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2 2025 OCT 06 04:17 PM
3 KING COUNTY
4 SUPERIOR COURT CLERK
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6 CASE #: 25-2-24512-8 KNT

Honorable Nikole Hecklinger
Hearing Date: October 17, 2025
Without Oral Argument

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

11 JANE DOE 104, an individual,

12 Plaintiff,

13 v.

14 PROVIDENCE ST. JOSEPH HEALTH, a
15 Washington Nonprofit Corporation;
16 PROVIDENCE HEALTH & SERVICES, a
17 Washington Nonprofit Corporation;
18 PROVIDENCE HEALTH & SERVICES –
19 WASHINGTON, a Washington Nonprofit
20 Corporation; KADLEC REGIONAL
21 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,

22 Defendants.
23

No. 25-2-24512-8 KNT

PLAINTIFF JANE DOE 104'S
MOTION FOR RECONSIDERATION
OF COURT'S ORDER GRANTING IN
PART AND DENYING IN PART
DEFENDANT MULHOLLAND'S CR
12(F) MOTION TO STRIKE
PORTIONS OF PLAINTIFF'S
COMPLAINT

24
25
26 PLAINTIFF JANE DOE 104'S MOTION FOR
RECONSIDERATION OF COURT'S ORDER
GRANTING IN PART AND DENYING IN PART
DEFENDANT MULHOLLAND'S CR 12(F)
MOTION TO STRIKE PORTIONS OF
PLAINTIFF'S COMPLAINT - 1

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1 **I. RELIEF REQUESTED**

2 Plaintiff respectfully requests that the Court reconsider its order granting in part
3 Defendant Mulholland’s motion to strike portions of her complaint for three reasons. First,
4 Mulholland failed to establish prejudice, a burden he bears and a prerequisite to any motion to
5 strike. Second, each allegation the Court struck concerns a factual matter that would be
6 admissible at trial in this case and is therefore both material and necessary to Plaintiff’s claims.
7 Third, while Plaintiff disagrees that federal caselaw should be used to interpret CR 12, even
8 under federal authority such allegations would not be stricken.
9

10 The effect of the Court’s ruling, if left standing, would be to impermissibly narrow the
11 scope of the case Plaintiff intends to try—before she has even proceeded to discovery or had
12 the opportunity, through motions in limine, to establish the admissibility of this evidence.
13 Justice therefore requires that the Court reconsider its order, deny Defendants’ motion, and
14 allow Jane Doe 104’s counsel—who as demonstrated below have drafted a complaint carefully
15 aligned with the pattern jury instructions for the claims pled here—to proceed on the full,
16 factually supported pleading that Washington law permits.
17

18 **II. STATEMENT OF RELEVANT FACTS**

19 A general factual summary of this case is set forth in the Plaintiff’s opposition to
20 Defendant Mulholland’s underlying CR 12(f) motion. Dkt. 29, pp. 2-4.

21 Plaintiff initiated this case August 25, 2025. On September 11, 2025, Defendant
22 Mulholland filed a CR 12(f) motion to strike portions of Plaintiff’s complaint, requesting oral
23 argument. In his motion, Mulholland claimed Plaintiff had made “efforts to prejudice” him by
24 “using a misleading pseudonym and pleading redundant, immaterial, impertinent, and
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unnecessarily inflammatory allegations...” and did so “to gain an advantage in this litigation.”
Dkt. 22, Mulholland Mtn., pp. 1-2, 4. Plaintiff opposed the motion.

On September 29, 2025, the Court entered an order partially granting Mulholland’s motion.¹ The Court noted its reliance on federal authority for guidance in defining relevant terms, specifically, to define the terms “immaterial,” “impertinent,” and “scandalous.” The primary case relied upon by the Court was *Ewing v. Freedom Forever, LLC*, 2024 U.S. Dist. LEXIS 10197, WL 221777 (2024). Dkt. 32, Order, p. 2.

Plaintiff now brings this motion before the Court.

