing. *Nisqually Indian Tribe v. Gregoire*, 623 F.3d 923, 927 (9th Cir. 2010).

8. In 1974, individuals associated with the Frank’s Landing Indian Community founded the School to ensure that Native American children would receive the education promised to them in the Medicine Creek Treaty.

9. In 1976, the School first entered a funding agreement with the U.S. Bureau of Indian Education (“BIE”); and the School remains under contract with the BIE today. The School is not controlled by any federally-recognized Indian tribe, and does not sit on an established Indian Reservation or on trust land or allotted land. *Cf. Nisqually Indian Tribe v. Gregoire*, 623 F.3d at 927 (“The [Frank’s Landing] Community is not a federally recognized tribe”); *id.* (“Frank’s Landing is a geographic location . . . [not] located on the Nisqually or Squaxin Island Reservations.”); *see also Frank’s Landing Indian Community v. Nat’l Indian Gaming Com’n*, 918 F.3d 610, 614 (9th Cir. 2019) (the Frank’s Landing Indian Community “concedes that it has not been federally recognized”).

10. In 1980, title to the 6.33-acre property passed in fee status to “the Secretary of the Interior for the Wa-He-Lute Indian School for its use as an Indian school and community center for education or cultural purposes.” Pub. L. No. 96-277, § 5(a), 94 Stat. 546 (June 17, 1980). Today, title to the land “remain[s] in the United States under the administration of the Secretary of the Interior who shall hold the . . . tract of land for the Wa-He-Lute Indian School so long as it is used

1 for any of the above-mentioned purposes.” *Id.* § 5(b). “At such time as the land ceases to be used
2 for the above purposes, title thereto shall be taken in trust for the benefit of Willy Frank, Nisqually
3 Enrollee No. 19 (November 9, 1976) or his heirs.” *Id.*; *see also* 126 Cong. Rec. 14448 (1980).

4 11. In 1987, the Frank’s Landing Indian Community was recognized as a “self-
5 governing dependent Indian community that is not subject to the jurisdiction of any federally
6 recognized tribe” and is “eligible to contract, and to receive grants, under the Indian Self-
7 Determination and Education Assistance Act.” Pub. L. No. 100-153, § 10, 101 Stat. 886 (Nov. 5,
8 1987), as amended by Pub. L. No. 103-435, § 8, 108 Stat. 4569 (Nov. 2, 1994).

9 12. In 2007, the School’s Board of Directors (“School Board”) appointed Harvey
10 Whitford to serve as Superintendent of the School. Mr. Whitford has served as School’s
11 Superintendent for the last 17 years.

12 13. On August 23, 2007, the Frank’s Landing Indian Community Council adopted the
13 Constitution of Frank’s Landing Indian Community (“Constitution”).

14 14. In 2017, the School first entered a State-Tribal Education Compact with the
15 Washington State Superintendent of Public Instruction (“OSPI”) pursuant to Chapter 28A.715
16 RCW. The School remains under contract with OSPI today.

17 15. Today, the School has an average enrollment of 145 students from over 25 different
18 Indian Nations, grades K–8, with 10–20 students per class.

19 16. In addition to the 6.33-acre parcel, title to which is held in fee status by the Secretary
20 for the School’s exclusive use (“School fee land”), the School owns four other properties adjacent
21 to the School’s property (“adjacent fee parcels”): a 25.46-acre parcel, a 3-acre parcel, 2.15-acre
22 parcel, and a 1.47-acre parcel, all of which are located at 11110 Conine Avenue SE, Olympia, WA
23 98513 (i.e., the same address as the School’s). The School owns each of the adjacent parcels in fee

1 status; title to each of the adjacent parcels is held in the name of “Wa He Lut Indian School”; and
2 the School pays the State annual property taxes to the State for each of the adjacent fee parcels.

3 17. The School purchased three of the four adjacent fee parcels in 2005 from Maiselle
4 Bridges, a member of the Frank’s Landing Indian Community and a relative of one or more of the
5 Defendants, who is now deceased. The School purchased these three parcels for nearly \$450,000
6 total, an amount that was paid to Ms. Bridges in full in 2005. The adjacent fee parcels remain in fee
7 status today.

8 ***B. Defendants’ Attempts to Dispossess the School of Its Land in 2015 and 2022.***

9 18. In 2015, the School Board learned that Sid Mills, a relative of Ms. Bridges and the
10 father of one or more Defendants, sought to dispossess the School of the adjacent fee parcels by
11 urging the School to “grant” or “gift back” the land it purchased from Ms. Bridges in 2005 and to
12 transfer ownership of the land to Ms. Bridges, Mr. Mills, and his family members, including one or
13 more Defendants.

