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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

JAE Y. HONG, DDS, PS, individually and on  
behalf of all others similarly situated,

Plaintiff,

v.

VALLEY FORGE INSURANCE COMPANY,

Defendant.

COMPLAINT—CLASS ACTION

JURY DEMAND

**I. INTRODUCTION**

Plaintiff, JAE Y. HONG, DDS, PS, individually and on behalf of all other similarly situated members of the defined national class and Washington State subclasses (collectively, the “Class Members”), by and through the undersigned attorneys, brings this class action against Defendant Valley Forge Insurance Company (“Valley Forge” or “Defendant”) and alleges as follows based on personal knowledge and information and belief:

**II. JURISDICTION AND VENUE**

1. This Court has subject matter jurisdiction pursuant to the Class Action Fairness Act of 2005, 28 U.S.C. § 1332(d), because at least one Class member is of diverse citizenship from Defendant, there are 100 or more Class members nationwide, and the aggregate amount in

1 controversy exceeds \$5,000,000. The Court has supplemental jurisdiction over Plaintiff’s state  
2 law claims under 28 U.S.C. § 1367.

3 2. This Court has personal jurisdiction over Defendant because Defendant is  
4 registered to do business in Washington, has sufficient minimum contacts in Washington, and  
5 otherwise intentionally avails itself of the markets within Washington through its business  
6 activities, such that the exercise of jurisdiction by this Court is proper. Moreover, the claims of  
7 Plaintiff and all of the Washington subclass members in this case arise out of and directly relate  
8 to Defendant’s contacts with Washington.  
9

10 3. Venue is proper in this District pursuant to 28 U.S.C. § 1391(b)(3) because the  
11 Court has personal jurisdiction over Defendant, a substantial portion of the alleged wrongdoing  
12 occurred in this District and the state of Washington, and Defendant has sufficient contacts with  
13 this District and the state of Washington.  
14

15 4. Venue is proper in the Western District of Washington pursuant to 28 U.S.C. §  
16 1391(b)(2) because a substantial part of the events or omissions giving rise to the claims at issue  
17 in this Complaint arose in this District. Plaintiff’s businesses are located in Everett and  
18 Marysville, Snohomish County, and in Burien, King County. This action is therefore  
19 appropriately filed in the Seattle Division because a substantial portion of the events giving rise  
20 to this lawsuit arose in Snohomish and King Counties.  
21

22 **III. PARTIES**

23 5. Plaintiff, Jae Y. Hong, DDS, PS, owns and operates oral and maxillofacial  
24 surgical dental businesses located at 5929 Evergreen Way, #300, Everett, Washington 98203;  
25 1809 4<sup>th</sup> Street, Marysville, Washington 98270; and 429 SW 153<sup>rd</sup> Street, Burien, Washington  
26 98166.



1 14. Plaintiff paid all premiums for the coverage when due.

2 15. On or about January 2020, the United States of America saw its first cases of  
3 persons infected by COVID-19, which has been designated a worldwide pandemic.

4 16. In light of this pandemic, on February 29, 2020, Washington Governor Jay Inslee  
5 issued Proclamation 20-5, declaring a State of Emergency for all counties in the state of  
6 Washington as the result of COVID-19.

7 17. Thereafter, Governor Inslee issued a series of certain proclamations and orders  
8 affecting many persons and businesses in Washington, whether infected with COVID-19 or not,  
9 requiring certain public health precautions.  
10

11 18. On March 19, 2020, Governor Inslee issued Proclamation 20-24, “Restrictions on  
12 Non-Urgent Medical Procedures.” The proclamation provides, in part:  
13

14 WHEREAS, the health care personal protective equipment supply chain in  
15 Washington State has been severely disrupted by the significant increased use of  
16 such equipment worldwide, such that there are now critical shortages of this  
17 equipment for health care workers. To curtail the spread of the COVID-19  
18 pandemic in Washington State and to protect our health care workers as they  
19 provide health care services, it is necessary to immediately prohibit all hospitals,  
ambulatory surgery centers, and dental, orthodontic, and endodontic offices in  
Washington State from providing health care services, procedures and surgeries  
that require personal protective equipment, which if delayed, are not anticipated  
to cause harm to the patient within the next three months[.]

20 19. By order of Governor Inslee, oral and maxillofacial surgical businesses, including  
21 Plaintiff’s, were prohibited from providing services but for urgent and emergency procedures.

22 20. No COVID-19 virus has been detected on Plaintiff’s business premises.