III. STATEMENT OF ISSUES

Accepting that the Court considered federal authority in interpreting CR 12(f), should the Court nonetheless reconsider its decision partially granting Defendant Mulholland’s motion to strike when: 1) Mulholland has not established the requisite prejudice for a motion to strike; and 2) the allegations struck by the Court are directly relate to and are necessary to claims against either Mulholland or the institutional defendants.

IV. EVIDENCE RELIED UPON

Plaintiff relies upon the pleadings and papers filed in this action.

¹ Mulholland filed identical motions in other King County Superior Court cases, including: *Jane Doe 105 v. Mulholland, et al*, 25-2-24644-2 KNT, *Jane Doe 100 v. Mulholland, et al*, 25-2-22557-7 KNT, and *Jane Doe 103 v. Mulholland, et al*, 25-2-24316-8 KNT. Those motions were denied by the Hon. Samuel Chung and Hon. Josephine Wiggs. See Dkt. Nos. 30, 43, and 31 respectively.

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V. AUTHORITY

The Court should reconsider its partial grant of Mulholland's motion to strike portions of Plaintiff's complaint under CR 12(f).² Civil Rule 59 permits a party to seek reconsideration within ten days of the entry of a judgment, order, or other decision. CR 59(b), KCLCR 59. Particular to this motion, Plaintiff respectfully seeks reconsideration on the bases that there is no evidence to justify the decision, error in law inhered in the analysis of the Court's order, and that substantial justice has not been done. CR 59(a)(7)-(a)(9).

There is general judicial agreement that motions to strike should be denied unless the challenged allegations have no possible relation or logical connection to the subject matter of the controversy and may cause some form of significant prejudice to one or more of the parties to the action. *See Lipsky v. Commonwealth United Corp.*, 551 F.2d 887 (2d Cir. 1976) (motion to strike matter impertinent and immaterial will be denied, unless no evidence in support of the allegation would be admissible); and *Brady v. Basic Research, L.L.C.*, 101 F. Supp. 3d 217 (E.D.N.Y. 2015)(allegations should not be stricken if prejudice is outweighed by probative value). Any doubt about whether the challenged material is redundant, immaterial, impertinent,

² In his reply, Mulholland cited *A.G. v. Corp. of Catholic Archbishop of Seattle*, 162 Wn. App. 16, 271 P.3d 249 (2011), for the proposition that the Court may look to decisions interpreting the federal rule for guidance when state and federal rules are virtually identical. See Dkt. 31, Def. Reply at 5. But in *A.G.*, the Court properly interpreted a rule (CR 26) in accordance with federal framework because the Washington Supreme Court had affirmatively adopted that framework years prior. *A.G.* at 21, citing *Marine Power & Equip. Co., Inc. v. State, Dep't of Transp.*, 107 Wn.2d 872, 734 P.2d 480 (1987). No such affirmative adoption has occurred with CR 12. What is more, the cases interpreting Federal Rule 12(f) necessarily use a different lens when evaluating a motion to strike portions of a complaint, specifically that of the plausibility pleading standards of Federal Rule 8. The federal plausibility pleading standards have been expressly rejected in Washington state. See *McCurry v. Chevy Chase Bank, FSB*, 169 Wn.2d 96, 101, 233 P.3d 861 (2010). While Plaintiff maintains that the court erred in applying the federal case law interpreting the federal pleading standards of Fed. R. Civ. Proc. 8, 9, and 12, all of which are distinct from Washington's Court Rules, given that the Court has determined that it will apply federal law here, Plaintiff has cited such in this motion. Even under Federal caselaw, Mulholland has not met his burden.