14 19. On August 15, 2015, a former School Board member, Michael Reichert, wrote to
15 Mr. Mills, explaining that Ms. Bridges had already received “nearly one half million dollars from
16 the School for the properties properly purchased by the School,” and “[t]he idea that [Ms. Bridges]
17 might be granted or gifted back those same properties should and would raise *questions of*
18 *impropriety* by the School Board, [Ms. Bridges], and those who represent her” (emphasis added).
19 Mr. Reichert further explained: “Similar questions of propriety would arise if [Ms. Bridges’s and/or
20 Mr. Mills’s] family members, or members of the School Board or organizations controlled by
21 family members or School Board members were to take ownership of the properties without full
22 disclosures to various governmental agencies and full and complete compensation to the School.”
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1 20. The School Board rejected the 2015 proposal by Mr. Mills to “grant,” “gift back,”
2 or transfer ownership of the School’s adjacent fee parcels to Ms. Bridges, Mr. Mills, or their family
3 members, including one or more Defendants.

4 21. One or more Defendants have since used the adjacent fee parcels as their
5 “playground,” including camping on those lands, without the School’s permission.

6 22. Leading up to March 17, 2022, the following individuals served as Frank’s Landing
7 Indian Community Councilmembers: Willie Frank III, Yekaboltsa Mills, Wetekosh Mills, Spap
8 Gottfriedson, and Adochas Gottfriedson. Councilmember Willie Frank III is the sole surviving heir
9 of the estate of his grandfather, Willy Frank.

10 23. On or around March 17, 2022, Frank’s Landing Indian Community Councilmembers
11 were purportedly replaced by Defendants Yesmowit Mills, Qual-Beet-Tub Mills, Chi-Tol-Bia
12 Mills, Keetchud’Cabacud Kay Mills, and Marie Frank Ironpipe pursuant to “Executive Order” but
13 without required notice to or approval by the then Frank’s Landing Indian Community Council.

14 24. Shortly thereafter, on May 29, 2022, the School Board held a meeting and learned
15 that Mr. Mills sought to dispossess the School of its lands by negotiating the sale of the School’s
16 lands to an unspecified Indian tribe and/or a third party.

17 25. The School Board rejected Mr. Mills’s 2022 proposal to take over or sell the
18 School’s lands and sought to protect its property interests, as recorded in the School Board meeting
19 minutes.

20 ***C. Defendants Then Operated an Illegal Cannabis Business Next to the School.***

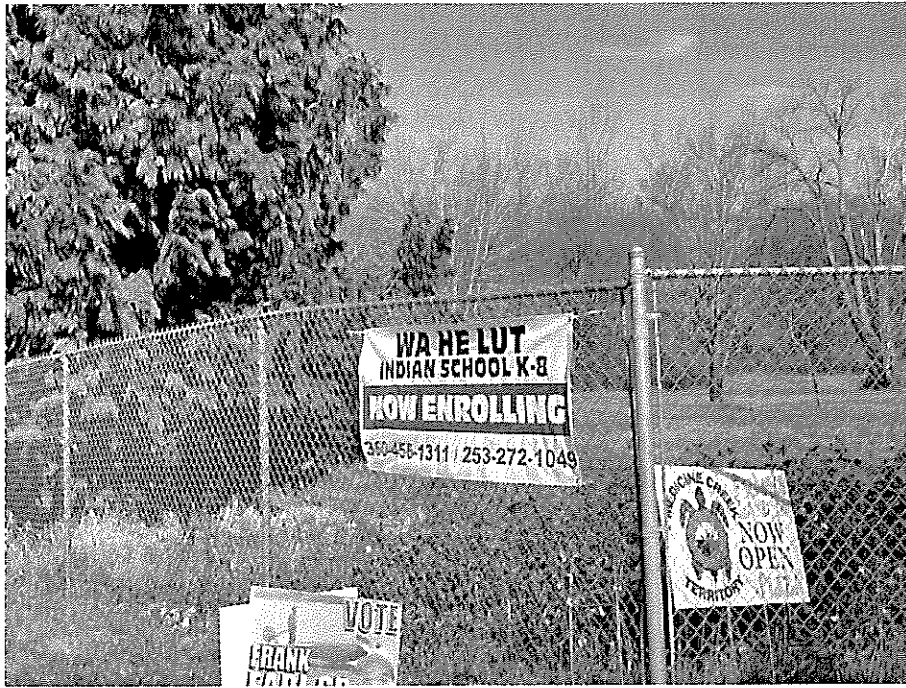
21 26. After Defendants Yesmowit Mills, Qual-Beet-Tub Mills, Chi-Tol-Bia Mills,
22 Keetchud’Cabacud Kay Mills, and Marie Frank Ironpipe purportedly took over the Community
23 Council, these Defendants announced that “new economic development . . . will be happening.”
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1 Although these Defendants originally announced their intent to develop a “café style-deli [that] will
2 be family friendly,” they instead developed a property located at 11117 Conine Avenue SE,
3 Olympia, WA, 98513 into an illegal cannabis retail operation. Upon information and belief, that
4 cannabis retail operation was located within 100 feet of the School.

