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SUPERIOR COURT OF WASHINGTON
IN AND FOR YAKIMA COUNTY

D. R. (ROB) CASE, a natural human,

Plaintiff,

vs.

JOSE ROCHA and MORGAN ROCHA, husband and wife,

Defendants.

NO. 20201530 39

SUMMONS

TO: JOSE ROCHA and MORGAN ROCHA, defendants.

A lawsuit has been started against you and each of you in the above-entitled court by D. R. (ROB) CASE, plaintiff. The plaintiff's claims are stated in the written "Complaint for Defamation, False Light Invasion of Privacy, Intentional Infliction of Emotional Distress, Tortious Interference with Contract, and Harassment", a copy of which is served upon you with this "Summons".

In order to defend against this lawsuit, you must respond to the Complaint by stating your defense (if any) in writing and by serving a copy of that written response upon the undersigned attorney for the plaintiff within 20 days after the service of this Summons, excluding the day of service, if served within the state of Washington (or within 60 days after service of this summons upon you, exclusive of the day of service, if served outside of the state of Washington), otherwise a default judgment may be entered against you without notice.

LARSON BERG & PERKINS PLLC
105 North 3rd Street
P.O. Box 550
Yakima, WA 98907
(509) 457-1515
(509) 457-1027 (fax)

A default judgment is one where the plaintiffs are entitled to what they ask for because you have not responded in writing.

If you serve a notice of appearance on the undersigned attorney, you are entitled to notice before a default judgment may be entered.

You may demand that the plaintiff file this lawsuit with the court. If you do so, the demand must be in writing and must be served upon the attorney signing this Summons. Within 14 days after you serve the demand, the plaintiffs must file this lawsuit with the court, or the service on you of the Summons and Complaint will be void.

If you wish to seek the advice of an attorney in this matter, you should do so promptly so that your written response, if any, may be served on time.

This Summons is issued pursuant to Rule 4 of the Superior Court Civil Rules of the State of Washington.

DATED this 28th day of July, 2020.

LARSON BERG & PERKINS PLLC
Attorneys for Plaintiff

By _____
D. R. (ROB) CASE (WSBA #34313)

File your written response with:

Office of County Clerk & Ex-Officio Clerk of Superior Court
Yakima County Courthouse
128 North Second Street, Room 323
Yakima, WA 98901
Phone: (509) 574-1430

Serve a copy of your response upon:

D. R. (Rob) Case
Larson Berg & Perkins PLLC
105 North Third Street
Yakima, WA 98901
Phone: (509) 457-1515

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D. R. (ROB) CASE, a natural human,

Plaintiff,

vs.

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Defendants.

NO. 20 2 01530 39

COMPLAINT FOR DEFAMATION, FALSE LIGHT INVASION OF PRIVACY, INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS, TORTIOUS INTERFERENCE WITH CONTRACT, AND HARASSMENT

COME NOW the plaintiff, D. R. (ROB) CASE, via his attorneys of record, the law firm of Larson Berg & Perkins PLLC and lawyer D. R. (Rob) Case, and as his "Complaint" against the defendants, plaintiff hereby alleges, claims and prays as follows:

GENERAL ALLEGATIONS

1.

At all material times, D. R. (ROB) CASE (hereinafter referred to as "plaintiff") has been an adult human and has been a resident of Yakima County.

2.

At all material times, JOSE ROCHA and MORGAN ROCHA (hereinafter collectively referred to as "defendants") have been natural persons, have been married to each other as husband and wife, and have been a resident of Yakima County.

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3.

All relevant actions and omissions by the defendants occurred within Yakima County, originated from Yakima County and/or touch and concern Yakima County.

4.

All relevant actions and omissions by the defendants were undertaken on behalf of and for the intended benefit of their marital community.

5.

Commencing on Monday, July 27, 2020, and continuing thereafter, defendant Jose Rocha began posting public comments about the plaintiff on Facebook. Such comments are demeaning, derogatory, inflammatory, harassing, and otherwise intended to injure and harm the plaintiff and the plaintiff's legitimate business interests. Appended hereto and marked as "Attachment A" are screenshot images of such Facebook comments.