23 21. Plaintiff’s property sustained direct physical loss and/or damage related to  
24 COVID-19 and/or the proclamations and orders.  
25  
26

1 22. Plaintiff's property will continue to sustain direct physical loss or damage covered  
2 by the Valley Forge policy or policies, including but not limited to business interruption, extra  
3 expense, interruption by civil authority, and other expenses.

4 23. Plaintiff's property cannot be used for its intended purposes.

5 24. As a result of the above, Plaintiff has experienced and will experience loss  
6 covered by the Valley Forge policy or policies.

7 25. After Plaintiff's businesses were shut down in March 2020, Plaintiff sought  
8 coverage for the loss. By letter dated April 28, 2020, Valley Forge denied coverage for the loss.

9 26. Upon information and belief, Valley Forge has denied or will deny all similar  
10 claims for coverage.  
11

## 12 V. CLASS ACTION ALLEGATIONS

13 27. This matter is brought by Plaintiff on behalf of itself and those similarly situated,  
14 under Federal Rules of Civil Procedure 23(b)(1), 23(b)(2), and 23(b)(3).

15 28. The Classes that Plaintiff seeks to represent are defined at this time as:

16 A. ***Business Income Breach of Contract Class:*** All persons and entities in  
17 the United States issued a Valley Forge policy with Business Income Coverage who  
18 suffered a suspension of their business at the covered premises related to COVID-19  
19 and/or orders issued by Governor Inslee, other Governors, and/or other civil authorities  
20 and whose Business Income claim has been denied by Valley Forge.

21 B. ***Business Income Breach of Contract Washington Subclass:*** All persons  
22 and entities in the State of Washington issued a Valley Forge policy with Business  
23 Income Coverage who suffered a suspension of their business at the covered premises  
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1 related to COVID-19 and/or orders issued by Governor Inslee, and/or other civil  
2 authorities and whose Business Income claim has been denied by Valley Forge.

3 C. ***Business Income Declaratory Relief Class:*** All persons and entities in the  
4 United States issued a Valley Forge policy with Business Income Coverage who suffered  
5 a suspension of their business at the covered premises related to COVID-19 and/or orders  
6 issued by Governor Inslee, other Governors, and/or other civil authorities.  
7

8 D. ***Business Income Declaratory Relief Washington Subclass:*** All persons  
9 and entities in the State of Washington issued a Valley Forge policy with Business  
10 Income Coverage who suffered a suspension of their business at the covered premises  
11 related to COVID-19 and/or orders issued by Governor Inslee, and/or other civil  
12 authorities.  
13

14 E. ***Extended Business Income Breach of Contract Class:*** All persons and  
15 entities in the United States issued a Valley Forge policy with Extended Business Income  
16 Coverage who suffered a suspension of their business at the covered premises related to  
17 COVID-19 and/or orders issued by Governor Inslee, other Governors, and/or other civil  
18 authorities and whose Extended Business Income claim has been denied by Valley Forge.  
19

20 F. ***Extended Business Income Breach of Contract Washington Subclass:***  
21 All persons and entities in the State of Washington issued a Valley Forge policy with  
22 Extended Business Income Coverage who suffered a suspension of their business at the  
23 covered premises related to COVID-19 and/or orders issued by Governor Inslee, and/or  
24 other civil authorities and whose Extended Business Income claim has been denied by  
25 Valley Forge.  
26

1           G.     ***Extended Business Income Declaratory Relief Class:*** All persons and  
2 entities in the United States issued a Valley Forge policy with Extended Business Income  
3 Coverage who suffered a suspension of their business at the covered premises related to  
4 COVID-19 and/or orders issued by Governor Inslee, other Governors, and/or other civil  
5 authorities.  
6

7           H.     ***Extended Business Income Declaratory Relief Washington Subclass:*** All  
8 persons and entities in the State of Washington issued a Valley Forge policy with  
9 Extended Business Income coverage who suffered a suspension of their business at the  
10 covered premises related to COVID-19 and/or orders issued by Governor Inslee, and/or  
11 other civil authorities.  
12

13           I.     ***Extra Expense Breach of Contract Class:*** All persons and entities in the  
14 United States issued a Valley Forge policy with Extra Expense Coverage who sought to  
15 minimize losses from the suspension of their business at the covered premises in  
16 connection with COVID-19 and/or orders issued by Governor Inslee, other Governors,  
17 and/or other civil authorities and whose Extra Expense claim has been denied by Valley  
18 Forge.  
19

