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CASE #: 25-2-35688-4 KNT

Chief Judge, MRJC – Hon. David Keenan
Hearing Date: February 9, 2026
Without Oral Argument

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

JANE DOE 108, 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. 25-2-35688-4 KNT

PLAINTIFF JANE DOE 108's MOTION
TO PROCEED UNDER PSEUDONYM

I. INTRODUCTION

Plaintiff Jane Doe 108 seeks pseudonymity in this sex discrimination, harassment, and negligence case against Defendants Providence St. Joseph Health, Providence Health & Services, Providence Health Services – Washington, Kadlec Regional Medical Center, and

1 Mark E. Mulholland (“Defendants”). Despite notice that Defendants’ employee, OBGYN
2 Mark Mulholland had a propensity to sexually harass and abuse female patients, Defendants
3 minimized, rationalized, and ultimately ignored these complaints. Jane Doe 108 was
4 victimized by Defendant Mulholland despite his employers’ awareness of his history of
5 misconduct.

6 As a civil rights Plaintiff seeking redress for a matter implicating her most intimate
7 medical information and experience of sex discrimination and harassment, an order permitting
8 Jane Doe 108 to proceed pseudonymously is critical to protect her privacy interests. Requiring
9 Jane Doe 108 to proceed under her full name will mean that she is no longer protected from
10 the possibility of harassment, embarrassment, and ridicule for bringing claims against a
11 medical provider in her small community. There is no public interest which outweighs these
12 concerns, which are much more significant than run-of-the-mill embarrassment that can be
13 brought on by litigation.
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15 Further, denial of this motion may chill other sex abuse victims from bringing forward
16 claims. This is contrary to the public policy behind the Washington Law Against
17 Discrimination, a statute enacted to encourage individuals to act as “private attorney generals”
18 in stamping out invidious discrimination across the state.
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20 II. STATEMENT OF RELEVANT FACTS

21 The allegations in this case involve sexual discrimination, harassment, and medical
22 negligence by Defendant Mulholland, an obstetrical gynecologist employed by Defendants
23 Providence and Kadlec (“Institutional Defendants”). Beginning in November of 2022, Ms. Doe
24 108 transferred her prenatal care to Associated Physicians for Women’s Health – Kadlec
25 because her physician in Oregon deemed her pregnancy high-risk and identified the need for
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1 her to deliver at a larger medical facility. See Dkt. 1 (Complaint), ¶ 4.42; Declaration of
2 Elizabeth Hanley in Support of Motion to Proceed Under Pseudonym, ¶ 1. Ms. Doe 108 was
3 scheduled by Institutional Defendants to see Defendant Mark Mulholland, M.D. on multiple
4 occasions. Ms. Doe 108 was diagnosed with preeclampsia at around 32 weeks by Defendant
5 Mulholland. Dkt. 1, ¶ 4.47. Defendant Mulholland saw her on at least two other occasions over
6 the next several weeks. *Id.* at ¶ 4.55, 4.59. During this time, Ms. Doe 108 reported significant
7 and escalating symptoms of preeclampsia to Defendant Mulholland and other providers which
8 was corroborated by lab results. *Id.* at ¶ 4.46-4.61.

9
10 Defendant Mulholland also performed unnecessary vaginal digital exams on Ms. Doe
11 108 and did not chart them. *Id.* Defendant Mulholland told Ms. Doe 108 many of the
12 preeclampsia symptoms she reported were related to her being fat, called her “chunky,” and
13 on one occasion after a vaginal exam told her she would miss how “wet” her vagina was post-
14 pregnancy. *Id.* Defendant Mulholland dismissed or ignored Ms. Doe 108’s reports of escalating
15 symptoms and did not induce labor, nor would he schedule her for a c-section prior to 37
16 weeks. *Id.* at ¶4.61. As a result of Defendant Mulholland’s failures, Ms. Doe 108 suffered
17 organ damage, was forced to deliver her child at a ill-equipped hospital, and hemorrhaged
18 during child birth necessitating a hysterectomy. *Id.* at ¶ 4.52-4.65.