6.

Many other users have seen and reacted to such Facebook comments. This is also reflected in "Attachment A" hereto.

CLAIM ONE: DEFAMATION

7.

Plaintiff incorporates the substance of the above paragraphs 1 through 6 as if those paragraphs are fully repeated within this paragraph 7.

8.

The actions and omissions of the defendants constitute the tort of defamation.

9.

Defendant Jose Rocha's Facebook comments are false and are unprivileged communications.

10.

As a sole, direct, proximate and foreseeable result, plaintiff suffered and continue to suffer cognizable damages which will likely increase over time.

11.

Plaintiff is entitled to a monetary judgment against the defendants, jointly and severally.

///

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12.

Irrespective of whether the defendant acted with malice, via reckless disregard or negligently, plaintiff is entitled to a monetary judgment for actual damages.

13.

If the defendants are deemed to have acted with malice or via reckless disregard, then plaintiff is further entitled to a monetary judgment for punitive or presumed damages.

14.

Plaintiff is further entitled to injunctive relief ordering the defendants to delete all of the Facebook comments, to issue a public apology, and to never again defame the plaintiff whether via Facebook or otherwise.

CLAIM TWO: FALSE LIGHT INVASION OF PRIVACY

15.

Plaintiff incorporates the substance of the above paragraphs 1 through 14 as if those paragraphs are fully repeated within this paragraph 15.

16.

The actions and omissions of the defendants constitute the tort of false light invasion of privacy.

17.

Defendant Jose Rocha publicized content that portrayed the plaintiff in a false light. Objectively, the false light would be highly offensive to a reasonable person. Factually, the defendant knew the information was false or said defendant recklessly disregarded whether it was true.

18.

As a sole, direct, proximate and foreseeable result, plaintiff suffered and continue to suffer cognizable damages which will likely increase over time.

19.

Plaintiff is entitled to a monetary judgment against the defendants, jointly and severally.

20.

Plaintiff's monetary damages include, but are not limited to, compensation for injured feelings and mental suffering.

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21.

Plaintiff is further entitled to injunctive relief ordering the defendants to delete the Facebook comments, to issue a public apology, and to never again defame the plaintiff whether via Facebook or otherwise.

CLAIM THREE: INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

22.

Plaintiff incorporates the substance of the above paragraphs 1 through 21 as if those paragraphs are fully repeated within this paragraph 22.

23.

The actions and omissions of the defendants constitute the tort of intentional infliction of emotional distress.

24.

Defendant Jose Rocha engaged in extreme and outrageous conduct toward the plaintiff, defendant intentionally or recklessly inflicted emotional distress on the plaintiff, and the actual result to plaintiff was severe emotional distress.

25.

As a sole, direct, proximate and foreseeable result, plaintiff suffered and continue to suffer cognizable damages which will likely increase over time.

26.

Plaintiff is entitled to a monetary judgment against the defendants, jointly and severally.

27.

Plaintiff is further entitled to injunctive relief ordering the defendant to delete the Facebook comments, to issue a public apology, and to never again defame the plaintiff whether via Facebook or otherwise.

CLAIM FOUR: TORTIOUS INTERFERENCE WITH CONTRACT

28.

Plaintiff incorporates the substance of the above paragraphs 1 through 27 as if those paragraphs are fully repeated within this paragraph 28.

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29.

The actions and omissions of defendants constitute the tort of tortious interference with contract.

30.

During the time of the defendant Jose Rocha's actions and omissions, plaintiff had a contractual business relationship whereby he is the Municipal Attorney for the City of Selah and also another contractual relationship whereby he is a partner attorney with Larson Berg & Perkins PLLC.

31.

Defendant Jose Rocha knew of the plaintiff's contractual relationships.

32.

Defendant Jose Rocha endeavored to intentionally induce or cause termination or interference with the plaintiff's contracts.