1 or scandalous should be resolved in favor of the non-moving party. *Park v. Welch Foods, Inc.*,
2 5:12-CV-06449-PSG, 2014 WL 1231035 (N.D. Cal. Mar. 20, 2014) citing *In re Walmart*
3 *Stores, Inc. Wage & Hour Litig.*, 505 F.Supp.2d 609, 614 (N.D.Cal.2007). In deciding whether
4 to strike matters as impertinent or immaterial, the motion should be denied, unless shown that
5 no evidence in support of the allegation would be admissible. *Gleason v. Chain Service*
6 *Restaurant*, 300 F.Supp. 1241 (S.D.N.Y.1969), *aff'd*, 422 F.2d 342 (2d Cir. 1970).
7

8 **1. Defendant Mulholland has Failed to Meet His Burden to Establish**
9 **the Requisite Prejudice.**

10 Aside from making bare assertions, Mulholland has not meet his burden showing
11 prejudice such that the Court should have entertained his CR 12(f) motion to strike. Whether
12 applying Federal or Washington State law, it is near universal that a moving party bears the
13 burden to establish prejudice when seeking redress. *See Ewing* at LEXIS 29, WL 12, citing
14 *N.Y.C. Emps.' Ret. Sys. V. Berry*, 667 F. Supp. 2d 1121 (N.D. Cal. 2009)(even if matters are
15 contrary to 12(f), where a moving party cannot demonstrate prejudice denial of motion to strike
16 is appropriate); *LeDuc v. Ky. Cent. Life Ins. Co.*, 814 F.Supp. 820, 830 (N.D.Cal.1992)(a court
17 should not strike allegations supplying background or historical material unless it is unduly
18 prejudicial to the opponent); *see also Smith v. Orthopedics Int'l, Ltd., P.S.*, 170 Wn.2d 659,
19 244 P.3d 939 (2010)(burden of proof of some actual resultant harm is properly placed on the
20 moving party), citing *Ferry County v. Concerned Friends*, 155 Wash.2d 824, 831, 123 P.3d
21 102 (2005).
22

23 Here, Mulholland has made no showing of actual prejudice, nor articulated what his
24 claimed prejudice may, be aside from general claims the allegations insult, malign, or “cast
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1 him in a derogatory light.” But Mulholland also concedes “the nature of plaintiff’s claims in
2 and of themselves” do this. Dkt. 22, Mulholland Mtn, p. 3. Further, Mulholland cannot
3 establish, given the wealth of other publicly available information about his behaviors,
4 including the charges filed against him by the Washington Medical Commission in April 2025,
5 the media coverage, and the multiple civil suits against him which predate Plaintiff’s, that any
6 negative impacts to his reputation or character are attributable to the specific stricken
7 allegations in Jane Doe 104’s complaint. Nor can he claim that by striking the allegations in
8 Ms. Doe 104’s complaint it will make any appreciable difference to the current state of his
9 reputation.
10

11 In reply, Mulholland also makes claims the allegations in question are an effort to “gain
12 an unfair litigation advantage” but again fails to explain how. Dkt. 31, Mulholland Reply, p.
13 2. Without more, bare assertions of prejudice in the litigation process are not enough for the
14 Court to take the extraordinary step of striking portions of a plaintiff’s complaint. Unlike the
15 charging language in a criminal case, a civil jury never reads, or otherwise sees, a plaintiff’s
16 complaint. Mulholland cannot credibly claim any content in the complaint will prejudice the
17 jury against him, and it would be contrary to well established caselaw to claim anything
18 contained in Plaintiff’s complaint would have a prejudicial effect on the Court itself. *State v.*
19 *Majors*, 82 Wn. App. 843, 919 P.2d 1258 (1996) (the court is presumed to give evidence its
20 proper weight thereby avoiding any prejudice).
21

22 Nothing on the record supports Mulholland’s claims he has been, or will be prejudiced
23 in this litigation or elsewhere by the specific allegations in Plaintiff’s complaint that remain at
24 issue. Nor has he made any effort to articulate specifics to support his claims of prejudice, and
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1 since it is his burden to do so as a prerequisite to his motion to strike, the Court should
2 reconsider its decision for this reason alone.