20           J.     ***Extra Expense Breach of Contract Washington Subclass:*** All persons  
21 and entities in the State of Washington issued a Valley Forge policy with Extra Expense  
22 Coverage who sought to minimize losses from the suspension of their business at the  
23 covered premises in connection with COVID-19 and/or orders issued by Governor Inslee,  
24 and/or other civil authorities and whose Extra Expense claim has been denied by Valley  
25 Forge.  
26

1           K.     ***Extra Expense Declaratory Relief Class:*** All persons and entities in the  
2 United States issued a Valley Forge policy with Extra Expense Coverage who sought to  
3 minimize losses from the suspension of their business at the covered premises in  
4 connection with COVID-19 and/or orders issued by Governor Inslee, other Governors,  
5 and/or other civil authorities.  
6

7           L.     ***Extra Expense Declaratory Relief Washington Subclass:*** All persons and  
8 entities in the State of Washington issued a Valley Forge policy with Extra Expense  
9 Coverage who sought to minimize losses from the suspension of their business at the  
10 covered premises in connection with COVID-19 and/or orders issued by Governor Inslee,  
11 and/or other civil authorities.  
12

13           M.     ***Civil Authority Breach of Contract Class:*** All persons and entities in the  
14 United States issued a Valley Forge policy with Civil Authority Coverage who suffered a  
15 suspension of their practice and/or extra expense at the covered premises related to  
16 COVID-19 and/or orders issued by Governor Inslee, other Governors, and/or other civil  
17 authorities and whose Civil Authority claim has been denied by Valley Forge.  
18

19           N.     ***Civil Authority Breach of Contract Washington Subclass:*** All persons  
20 and entities in the State of Washington issued a Valley Forge policy with Civil Authority  
21 coverage who suffered a suspension of their business and/or extra expense at the covered  
22 premises related to COVID-19 and/or orders issued by Governor Inslee, and/or other civil  
23 authorities and whose Civil Authority claim has been denied by Valley Forge.  
24

25           O.     ***Civil Authority Declaratory Relief Class:*** All persons and entities in the  
26 United States issued a Valley Forge policy with Civil Authority Coverage who suffered a  
suspension of their practice at the covered premises related to COVID-19 and/or orders



1 issued by Governor Inslee, other Governors, and/or other civil authorities.

2 P. **Civil Authority Declaratory Relief Washington Subclass:** All persons and  
3 entities in the State of Washington issued a Valley Forge policy with Civil Authority  
4 Coverage who suffered a suspension of their business at the covered premises related to  
5 COVID-19 and/or orders issued by Governor Inslee, and/or other civil authorities.  
6

7 29. Excluded from the Classes are Defendant's officers, directors, and employees; the  
8 judicial officers and associated court staff assigned to this case; and the immediate family  
9 members of such officers and staff. Plaintiff reserves the right to amend the above-described  
10 Class definitions based on information obtained in discovery including Defendant's internal  
11 records presently unavailable to Plaintiff.

12 30. This action may properly be maintained on behalf of each proposed Class under  
13 the criteria of Rule 23 of the Federal Rules of Civil Procedure.  
14

15 31. **Numerosity:** The members of the Class are so numerous that joinder of all  
16 members would be impractical. Plaintiff is informed and believes that the proposed Class  
17 contains hundreds of members. The precise number of class members can be ascertained through  
18 discovery, which will include Defendant's records of policyholders.

19 32. **Commonality and Predominance:** Common questions of law and fact  
20 predominate over any questions affecting only individual members of the Class. Common  
21 questions include, but are not limited to, the following:  
22

23 A. Whether the class members suffered covered losses based on common  
24 policies issued to members of the Class;

25 B. Whether Valley Forge acted in a manner common to the class and  
26 wrongfully denied claims for coverage relating to COVID-19 and/or orders issued by

1 Governor Inslee, other Governors, and/or other civil authorities;

2 C. Whether Business Income Coverage in Valley Forge’s policies of  
3 insurance applies to a suspension of practice relating to COVID-19 and/or orders issued  
4 by Governor Inslee, other Governors, and/or other civil authorities;

5 D. Whether Extended Business Income Coverage in Valley Forge’s policies  
6 of insurance applies to a suspension of practice relating to COVID-19 and/or orders  
7 issued by Governor Inslee, other Governors, and/or other civil authorities;

8 E. Whether Extra Expense Coverage in Valley Forge’s policies of insurance  
9 applies to efforts to minimize a loss at the covered premises relating to COVID-19 and/or  
10 orders issued by Governor Inslee, other Governors, and/or other civil authorities;

11 F. Whether Civil Authority Coverage in Valley Forge’s policies of insurance  
12 applies to a suspension of practice relating to COVID-19 and/or orders issued by  
13 Governor Inslee, other Governors, and/or civil authorities;

14 G. Whether Valley Forge has breached its contracts of insurance through a  
15 blanket denial of all claims based on business interruption, income loss or closures  
16 related to COVID-19 and/or orders issued by Governor Inslee, other Governors, and/or  
17 other civil authorities;

18 H. Whether, because of Defendant’s conduct, Plaintiff and the Class  
19 Members have suffered damages; and if so, the appropriate amount thereof; and

20 I. Whether, because of Defendant’s conduct, Plaintiff and the Class  
21 Members are entitled to equitable and declaratory relief, and if so, the nature of such  
22 relief.