33.

Defendant Jose Rocha acted for an improper purpose and/or via improper means.

34.

As a sole, direct, proximate and foreseeable result, plaintiff suffered and continue to suffer cognizable damages which will likely increase over time.

35.

Plaintiff is entitled to a monetary judgment against defendants, jointly and severally.

36.

Plaintiff is further entitled to injunctive relief ordering the defendants to delete the Facebook comments, to issue a public apology, and to never again defame the plaintiff whether via Facebook or otherwise.

CLAIM FIVE: HARASSMENT

37.

Plaintiff incorporates the substance of the above paragraphs 1 through 36 as if those paragraphs are fully repeated within this paragraph 37.

38.

The actions and omissions of defendants constitute the tort of harassment.

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39.

Defendant Jose Rocha engaged in a knowing and willful course of conduct directed at the plaintiff.

40.

Such course of conduct seriously alarmed, annoyed, harassed, and/or was detrimental to the plaintiff.

41.

Such course of conduct serves no legitimate or lawful purpose.

42.

As a sole, direct, proximate and foreseeable result, plaintiff suffered and continue to suffer cognizable damages which will likely increase over time.

43.

Plaintiff is entitled to a monetary judgment against defendants, jointly and severally.

44.

Plaintiff is further entitled to injunctive relief ordering the defendants to delete the Facebook comments, to issue a public apology, and to never again defame the plaintiff whether via Facebook or otherwise.

RESERVATION OF RIGHT TO AMEND

45.

Plaintiff reserves the right to potentially amend this Complaint, including but not limited to adding additional claims and/or joining additional defendants.

PRAYER FOR RELIEF

WHEREFORE, having pled his claims against the defendants, plaintiff prays for the following relief:

A. For monetary damages, in one or more amounts to be established.

B. For prejudgment interest, incurred costs, expenses and reasonable attorneys' fees, each to the maximum extent recoverable by law, under contract, and/or in equity.

C. For injunctive relief as specified in this Complaint.

D. For any additional or different relief as the court deems appropriate.

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DATED this 28th day of July, 2020.

LARSON BERG & PERKINS PLLC
Attorneys for Plaintiff

By: _____
D. R. (ROB) CASE (WSBA #34313)

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"Attachment A"

p. 8

Verizon 6:00 PM 60%

Jose Rocha

Jose Rocha

APB Rob "The Coffee Creeper" Case
Last seen slithering around Selah neighborhoods, pretending to be a detective. Just like Don "Why Me" Wayman pretends to be a cop and a soldier. Watch out for these perpetrators.

Verizon 6:00 PM 60%

Jose Rocha

Jose Rocha

APB Rob "The Coffee Creeper" Case
Last seen slithering around Selah neighborhoods, pretending to be a detective. Just like Don "Why Me" Wayman pretends to be a cop and a soldier. Watch out for these perpetrators.

PROOF THAT IT IS HIS CAR

Verizon 6:00 PM 60%

Gabriel Fabian

Like Share

Gabriel Fabian

SPD confirms that Selah City Attorney Rob Case is the one following women and children around town and staking out their homes. Why does this man even have the addresses of residents? What a giant creep, and if you see a dark gray Chrysler 300 with the license plate BLH3908, please document it and report it to the police. This man is unstable.

Update: SPD Officer Singletary took the first report and is taking it very seriously. Please encourage the other women to file their report with him. Documentation is incredibly important.

Please copy and Share!!!

