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7	IN THE SUPERIOR COURT FOR THE STATE OF WASHINGTON IN AND FOR KING COUNTY		
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9	JAYAKRISHNAN K. NAIR,	NT	
10	Plaintiff,	) No.	
11	vs.	COMPLAINT FOR ACCOUNTING AND FOR DAMAGES	
12	MIDAS MULLIGAN, LLC, a Washington		
13	Limited Liability Company; M. ALEX TOTH ) and "JANE DOE" TOTH, husband and wife, and) the marital community thereof, )		
14	Defendants.		
15	)		
16	COMES NOW Plaintiff, by and through his attorneys of record, and complains and		
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19 20	I. PARTIES		
20 21	1.1 Plaintiff is Jayakishnan Nair, a resident of King County, Washington. He is the		
21 22	owner of real property located in Snoqualmie, King County, Washington, which was the		
22	subject of a separate judicial foreclosure action and redemption.		
24	1.2 Defendant Midas Mulligan, LLC ("Midas Mulligan") is a Washington limited		
25	liability company that solicits and conducts business within the State of Washington. The		
26	principal office of Midas Mulligan is located in King County.		
	COMPLAINT – 1 SMITH MCBROOM, PLLC P.O. Box 510		

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**II. JURISDICTION AND VENUE** 4 2.1 Jurisdiction and venue are properly held by this Court. Defendants reside in 5 King County, Washington, within the meaning of RCW 4.12.025. In addition, this matter 6 concerns the accounting and correctness of a redemption payoff statement concerning real 7 8 property located in King County. 9 **III. FACTS** 10 3.1 On May 21, 2013, Snoqualmie Ridge Residential Owners Association 11 ("Snoqualmie Ridge") filed a complaint against Mr. Nair for unpaid assessments related to 12 his ownership of real property located at 6706 Quigley Ave. SE, Snoqualmie, WA 98065. 13 Snoqualmie Ridge sought to judicially foreclose on its lien, and filed the action in King 14 15 County, under cause no. 13-2-20375-8 SEA. 16 3.2 On December 8, 2017, a Sheriff's sale was held, and the King County Sheriff 17 sold the real property to defendant Midas Mulligan for \$28,000.00. 18 3.3 In or about November 2018, Mr. Nair requested a sworn statement pursuant 19 to RCW 6.23.090 identifying the amount necessary to redeem the property from Midas 20 Mulligan. Midas Mulligan responded by providing a statement that included numerous 21 22 additional costs and expenses above and beyond its initial sale price. 23 3.4 On December 8, 2018, Mr. Nair redeemed the property by paying the inflated 24 amount identified in Midas Mulligan's redemption statement. 25 26 COMPLAINT - 2SMITH MCBROOM, PLLC P.O. Box 510 Renton, Washington 98057 (206) 409-3828

Defendants M. Alex Toth and his wife, "Jane Doe" Toth are, upon information

and belief, residents of King County and the principal owners of Midas Mulligan.

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1	IV. CAUSES OF ACTION	
2	4.1	Plaintiff incorporates by reference the allegations set forth in the preceding
3	paragraphs as if set forth in full herein.	
4	А.	FIRST CAUSE OF ACTION: ACCOUNTING
5	4.2	Plaintiff contests the correctness of Midas Mulligan's redemption statement,
6 7	and seeks an accounting of the redemption statement, including all rents, profits, and	
8	expenses, pursuant to RCW 6.23.090.	
9	B. <u>SECOND CAUSE OF ACTION: DAMAGES</u>	
10	4.3	Plaintiff seeks reimbursement for damages caused by paying an amount to
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14	V. PRAYER FOR RELIEF	
15	WHEREFORE, Plaintiff, having asserted claims for relief, now prays as follows:	
16	5.1	For an order directing Defendants to provide a detailed accounting
17	demonstrating the redemption amount to which they claimed entitlement;	
18 19	5.2	For judgment in favor of Plaintiffs in an amount to be proven at trial;
20	5.3	For attorney fees, costs, and prejudgment and post-judgment interest as
21	allowed by statute or equity; and	
22	5.4	For such further relief as the Court deems just and equitable in the premises.
23	DATE	D this 7th day of January, 2019.
24		SMITH MCBROOM, PLLC
25		<u>/s/ Matthew J. Smith</u> MATTHEW J. SMITH, WSBA #33309
26		Attorneys for Plaintiff
	COMPLAIN	Γ – 3 SMITH MCBROOM, PLLC P.O. Box 510 Renton, Washington 98057 (206) 409-3828