23 33. **Typicality:** Plaintiff’s claims are typical of the claims of the members of the  
24  
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1 classes. Plaintiff and all the members of the classes have been injured by the same wrongful  
2 practices of Defendant. Plaintiff's claims arise from the same practices and course of conduct  
3 that give rise to the claims of the members of the Class and are based on the same legal theories.

4 34. **Adequacy:** Plaintiff will fully and adequately assert and protect the interests of  
5 the classes and has retained class counsel who are experienced and qualified in prosecuting class  
6 actions. Neither Plaintiff nor its attorneys have any interests contrary to or in conflict with the  
7 Class.

8  
9 35. **Federal Rule of Civil Procedure 23(b)(1), the Risk of Inconsistent or Varying**  
10 **Adjudications and Impairment to Other Class Members' Interests:** Plaintiff seeks  
11 adjudication as to the interpretation, and resultant scope, of Defendant's policies, which are  
12 common to all members of the class. The prosecution of separate actions by individual members  
13 of the classes would risk inconsistent or varying interpretations of those policy terms and create  
14 inconsistent standards of conduct for Defendant.

15  
16 36. **Federal Rule of Civil Procedure 23(b)(2), Declaratory and Injunctive Relief:**  
17 Defendant acted or refused to act on grounds generally applicable to Plaintiff and other members  
18 of the proposed classes making injunctive relief and declaratory relief appropriate on a classwide  
19 basis.

20  
21 37. **Federal Rule of Civil Procedure 23(b)(3), Superiority:** A class action is  
22 superior to all other available methods of the fair and efficient adjudication of this lawsuit. While  
23 the aggregate damages sustained by the classes are likely to be in the millions of dollars, the  
24 individual damages incurred by each class member may be too small to warrant the expense of  
25 individual suits. Individual litigation creates a risk of inconsistent and/or contradictory decisions  
26 and the court system would be unduly burdened by individual litigation of such cases. A class

1 action would result in a unified adjudication, with the benefits of economies of scale and  
2 supervision by a single court.

3 **VI. CAUSES OF ACTION**

4 **Count One—Declaratory Judgment**

5 *(Brought on behalf of the Business Income Declaratory Relief Class, Business Income*  
6 *Declaratory Relief Washington Subclass, Extended Business Income Declaratory Relief Class,*  
7 *Extended Business Income Declaratory Relief Washington Subclass, Extra Expense*  
8 *Declaratory Relief Class, Extra Expense Declaratory Relief Washington Subclass, Civil*  
9 *Authority Declaratory Relief Class, and Civil Authority Declaratory Relief Washington*  
10 *Subclass)*

11 38. Previous paragraphs alleged are incorporated herein.

12 39. This is a cause of action for declaratory judgment pursuant to the Declaratory  
13 Judgment Act, codified at 28 U.S.C. § 2201.

14 40. Plaintiff brings this cause of action on behalf of the Business Income Declaratory  
15 Relief Class, Business Income Declaratory Relief Washington Subclass, Extended Business  
16 Income Declaratory Relief Class, Extended Business Income Declaratory Relief Washington  
17 Subclass, Extra Expense Declaratory Relief Class, Extra Expense Declaratory Relief Washington  
18 Subclass, Civil Authority Declaratory Relief Class, and Civil Authority Declaratory Relief  
19 Washington Subclass.

20 41. Plaintiff seeks a declaratory judgment declaring that Plaintiff and Class Members'  
21 losses and expenses resulting from the interruption of their business are covered by the Policy.

22 42. Plaintiff seeks a declaratory judgment declaring that Valley Forge is responsible  
23 for timely and fully paying all such claims.