5 Comments 4 Shares

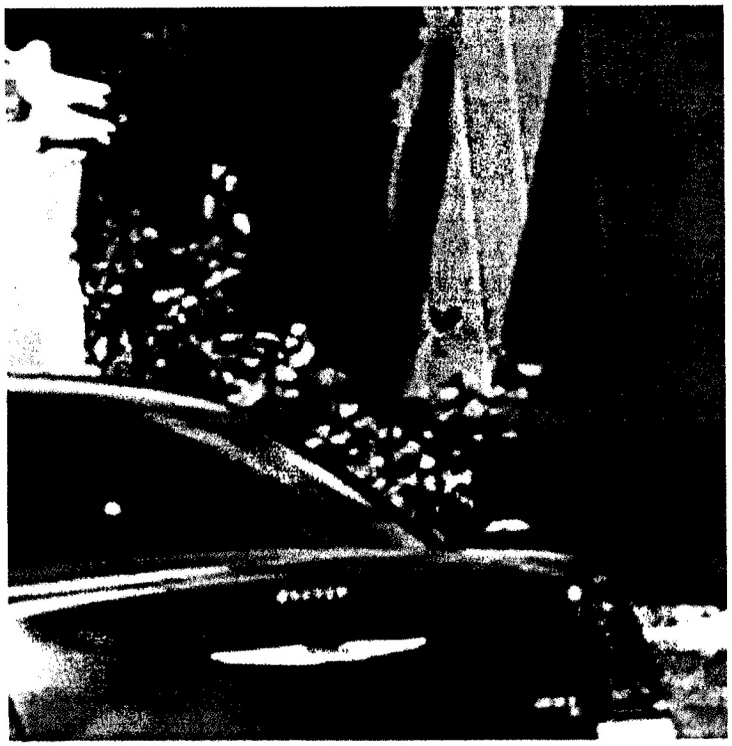
Like Share

p. 11

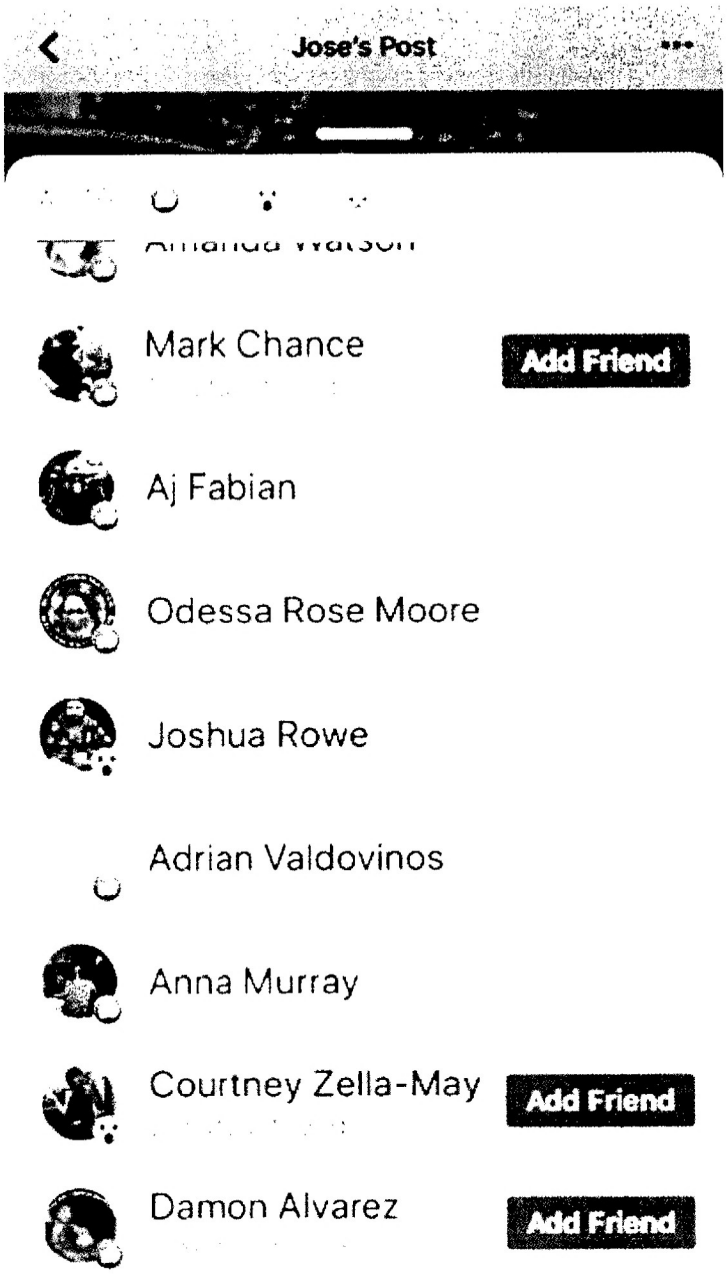
Verizon 6:00 PM 60%

Jose Rocha

Be aware this is city attorney rob cases car. He is stalking women and young girls that are protesting with BLM here in selah. Rob is a coward and creep.



Write a comment


Jose's Post
Mark Chance
Add Friend
Aj Fabian
Odessa Rose Moore
Joshua Rowe
Adrian Valdovinos
Anna Murray
Courtney Zella-May
Add Friend
Damon Alvarez
Add Friend