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20 Jane Doe 108’s claims against the Defendants include discrimination, medical
21 negligence, corporate negligence, medical battery, outrage, and consumer protection act
22 claims. *Id.* at ¶¶ 5.1-10.8. The Institutional Defendants are collectively the second largest
23 employer in the region where Plaintiff resides. Hanley Decl., Ex. 2 (Richland Washington by
24 the Numbers). There has been significant attention and controversy in the Tri-Cities area since
25 the Washington Medical Commission announced charges against Defendant Mulholland and
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1 other allegations have surfaced against Defendants. *Id.*, Ex. 3 (Miller Decl.). As such, by
2 making the above allegations, Plaintiff faces a real threat of public shaming, retaliation,
3 unwanted public attention and scrutiny, and other stigma, all of which may cause significant
4 additional harm. *Id.*

6 **III. EVIDENCE RELIED UPON**

7 This motion relies upon the Declaration of Elizabeth A. Hanley, with attached exhibits,
8 and the pleadings and papers properly on file with the Court.

10 **IV. LEGAL AUTHORITY**

11 **A. The Court Should Protect the Privacy of Victims of Sexual Violence** 12 **During Civil Litigation.**

13 While CR 10(a)(1) provides that the title of a complaint must include the names of all
14 the parties, plaintiffs have been allowed to proceed pseudonymously where a substantial
15 privacy interest outweighs the public interest in access to the court record. The Washington
16 Supreme Court has noted that a “plaintiff may proceed under a pseudonym to protect a privacy
17 interest.” *N. Am. Council on Adoptable Children v. Dep’t of Soc. & Health Servs.*, 108 Wn.2d
18 433, 440, 739 P.2d 677 (1987).

19 Federal and state courts alike have repeatedly permitted pseudonym use in precisely
20 these circumstances. *See, e.g., Does v. U.S. Olympic Comm.*, 2019 WL 2992031, at *1–2 (D.
21 Colo. 2019) (unpublished)¹ (claims of abuse against USA gymnastics physician); *Doe v. Smith*,
22 105 F. Supp. 2d 40, 45 (E.D. N.Y. 1999) (suit against psychiatrist who molested, abused and
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25 ¹ GR 14.1(b) allows parties to cite unpublished decisions from other jurisdictions, if permitted under the law of
26 the jurisdiction of the issuing court. These decisions have no precedential value. Copies of those opinions are
attached as **Appendix A**.

1 assaulted patient during treatment); *Doe v. Pasadena Hosp. Ass'n, Ltd.*, 2018 WL 6831533, at
2 *2 (C.D. Cal. Dec. 26, 2018) (unpublished) (suit against physician and hospital for abuse,
3 molestation and harassment during exam). Additionally, several state legislatures have enacted
4 statutes which provide for use of pseudonyms in civil suits. *See* Alaska R. of Admin. 40(b);
5 Comm. Practice Book §11-20(c); Del. Sup. Ct. Rule 7(d); Fla. Stat. § 92.56(3); 735 Ill. Comp.
6 Stat. 5/2-401(e); N.J.S.A. 2A:61B-1(f); and Tex. Civ. Prac. & Rem. Code § 30.013(c)(1)-(4).

7 Washington courts have historically permitted certain protected parties, like abuse
8 victims, to proceed pseudonymously, to avoid deterring victims from pursuing litigation out of
9 fear of unwarranted public humiliation, embarrassment, and privacy concerns. For example,
10 an individual who brought claims against their stepfather and church for sex abuse was
11 permitted to proceed pseudonymously. *Doe v. Corp. of President of Church of Jesus Christ of*
12 *Latter-Day Saints*, 141 Wn. App. 407, 167 P.3d 1193 (2007). Similarly, where a student sued
13 a university over an investigation of sexual assault claims against him, the court allowed the
14 plaintiff to proceed under a pseudonym to protect their privacy. *Doe v. Corp. of President of*
15 *Church of Jesus Christ of Latter-Day Saints*, 141 Wn. App. 407, 167 P.3d 1193 (2007).

