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KING COUNTY
SUPERIOR COURT CLERK
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CASE #: 25-2-24512-8 KNT

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

JANE DOE 104, an individual,

Plaintiff,

v.

PROVIDENCE ST. JOSEPH HEALTH, a
Washington Nonprofit Corporation;
PROVIDENCE HEALTH & SERVICES,
a Washington Nonprofit Corporation;
PROVIDENCE HEALTH & SERVICES
- WASHINGTON, a Washington
Nonprofit Corporation; KADLEC
REGIONAL MEDICAL CENTER, a
Washington Nonprofit Corporation; and
MARK E. MULHOLLAND, individually
and on behalf of the marital community
comprised of MARK E. MULHOLLAND
and J. DOE MULHOLLAND,,

Defendants.

No. 25-2-24512-8 KNT

ORDER GRANTING MOTION FOR
RECONSIDERATION

Plaintiff requests that the Court reconsider its Order Granting in Part and Denying in Part
Defendant Mulholland's CR 12(f) Motion to Strike Portions of Plaintiff's Complaint. *Sub.* 32.

By rule, no response for a motion for reconsideration may be filed "unless requested by
the Court" and reconsideration will not be granted "without such a request." *See* LCR

ORDER GRANTING
MOTION FOR RECONSIDERATION - 1

JUDGE NIKOLE E. HECKLINGER
KING COUNTY SUPERIOR COURT -
MRJC
401 FOURTH AVENUE NORTH
KENT, WA 98032

1 7(b)(6)(C). The Court determined that a response was necessary because Plaintiff had met its
2 initial burden to persuade the Court to reconsider its order.

3 In connection with this Motion, the Court has reviewed the following materials:

- 4 a) Plaintiff Jane Doe 104 's Motion for Reconsideration of Court's Order Granting in
5 Part and Denying in Part Defendant Mulholland's CR 12(f) Motion to Strike
6 Portions of Plaintiff's Complaint;
7 b) Plaintiff's Proposed Order (working copies only);
8 c) Response to Plaintiff's Motion for Reconsideration of Court's Order Granting in
9 Part and Denying in Part Defendant Mark E. Mulholland, M.D.'s CR 12(f)
10 Motion to Strike Portions of Plaintiff's Complaint;
11 d) Appendix of Non-Washington Authorities Cited in Defendant Mark Mulholland,
12 M.D.'s Response to Plaintiff's Motion for Reconsideration of Court's Order
13 Granting in Part and Denying in Part Defendant Mark E. Mulholland, M.D.'s CR
14 12(f) Motion to Strike Portions of Plaintiff's Complaint (working copies only);
15 e) Plaintiff Jane Doe 104 's Reply to Response to Plaintiff's Motion for
16 Reconsideration of Court's Order Granting in Part and Denying in Part Defendant
17 Mark E. Mulholland, M.D.'s CR 12(f) Motion to Strike Portions of Plaintiff's
18 Complaint;
19 f) Declaration of Julie E. Kline in Support of Plaintiff's Reply to Defendant
20 Mullholland's Response to Plaintiff's Motion for Reconsideration; and
21 g) Praecipe

22 The Court has also reviewed the records and files herein.

23 As an initial matter, Plaintiff did not need to establish compliance with CR 59 to justify
24 reconsideration. See *Chaffee v. Keller Rohrback LLP*, 200 Wn. App. 66, 76, 401 P.3d 418
(2017) (CR 59 does not apply to reconsideration of interlocutory orders). King County local
rule makes this clear. See LCR 7(b)(6)(A) ("LCR 59 governs motions for reconsideration of a
final order terminating the dispute. Except when specifically provided in another rule, this rule
governs all other motions to reconsider or change orders that do not finally determine a cause of
action, but only decide some intervening matter pertaining to the cause, including by way of a
renewed motion.").

25 The Court is persuaded after review that the Court's order was in error.

26 The purpose of Rule 12(f) is to "avoid the expenditure of time and money that must arise
27 from litigating spurious issues by dispensing with those issues prior to trial." The court must

1 view “the pleadings in the light most favorable to the non-moving party, and the
2 information will not be stricken unless it is evident that it has no bearing upon the subject
3 matter of the litigation.” “Any doubt concerning the import of the allegations to be stricken
4 weighs in favor of denying the motion to strike.”

5 *Park v. Welch Foods, Inc.*, No. 5:12-CV-06449-PSG, 2014 WL 1231035, at *1 (N.D. Cal.
6 Mar. 20, 2014)(citing *Fantasy, Inc. v. Fogerty*, 984 F.2d 1524, 1527 (9th Cir.1993), *Cal. Dept. of*
7 *Toxic Substances*, 217 F.Supp.2d 1028, 1033 (C.D.Cal.2002), *In re Walmart Stores, Inc. Wage &*
8 *Hour Litig.*, 505 F.Supp.2d 609, 614 (N.D.Cal.2007)).

9 ORDER

10 The Court hereby GRANTS the motion for reconsideration.

11 Defendant Mulholland shall file an Answer to the Complaint within 10 (ten) calendar days
12 of this Order.

13 Dated: November 3, 2025

14 [E-signature on last page]

15 JUDGE NIKOLE E. HECKLINGER

**King County Superior Court
Judicial Electronic Signature Page**

Case Number: 25-2-24512-8 KNT
Case Title: (JANE DOE 104) VS PROVIDENCE ST JOSEPH HEALTH ET AL
Document Title: Order Granting Motion / Petition
Date Signed: 11/04/2025



Judge: Nikole Hecklinger

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