5 27. These Defendants continued to operate the illegal cannabis retail operation without
6 a state-issued cannabis compact in violation of state and federal law.

7 28. In and around March 2023, one or more of these Defendants placed multiple signs
8 displaying “CANNABIS FRANK’S LANDING” and “FRANKS LANDING PLAZA” on the
9 School’s adjacent fee parcels, without the School’s permission. True and accurate photos of the
10 yard signage inside the fencing that surrounds the School’s adjacent fee land is shown below:





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11 29. Believing the cannabis signage sent the wrong message to School families, students,
12 and staff (and also constituted a trespass), the School removed the signage. The School notified
13 federal and state authorities about Defendants' illegal cannabis retail operation within 100 feet of
14 the School.

15 30. In and around the spring of 2023, one or more of these Defendants repeatedly
16 trespassed upon the School fee land to affix water hoses to the School building and converted water
17 for their own use at nearby residences across Conine Avenue SE, at the expense of the School. The
18 School disconnected the water hoses, only to have Defendants reconnect the hoses, before the
19 School finally disconnected the hoses.

20 31. In August 2023, following an investigation by the Washington State Liquor and
21 Cannabis Board ("LCB"), the LCB, in partnership with the Thurston County Sherriff's Office,
22 entered these Defendants' unlicensed cannabis business within 100 feet of the School and seized
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1 more than 8,000 grams of cannabis flower, nearly 900 concentrate products, more than 200
2 packages of cannabis-infused products, three firearms, and approximately \$6,000 in cash.¹

3 32. Despite the LCB enforcement action, these Defendants continued to operate the
4 illegal cannabis retail operation from August 2023 through June 2024, upon information and belief.

5 33. In June 2024, these Defendants closed the illegal cannabis operation, citing a lack
6 of revenues. Upon information and belief, Defendants then set their sights on controlling the School,
7 as either a new source of revenue or to retaliate against the School for reporting their illegal cannabis
8 operation to federal and state authorities.

9 ***D. Defendants’ Attempts to Dispossess the School of Its Land and Personal Property in 2024.***

10 34. On June 20, 2024, Defendants Yesmowit Mills, Qual-Beet-Tub Mills, Chi-Tol-Bia
11 Mills, Keetchud’Cabacud Kay Mills, and Marie Frank Ironpipe purportedly passed and signed two
12 Resolutions: Resolution No. 200-001 to “terminate[] Mr. Harvey Whitford as Superintendent of
13 WA He Lut Indian School effective immediately”; and Resolution No. 200-002 to “dissolve[] the
14 School Board of the Wa He Lut Indian School effective immediately.” Upon information and belief,
15 Defendants took these purported actions at residences on fee lands in Olympia or Yelm, Thurston
16 County. Defendants did not take these purported actions on any lands commonly known as Frank’s
17 Landing. *See Nisqually Indian Tribe*, 623 F.3d at 927. The trust lands commonly affiliated with
18 Frank’s Landing (e.g., the property at 11117 Conine Avenue SE where Defendants ran the the
19 illegal cannabis operation), are different parcels than both the School fee land and adjacent fee land.

20 *See id.*

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22 ¹ *See LCB Finds Illegal Cannabis Activity at “Medicine Creek Territory,”* Washington State Liquor and
23 Cannabis Board (2023), available at: [https://lcb.wa.gov/pressreleases/lcb-finds-illegal-cannabis-activity-
24 at-medicine-creek-territory#:~:text=In%20partnership%20with%20the%20Thurston.packages%20of%20cannabis%2Dinfused%20products](https://lcb.wa.gov/pressreleases/lcb-finds-illegal-cannabis-activity-at-medicine-creek-territory#:~:text=In%20partnership%20with%20the%20Thurston.packages%20of%20cannabis%2Dinfused%20products).