16 The need to protect victims throughout the civil process has not only been recognized
17 by the Courts, but also by the our legislature. In 2020, the Washington Legislature substantially
18 restricted discovery into the medical records of victims of discrimination because that invasion
19 of privacy could potentially discourage civil rights plaintiffs from bringing claims. *See* RCW
20 49.60.510. In passing this law, the legislature recognized that there had been “weaponization
21 of the request for medical records,” which had a “chilling effect in sexual harassment cases.”
22 2019 Washington Senate Bill No. 6236, Washington Sixty-Sixth Legislature - 2020 Regular
23 Session.
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1 **B. Jane Doe 108 Proceeding Pseudonymously Would Not Interfere With the**
2 **Public’s Interest in this Action and the Balance of Interests Compels**
3 **Anonymity.**

4 While a party’s request to proceed in pseudonym raises constitutional considerations
5 under Wash. Const. art. I, § 10, the factors set forth for granting a motion to proceed
6 pseudonymously weigh in Jane Doe 108’s favor. *See Seattle Times Co. v. Ishikawa*, 97 Wn.
7 2d 30, 640 P.2d 716 (1982). In determining whether to allow Ms. Doe 108 to proceed
8 pseudonymously, the Court must apply the *Ishikawa* factors to (1) identify the need to seal
9 court records; (2) allow anyone present in the courtroom an opportunity to objection; (3)
10 determine whether the requested method is the least restrictive means of protecting the interest
11 threatened; (4) weigh the competing interests and consider alternative methods; and then (5)
12 issue an order no broader than necessary. *Doe G. v. Dep’t of Corr.*, 190 Wn.2d 185, 410 P.3d
13 1156 (2018).

14 Here, the need to protect Jane Doe 108 is clearly established by the supporting
15 declaration and exhibits. Pseudonyms protect survivors of sexual assault from stigma,
16 retaliation, and re-traumatization while enabling claims to be litigated on the merits. Hanley
17 Decl., Ex. 3 (Miller Decl.) at ¶ 24.

18 Plaintiff seeks only to proceed via pseudonym, and not to seal the entire court record.
19 Proceeding in this manner is the least restrictive means of protecting her privacy. Moreover,
20 ends of justice supports Ms. Doe 108’s request because it ensures that other potential victims
21 of Defendant Mulholland—of whom there appears to be a substantial number—will not be
22 intimidated from bringing forth their own allegations.

23 Plaintiff’s request is also consistent with public policy and is narrow enough to avoid
24 infringement on other policies relating to open courts. For example, the names of Defendants
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1 and Mulholland will not be redacted. Washington courts have indicated that the names of
2 criminal or civil defendants, particularly where sex offenses are involved, should generally not
3 be shielded from the public. In light of this policy, the Washington Supreme Court has reversed
4 a trial court's order permitting a convicted sex offender to proceed via pseudonym. *Doe G*, 190
5 Wn.2d at 200. The Court recognized that the names of people convicted of criminal offenses,
6 including sex offenders, have generally been open to the public and by statute their names are
7 subject to "disseminated without restriction." *Id.* at 199 (citing RCW 10.97.050).

8
9 Plaintiff's request is narrowly tailored and her request to proceed pseudonymously is
10 well supported by clear public policy. She meets the requirement to proceed in this manner in
11 pleadings as well as in the courtroom.

12 V. CONCLUSION

13 Plaintiff's motion should be granted. Proceeding under a pseudonym would protect her
14 privacy in light of the extremely sensitive nature of sex abuse allegations, particularly in the
15 context of a civil rights claim. This will not only ensure Plaintiff's safety and that she avoid
16 the intense stigma associated with such a claim in her community, but also that other victims
17 are not chilled from also seeking their own relief.
18

19 DATED at Seattle, Washington, this first day of December, 2025.

20 SCHROETER GOLDMARK & BENDER

21
22 

23 ELIZABETH A. HANLEY, WSBA #38233
24 JULIE E. KLINE, WSBA #35461
25 DIEGO RONDON-ICHIKAWA, WSBA #
26 Counsel for Plaintiff

I certify that this memorandum contains 1,677 words, in compliance with the Local Civil Rules.

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