Jose's Post

be a cop and a soldier. Watch out for these

Mark Chance Add Friend

Aj Fabian

J.p. Boyd Add Friend

Brian Briskey Add Friend

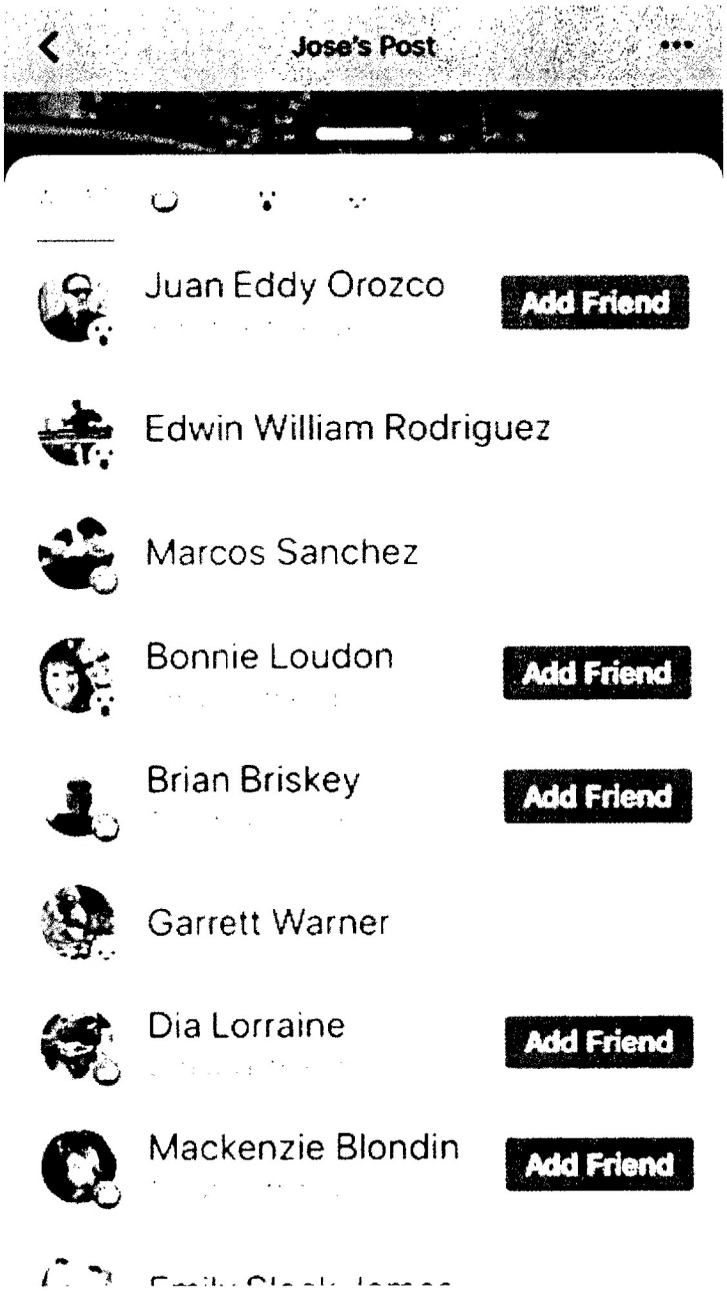
Jordie Elizabeth Add Friend

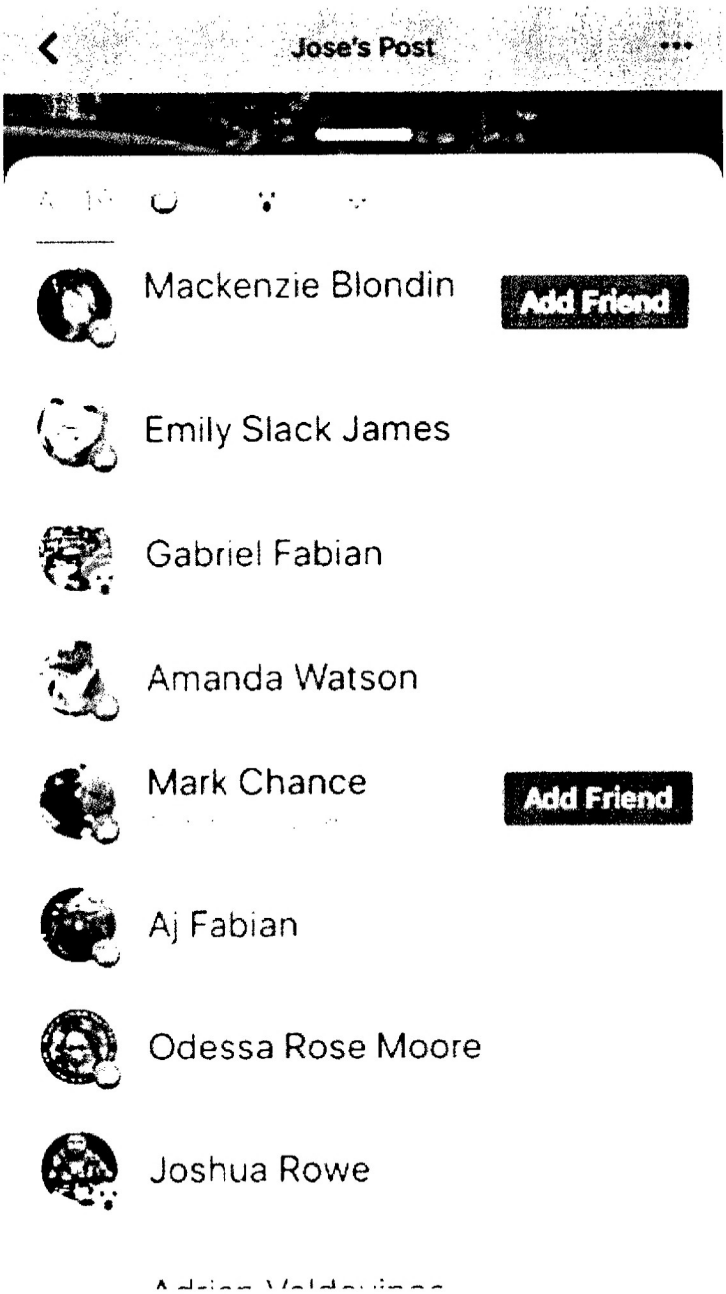
Anna Murray

Jaymes Sonesen

Zachary Taylor Shean

Damon Alvarez


Jose's Post
Juan Eddy Orozco
Add Friend
Edwin William Rodriguez
Marcos Sanchez
Bonnie Loudon
Add Friend
Brian Briskey
Add Friend
Garrett Warner
Dia Lorraine
Add Friend
Mackenzie Blondin
Add Friend


Jose's Post
Mackenzie Blondin
Add Friend
Emily Slack James
Gabriel Fabian
Amanda Watson
Mark Chance
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Aj Fabian
Odessa Rose Moore
Joshua Rowe