1 35. As most recently recognized by the BIE for federal Indian education grant purposes,
2 the following individuals serve on the School Board: Willie Frank III (as School Board Chair),
3 Suzette Bridges, Yekaboltsa Mills, Gyasi Ross, Suwan Gottfriedson, and Elizabeth Stamos.

4 36. On June 28, 2024, the School Board sent Defendants a letter, urging the Council to
5 “cease and desist from taking any further action to jeopardize the School’s educational mission or
6 operations”; it also cautioned Defendants: “Anyone who steps foot on Wa He Lut Indian School . . .
7 grounds without permission or to cause trouble will be subject to trespass.” Upon information and
8 belief, Defendants received the School Board’s letter by email at residences on fee lands in Olympia
9 and Yelm, Thurston County.

10 37. On July 1, 2024, Superintendent Whitford reported to the Thurston County Sheriff’s
11 Office that he received a phone call from one of the Defendants, Yesmowit Mills, during which
12 Defendant Mills threatened to physically harm Superintendent Whitford (with Defendant Mills
13 saying he “didn’t care how old” Superintendent Whitford was). Superintendent Whitford believed
14 the incident constituted an assault. At the time of the assaulting phone call, upon information and
15 belief, Defendant Mills was at his residence located on fee lands in Yelm, Thurston County.

16 38. On July 2, 2024, a group of one or more Defendants went to the School, despite the
17 School Board’s cease and desist letter.

18 39. At some point before July 8, 2024, a group of one or more Defendants cut the
19 padlock securing the front gate of the School and replaced it with Defendants’ own padlock. Those
20 Defendants also posted a purported “No Trespass Order” on the gate against Superintendent
21 Whitford.

1 40. On or around July 8, 2024, a group of one or more Defendants entered the School's
2 property through the front gate and broke into the School building, triggering the School's security
3 alarm system.

4 41. Notwithstanding the blaring alarm sounds, Defendants continued to trespass on
5 School property, hacked into the School's security system to disable it, and unlawfully accessed the
6 School's computers and information technology systems. This incident was reported to the
7 Thurston County Sheriff's Office and the Nisqually Police Department; authorities arrived at the
8 scene shortly thereafter.

9 42. On July 9, 2024, at approximately 9 a.m., a group of one or more Defendants
10 returned to the School while the front entrance to the School was being guarded by School staff.
11 This incident was also reported to the police.

12 43. During that July 9 incident, one of the Defendants told a School employee who was
13 guarding the School entrance at the time: "I'm going to bury you." Defendants then blocked the
14 front gate of the School and attempted to prevent School employees from leaving until they could
15 "search" all School employees. School employees were forced to flee through the School's back
16 entrance that day, but they escaped unharmed.

17 44. On July 15, 2024, the School learned that one or more Defendants were loading
18 boxes into a white van parked inside the School gate, near the front door of the School. Upon
19 information and belief, Defendants stole the School's public records and other personal property
20 and transferred such records and property to an undisclosed location off of School property. A true
21 and accurate photo of the white van parked in front of the School is shown below:



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14 45. Until about July 16, 2024, Defendants continued to occupy the School's property.
15 Defendants had individuals stationed on School premises 24 hours per day. Defendants withdrew
16 from School premises only after School employees posted the Court's Temporary Restraining
17 Order on the School's front entrances on July 15, 2024 (which was reposted on July 16, 2024, after
18 being removed by unknown individuals).

19 46. As a result of the safety threat posed by Defendants from July 2 through July 16,
20 2024, School employees were unable to report to work, and the School ceased to operate.

21 47. Defendants have stolen, committed waste on, damaged, and/or destroyed School
22 property, including public records, padlocks to the School, several of the School's security cameras,
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1 and other School property. Upon information and belief, Defendants will continue to destroy,
2 damage, or steal property on School premises or attempt to do so.

3 48. School employees no longer feel safe to go onto School premises, despite their legal
4 responsibility to operate the School, pay its employees, pay utility and other bills, and carry out
5 ongoing projects.

6 49. The School opened its doors to students on September 3, 2024, notwithstanding the
7 ongoing threat posed by Defendants.