3 **2. The Portions of the Complaint Struck by the Court are Admissible,**
4 **Material, and Necessary.**

5 Should the Court find Mulholland has made the required showing of prejudice, the
6 Court should still reconsider its findings of immateriality and impertinence. Each of the
7 allegations ultimately struck by the Court directly relate to one of more of the claims made by
8 Jane Doe 104 against one or more defendant in this case. By partially granting Mulholland's
9 motion, the Court has relieved the institutional defendants as well as Mulholland from having
10 to answer to all of Plaintiff's allegations.
11

12 CR 12(f) is intended to provide the trial court with means to protect defendants from
13 meritless attacks where the plaintiff maliciously alleges facts without probable cause. *Brin v.*
14 *Stutzman*, 89 Wn. App. 809, 821, 951 P.2d 291 (1998). That is not the case here. Jane Doe
15 104's complaint is an accounting of Mulholland's own actions and the actions and omissions
16 of the other institutional defendants, including Providence Health. Each allegation struck
17 relates to one or more of Jane Doe 104's claims.
18

19 Below is a summary of Jane Doe's claims for the Court's ease and convenience:

- 20 • **Sexual discrimination under the Washington Law Against Discrimination**
21 ("WLAD"), RCW 49.60, against all defendants, which encompasses civil
22 claims for sexual harassment, sexual abuse and sexual assault. *See W.H. v.*
23 *Olympia Sch. Dist.*, 195 Wn.2d 779, 465 P.3d 322 (2020); *Floeting v. Grp.*
24 *Health Coop.*, 192 Wn.2d 848, 434 P.3d 39 (2019).
- 25 • **Corporate Negligence** against institutional defendants, which encompasses a
26 failure to comply with standards of care to appropriately respond, supervise,
train, protect, intervene, etc. despite ample notice of Mulholland's behaviors, in

concert with the continued referral of patients and fraudulent concealment of the breadth of Mulholland's misconduct.

- **Medical Negligence** against Mulholland, which encompasses sexual assault, the use of extreme force, and infliction of severe pain all without medical justification.
- **Failure to Obtain Informed Consent** against Mulholland.
- **Negligent Infliction of Emotional Distress** against all defendants, which for the institutional defendants encompasses the concealment of prior complaints against Mulholland and failure to act under circumstances rising to the level of extreme or outrageous conduct.

Dkt. 1, Complaint, ¶¶ 5.1-5.19.

The recitation of facts and allegations Mulholland decries are not the result of Plaintiff's pleading choices, but of Mulholland and the institutional defendants' own conduct and the independent actions of state regulators. Put simply, the truth hurts. Factual allegations in a complaint that constitute an accurate account of a defendant's actions are not improper. *See King Cnty. Dep't of Adult & Juvenile Det. v. Parmelee*, 162 Wn. App. 337, 254 P.3d 927 (2011) (unpublished in part, ¶¶ 82-83) (inclusion of defendant's criminal history, prior incarceration, and prior poor treatment of DAJD employees were all properly included in complaint). Similarly, background information need not be stricken under Rule 12(f) because it provides the court "with a fuller understanding of the dispute." *Kaiser Found. Hosp. v. California Nurses Ass'n*, No. 11-5588 SC, 2012 WL 440634, at *4 (N.D.Cal.2012)..

And while Mulholland perhaps does not enjoy Plaintiff's word choice, that does not make the allegations inaccurate, nor does it mean they bear no relation to the matter such that striking them is warranted. In its simplest terms, Mulholland asks the Court to wade into the business of editing Plaintiff's complaint to be less offensive to him. But his burden is to show

specific prejudice, and to show the matters in question have “no possible bearing on the subject matter of the litigation.” *J.Y. v. Seattle Sch. Dist. No. 1*, No. C07-1226-Jcc, 2007 WL 4111202, at 9 (W.D. Wash. Nov. 16, 2007) (unpublished). He can do neither. Mulholland’s burden is especially high in this multi-defendant case, where the allegations must be read in the context of the complaint as a whole, not in isolation for claims that only pertain to him. What is more, Plaintiff is not required to prove at this stage that each allegation is independently decisive.