24 **Count Two—Breach of Contract**

25 *(Brought on behalf of the Business Income Breach of Contract Class, Business*  
26 *Income Breach of Contract Washington Subclass, Extended Business Income Breach*  
*of Contract Class, Extended Business Income Breach of Contract Washington*





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By: s/ Alison Chase (Pro hac applic. to be filed)  
Alison Chase, CA Bar #226976  
801 Garden Street, Suite 301  
Santa Barbara, CA 93101  
Email: achase@kellerrohrback.com  
Telephone: (805) 456-1496  
Fax: (805) 456-1497

*Attorneys for Plaintiff*

4839-1220-4733, v. 2

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

JAE Y. HONG, DDS, PS, individually and on behalf of all others similarly situated

(b) County of Residence of First Listed Plaintiff King County, WA (EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

KELLER ROHRBACK L.L.P. 1201 Third Avenue, Suite 3200, Seattle, WA 98101 (206) 623-1900

DEFENDANTS

VALLEY FORGE INSURANCE COMPANY

County of Residence of First Listed Defendant Delaware County, PA (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff, 2 U.S. Government Defendant, 3 Federal Question (U.S. Government Not a Party), 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State, Citizen of Another State, Citizen or Subject of a Foreign Country, PTF DEF, Incorporated or Principal Place of Business In This State, Incorporated and Principal Place of Business In Another State, Foreign Nation

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Table with columns: CONTRACT, REAL PROPERTY, CIVIL RIGHTS, TORTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, FEDERAL TAX SUITS, OTHER STATUTES. Includes various legal categories like Insurance, Personal Injury, Real Estate, etc.

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding, 2 Removed from State Court, 3 Remanded from Appellate Court, 4 Reinstated or Reopened, 5 Transferred from Another District (specify), 6 Multidistrict Litigation - Transfer, 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 28 U.S.C. § 1391(b)

Brief description of cause: Insurance bad faith

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$

CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE Barbara J. Rothstein

DOCKET NUMBER 2:20-cv-00809-BJR

DATE 06/09/2020 SIGNATURE OF ATTORNEY OF RECORD /s/ Amy Williams-Derry

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE



**INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44**

## Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.  
 United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.  
 United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.  
 Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.  
 Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.  
 Original Proceedings. (1) Cases which originate in the United States district courts.  
 Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.  
 Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.  
 Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.  
 Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.  
 Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.  
 Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.  
**PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7.** Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.  
 Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.  
 Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

**Date and Attorney Signature.** Date and sign the civil cover sheet.

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Washington

JAE Y. HONG, DDS, PS, individually and on behalf of all others similarly situated,

Plaintiff(s)

v.

VALLEY FORGE INSURANCE COMPANY

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) VALLEY FORGE INSURANCE COMPANY 100 MATSONFORD ROAD, SUITE 200 RADNOR, PA 19087

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Amy Williams-Derry, Lynn L. Sarko, Ian S. Birk, Gretchen Freeman Cappio, Irene M. Hecht, Maureen Falecki, Nathan Nanfelt KELLER ROHRBACK L.L.P. 1201 Third Avenue, Suite 3200 Seattle, WA 98101

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: \_\_\_\_\_

Signature of Clerk or Deputy Clerk

Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_ .

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_ , and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_ , who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the summons unexecuted because \_\_\_\_\_ ; or

Other *(specify)*:

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_ 0.00 \_\_\_\_\_ .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

JAE Y. HONG, DDS, PS, individually and on behalf of all others similarly situated,

Plaintiff,

v.

VALLEY FORGE INSURANCE COMPANY,

Defendant.

No.

NOTICE OF RELATED CASES

The below-listed cases against Valley Forge Insurance Company involve similar claims and arise out of similar policy forms used by a similar defendant. In addition to similar claims against a similar defendant, there is also a similar nature of relief requested by the plaintiff in the above-captioned action and the cases listed below. Accordingly, it appears likely that there could be an unduly burdensome duplication of labor and expense and potential for conflicting results if the cases listed below are conducted before different judges.

Pursuant to LCR 3(g), the undersigned counsel therefore notifies the Clerk of Court of the following potentially related cases:

Case Name	Judge	Case No.
Kara McCulloch DMD MSD PLLC v. Valley Forge Insurance Company	Barbara J. Rothstein	W.D. WA 2:20-cv-00809-BJR

Case Name	Judge	Case No.
Noskenda Inc. v. Valley Forge Insurance Company	Marsha J. Pechman	W.D. WA 2:20-cv-00854-MJP

DATED this 9th day of June, 2020.

KELLER ROHRBACK L.L.P.

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By: s/ Lynn L. Sarko

By: s/ Ian S. Birk

By: s/ Gretchen Freeman Cappio

By: s/ Irene M. Hecht

By: s/ Maureen Falecki

By: s/ Nathan L. Nanfelt

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