8 50. The School's leadership reasonably believes that Defendants will continue their
9 efforts to trespass on School property and convert the School's personal property and financial
10 assets (or threaten to do so) without Court intervention. In early September 2024, for example,
11 Superintendent Whitford and his two teenage daughters were followed, harassed, physically
12 intimidated, and threatened by individuals associated with one or more Defendants at the 45th
13 Annual Puyallup Tribal Labor Day Powwow ("Puyallup Powwow"), which took place at Chief
14 Leschi Schools in Puyallup, Washington. At one point, the individual stated that the Mills family,
15 including one or more Defendants, has "always wanted the School" and that "no one at the
16 [Puyallup Powwow] is going to help" Superintendent Whitford.

17 51. The School has suffered actual, substantial, and irreparable harm as a direct result
18 of Defendants' trespass, theft, and actions attendant thereto. For example, on July 17, 2024, because
19 of Defendants unlawful occupation of School premises that forced School employees to work
20 outside the School building over the prior week, the School was notified by the BIE that the agency
21 was officially rescinding a federal grant in the amount of \$2,365,948.00 awarded to the School for
22 School Year ("SY") 2024–2025. The BIE expressed concern about any "immediate threat of
23 imminent harm to the safety of any person" resulting from Defendants' takeover of the School. The
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1 School has since abated that threat, in large part due to the Court’s retraining orders and injunction,
2 and the BIE fortunately restored the grant in full in August 2024.

3 52. Nevertheless, the School was forced to delay a nearly \$500,000 construction project
4 to renovate its covered playground because construction workers did not feel safe working on
5 School premises. For every day that the construction project was delayed, the School paid hundreds
6 of dollars in rental equipment that could not be used.

7 53. To date, the School estimates that it has incurred tens of thousands of dollars in
8 damages as a direct result of Defendants’ actions. These damages include \$22,903.20 in
9 salary/compensation for summer staff who were unable to report to work; \$1,050.00 in rental
10 equipment for the delayed playground construction project; \$215.97 in stolen security cameras
11 (three total); \$60.00 in destroyed padlocks (five total); \$3,360.00 to hire security guards to patrol
12 the School overnight; and \$1,379.61 to purchase new security cameras and other equipment.

13 **IV. FIRST CIVIL CAUSE OF ACTION**
14 **TRESPASS**

15 54. The allegations in paragraphs 1–53 are incorporated herein by reference.

16 55. Until about July 8, 2024, the School was in possession and control of the School’s
17 real property situated at 11110 Conine Avenue SE, Olympia, WA 98513.

18 56. Beginning on or about July 8, 2024, Defendants entered the School’s fee lands
19 situated at 11110 Conine Avenue SE, Olympia, WA 98513, without the consent or authority against
20 the will of the School, the Superintendent, or the School Board.

21 57. Defendants took actual and constructive control of School premises by breaking the
22 locks, entering the School’s offices, threatening School personnel, and hacking into School
23 property, including computers, related technology, and School records.

1 58. Defendants' actions have barred and presently bar the School, the School Board, and
2 School employees from using its offices and providing education and related services to Native
3 children.

4 59. By reason of the Defendants' conduct, the School has been deprived of the use and
5 possession of its property as of July 8, 2024, and such trespass threatens to be ongoing.

6 60. Defendants are therefore liable for trespass against the School.

7 61. Pecuniary relief will not adequately compensate the School for its damages, because
8 the Defendants' actual and constructive control of the premises and actions attendant thereto have
9 deprived the School of the ability to provide educational services to Native children, as required by
10 federal and state law.

11 **V. SECOND CIVIL CAUSE OF ACTION**
12 **CONVERSION**

13 62. The allegations in paragraphs 1–61 are incorporated herein by reference.

14 63. Until about July 8, 2024, the School was in possession of public records and other
15 personal property on fee lands situated at 11110 Conine Avenue SE, Olympia, WA 98513,
16 including but not limited to office equipment, computers and related technology, furniture, School
17 records, financial assets, and other personal property of the School used in the provision of
18 educational services to Native children.

19 64. Beginning on or about July 8, 2024, without the consent or authority and against the
20 will of the School, Defendants came onto the premises situated at 11110 Conine Avenue SE,
21 Olympia, WA 98513, and took actual and constructive control of public records and/or other
22 personal property of the School. Defendants have threatened to continue to bar the School, the
23 School Board, and School employees from using such personal property.

1 65. Upon information and belief, Defendants continue to exercise wrongful dominion
2 and control over the public records and personal property of the School.