Consider also the stark information imbalance: Jane Doe, as an individual patient, has limited access to records and information, while Mulholland and the institutional defendants control her medical records, the records of other women, and internal information about how they handled sexual abuse and malpractice complaints against Mulholland over the years. To allow Mulholland to also control how Jane Doe 104 describes her claims and injuries sends the wrong message.

Assuming the Court is satisfied that the portions of the complaint struck actually prejudice Mulholland, then the ultimate question is whether the allegations the Court has ordered Plaintiff to strike could conceivably bear on the case—and they do, as shown below.

Mulholland’s Specific Complaint regarding Allegation	Struck by Court	Plaintiff’s Justification for Reconsideration	Evidence that the allegation could be admissible
Complaint ¶ 1.1 “Immaterial and impertinent” Introductory paragraph is not “simple, concise,	Entirety of ¶ 1.1 struck as “ <i>impertinent</i> ”.	Mulholland has not articulated clear prejudice to him specific to this paragraph. Objection it is not “simple, concise, or direct” is not the standard for a motion to strike. Further, although introductions are not	This introduction would be permitted by a judge in a civil trial to be given in opening statement. It is a preview of the facts, background, context and

Mulholland's Specific Complaint regarding Allegation	Struck by Court	Plaintiff's Justification for Reconsideration	Evidence that the allegation could be admissible
or direct" and is "superfluous commentary." "Misleading" because Jane Doe 104 is the only plaintiff in this case. "Serves no purpose other than to elicit media attention and malign" Mulholland.		required by pleading rules, nor are they prohibited. This case involves institutional defendants, medical providers, and allegations of sexual discrimination and assault, and Plaintiff's claims arise at the intersection of common law and multiple statutes. Allegations of institutional failures allowing Plaintiff's injuries are central to the case. Context for how these sources of law overlap is not impertinent. More than 18 similar lawsuits have been filed against Defendants. Arguing Ms. Doe 104 is the only plaintiff is disingenuous. Given the type of claims, prior complaints of other women are admissible to establish notice and illustrate the institutional defendant's outrageous conduct. It is near universal that plaintiffs in personal injury cases are subject to accusations by defendants of contributing to an overly litigious society or seeking a	identification of why the case is before a civil jury. It identifies that there are multiple parties, and basics of the claims which would also be given to a jury in jury instructions. As for references to the impact on the community or call to action to a jury due to institutional failures, Plaintiffs are routinely permitted to reference the purpose and public policy behind the WLAD, as identified in RCW 49.60 and <i>Floeting v. Grp. Health Coop.</i>, 200 Wn. App. 758, 768, 403 P.3d 559, 564 (2017), <i>aff'd</i> and remanded, 192 Wn.2d 848, 434 P.3d 39 (2019) (eradication of discrimination and deterrence). Plaintiffs in a civil case may also identify that the local jury reflects the "conscience of the community" particularly when the other community safeguards failed. <i>See Miller v. Kenny</i>, 180 Wn. App. 772,

Mulholland's Specific Complaint regarding Allegation	Struck by Court	Plaintiff's Justification for Reconsideration	Evidence that the allegation could be admissible
		"windfall" in the form of money damages. This paragraph anticipates and counters such defenses. Plaintiff is entitled to plead these facts now so that she is not unfairly blamed later. Striking these allegations deprives the complaint of context, risks obscuring the legal theories, and exposes Plaintiff to dismissal under CR 12 for failing to give Defendants clear notice of the claims.	816, 325 P.3d 278, 300 (2014) citing <i>State v. Finch</i>, 137 Wn.2d 792, 842, 975 P.2d, 967, cert. denied, 528 U.W. 922, (1999)
Complaint ¶ 4.9 "Inflammatory" Inflames prejudice against Mulholland because it "likened [Mulholland] to a murderer."	The phrase: "no less serious than homicide in the facility" struck as "immaterial".	Claiming that this allegation equates Mulholland to a murderer is histrionic. This allegation references accreditation standards and the level of seriousness or responsiveness required of a medical institution when allegations of these types of misconduct are lodged against a medical provider. It illustrates in unequivocal terms the level of attention and care accrediting authorities require when these complaints are lodged, which is material to Plaintiff's claims given the stark contrast with the institutional defendants' actual response.	Jurors in this case will be instructed that they are to consider evidence regarding the standards of health care and whether institutional defendants met them and monitored Mulholland's compliance. See WPI 105.02.02 (hospital responsibility-corporate negligence). The joint commission is one of those admissible standards.