3 66. Upon information and belief, Defendants have transferred the School’s stolen public
4 records and other personal property from the School’s property to one or more of the Defendants’
5 residences in Thurston County.

6 67. The damages from the conversion of the School’s personal property are substantial
7 and ongoing, and such damages will continue each day that the Defendants remain in control or
8 otherwise deny the School’s access to its personal property.

9 68. Pecuniary relief will not adequately compensate the School for its damages, because
10 the Defendants’ actual and constructive control of the School’s personal property and actions
11 attendant thereto have deprived the School of the ability to provide educational services to Native
12 children, as required by federal and state law.

13 **VI. THIRD CIVIL CAUSE OF ACTION**
14 **CRIMINAL PROFITEERING**

15 69. The allegations in paragraphs 1–68 are incorporated herein by reference.

16 70. At all relevant times, Defendants have committed one or more acts of “criminal
17 profiteering” within the meaning of RCW 9A.82.010(4). From approximately July 8 through July
18 16, 2024, Defendants completed three or more acts of robbery in the second degree in violation of
19 RCW 9A.56.210 and/or theft in the second degree in violation of RCW 9A.56.040 by stealing the
20 School’s public records and other personal property (including damaged or stolen security cameras,
21 padlocks, and other School property) with a value exceeding \$750, upon information and belief.

22 71. Upon information and belief, Defendants have transferred the School’s stolen public
23 records and other personal property from the School’s fee land to one or more of the Defendants’
24 residences on fee lands in Olympia and/or Yelm, Thurston County.

1 77. Defendants' acts or threatened acts violate the School's rights to access and use its
2 real and personal property and financial assets, and such acts that cannot be compensated by
3 pecuniary relief alone.

4 78. There is imminent danger that waste will be committed on the School's fee lands
5 and in the School building unless Defendants are restrained from committing waste upon the
6 School's property.

7 79. The School is therefore entitled to an injunction to restrain Defendants pursuant to
8 RCW 7.40.020 and any other applicable law.

9 **VIII. PRAYER FOR RELIEF**

10 WHEREFORE, the School prays as follows:

11 80. For an order of this Court ejecting Defendants from the School's real property;

12 81. For an order requiring the Defendants to remove any and all matter they have caused
13 to be placed on the School's fee lands or in the School building and to return to the School any
14 public records or other personal property they have removed from the School's property or
15 otherwise converted;

16 82. For an order preventing, restraining, and remedying Defendants' pattern of criminal
17 profiteering under RCW 9A.82.100(2);

18 83. Award the School such equitable injunctive and ancillary relief as may be necessary
19 to avert the likelihood of the School's irreparable injury or prohibit the illicit conduct described
20 herein during the pendency of this action and to preserve the possibility of effective final relief,
21 including but not limited to, a temporary restraining order and a preliminary injunction;

22 84. Award the School a declaratory judgment;

1 85. Award of damages in the amount of \$28,968.78 and any other damages stemming
2 from the Defendants' trespass, conversion, pattern of criminal profiteering, and other unlawful acts;

3 86. An award of the costs of the suit, including reasonable investigative and attorneys'
4 fees, under RCW 9A.82.100(1)(a) and (c) or other applicable law;

5 87. An imposition of a civil penalty of up to \$250,000 upon the proof of Defendants'
6 pattern of criminal profiteering under RCW 9A.82.100(1)(d).

7 88. Any and all applicable interest on the judgment; and

8 89. For such additional relief as the Court may deem just and proper.

9 DATED this 20th day of September, 2024.

10 GALANDA BROADMAN, PLLC

11 s/ Gabriel S. Galanda

Gabriel S. Galanda, WSBA #30331

12 s/ Shelby R. Stoner

13 Shelby R. Stoner, WSBA #52837

14 Attorneys for Plaintiff

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CERTIFICATE OF SERVICE

I, Colleen A. Broberg, certify under penalty of perjury under the laws of the State of Washington that, on the date stated below, I caused the foregoing document to be served on Defendants via E-Service Agreement pursuant to CR 5(b)(7):

J.S. Ritchie, WSBA # 55004
Sarai Cook, WSBA # 57432
JAY S. RITCHIE, PLLC
999 Northlake Way, Suite 206
Seattle, WA 98103
jay.ritchie55@gmail.com
attorney@6directionslaw.com
sarahgranger1000@gmail.com
moore.melanie@att.net
Counsel for Defendants

DATED this 20th day of September, 2024.

s/ Colleen A. Broberg
Colleen A. Broberg, Legal Assistant