Mulholland's Specific Complaint regarding Allegation	Struck by Court	Plaintiff's Justification for Reconsideration	Evidence that the allegation could be admissible
		This allegation also puts the institutional Defendants on notice of, and directly supports, Plaintiff's breach of duty claims of corporate negligence, and claims that the institutional defendants' conduct was outrageous and discriminatory in light of the standard of care required .	This accreditation standard and the seriousness required by any institution in taking action in response will be before the jury as they determine whether institutional defendants breached the duty owed to Jane Doe 104 as established by the joint commission. See WPI 14.03.02 (extreme and outrageous conduct).
Complaint ¶ 4.39 "Prejudicial and redundant" Allegation that the institutional defendants affirmatively sent patients to Mulholland despite notice of his history of abusing patients "serves no legitimate purpose"	The phrase: "and instead lured their trusting patients into their hospital and examination rooms to be verbally, sexually, and physically abused by him" struck as "<i>impertinent</i>".	These allegations are central to claims against the institutional defendants. Prior notice of Mulholland's pattern of abuse and the continuation of patient referrals directly supports Plaintiff's theories of corporate negligence, negligent retention, outrage, and discrimination. They go to the heart of institutional liability. It is backwards to argue each allegation must be proven before it can be plead. Plaintiff is entitled to set out factual allegations that, if	Mulholland's history of abuse and the institutional notice of this abuse is admissible evidence under ER 404(b) to prove Plaintiff's corporate medical negligence claims and her claims of outrage. See WPI 14.03.02; WPI 105.02.02.

Mulholland's Specific Complaint regarding Allegation	Struck by Court	Plaintiff's Justification for Reconsideration	Evidence that the allegation could be admissible
“...no allegations of abuse have been proven.”		proven, would support her claims. Rule 12 does not require proof at this stage, and a motion to strike is not a substitute for discovery or trial. These allegations are critical for Jane Doe 104 in particular, as Defendants will certainly argue she bears some responsibility for seeking treatment from Mulholland without first conducting her own due diligence. Allegations that the institutional defendants ignored ample notice and failed to act directly rebuts that narrative. Plaintiff is entitled to plead these facts now so that she is not unfairly blamed later, and they are pertinent to rebutting that defense.	
Complaint ¶ 4.52 “Inflammatory” and “designed to inflame prejudice.” Allegations that Mulholland “in some instances” sexually assaulted female patients is inflammatory and	The phrase: “and in some instances amounted to sexual [assault]” stuck as “<i>impertinent</i>”.	A criminal investigation is not a necessary predicate for a civil claim for the intentional tort of sexual assault. Nor does the absence of a criminal investigation exonerate Mulholland (or the institutional defendants) who had notice of patient complaints which plainly qualified as assault. Mulholland's argument here seems to conflate the two.	Mulholland's history of abuse and the institutional notice of this abuse is admissible evidence under ER 404(b) to prove Plaintiff's corporate medical negligence claims and her claims of outrage. See WPI 14.03.02; WPI 105.02.02.

Mulholland's Specific Complaint regarding Allegation	Struck by Court	Plaintiff's Justification for Reconsideration	Evidence that the allegation could be admissible
prejudicial because he "has never been arrested, charged, or convicted of a crime" Insinuates that because there are multiple accusers it makes Plaintiff's allegations true.		There is no requirement that each allegation be proven before it is plead. Plaintiff is entitled to set forth factual allegations that, if proven, would support her claims. Rule 12 does not require proof at this stage, and a motion to strike is not a substitute for discovery or trial. These allegations are directed at the institutional defendants, and provide context for Plaintiff's claims of corporate negligence, notice, and provides a basis for the allegations that their conduct and concealment of information was outrageous. Kadlec and Providence knew that Mulholland was accused of behavior towards patients tantamount to sexual assault yet continued to shunt patients towards him. That conduct directly pertains to Plaintiff's case.	
Complaint ¶ 5.4 "Designed to inflame prejudice," "prejudicial," and "redundant."	The phrase: "and ensured a stream of sex abuse victims"	This allegation properly pleads the employment and agency relationship between Mulholland and the institutional defendants, including that they continued to send patients to him on	This would be permitted by a judge in a civil trial to be given in opening statement. Further, Mulholland's history of abuse and

Mulholland's Specific Complaint regarding Allegation	Struck by Court	Plaintiff's Justification for Reconsideration	Evidence that the allegation could be admissible
The phrase "ensured a stream of sex abuse victims would be directed to his medical practice on premises they controlled" inflates the allegations and insinuates multiple victims makes the allegations true.	struck as " <i>impertinent</i> ".	their premises despite notice of his conduct. The phrasing Defendants object to—referencing a "stream of sex abuse victims"—is not prejudicial hyperbole but a fair characterization of the number of known victims who were directed to him by the institutional defendants, and it pertains directly to the repeated and systemic nature of the misconduct that institutional defendants encouraged and enabled.	the institutional notice of this abuse is admissible evidence under ER 404(b) to prove Plaintiff's corporate medical negligence claims and her claims of outrage. See WPI 14.03.02; WPI 105.02.02.

In sum, the claims found to be "impertinent" or "immaterial" all relate to specific claims made by Ms. Doe 104 against one or more defendant, or are related to anticipated defenses that will be raised by one or more defendant. Further, they constitute an accurate account of the Defendants' actions. By striking these portions of the complaint, not only Mulholland, but the institutional defendants are relieved of the duty of answering these allegations. Plaintiff asks the Court to reconsider its determinations that the above matters are not related or do not pertain to her claims.

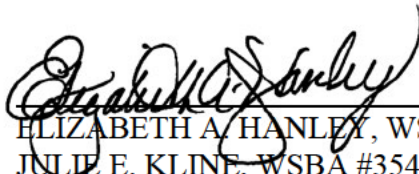
VI. CONCLUSION

For the reasons set forth above, Plaintiff respectfully requests that the Court reconsider its order granting in part Defendant Mulholland's motion to strike. Each of the stricken

1 allegations describes facts that would be admissible at trial, are material to Plaintiff's claims,
2 and cause no impermissible prejudice to Defendant Mulholland. Any discomfort these
3 allegations create arises not from improper pleading, but from the outrageous and disturbing
4 nature of the conduct alleged—conduct attributable to Mulholland and the institutional
5 defendants themselves. The allegations may be upsetting to read, but they correspond directly
6 to the elements of the claims asserted and the pattern jury instructions that will ultimately
7 govern this case, including those addressing outrage, corporate negligence, and discrimination.
8 Leaving the order in place would improperly narrow the scope of the case before discovery or
9 evidentiary rulings can be made. Justice therefore requires that the Court vacate its prior ruling,
10 deny Defendants' motion in full, and allow Jane Doe 104 to proceed on the complete, factually
11 supported complaint drafted in accordance with Washington law and the applicable jury
12 instructions.
13
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15 DATED at Seattle, Washington, this 6th day of October, 2025.

16 SCHROETER GOLDMARK & BENDER

17 
18 ELIZABETH A. HANLEY, WSBA #38233
19 JULIE E. KLINE, WSBA #35461

20 Counsel for Plaintiff
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1 **CERTIFICATE OF SERVICE**

2 I certify that I caused to be served in the manner noted below a copy of the foregoing
3 pleading on the following individual(s):

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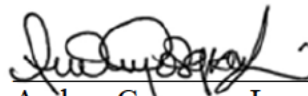
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21 DATED: October 6, 2025, at Seattle, Washington.

22 

23 Audrey Cosgrove-Lewandowski, Paralegal